



## **Magistrates Court of Western Australia Civil Jurisdiction**

### **Fact Sheet 35 – Warrant for Arrest**

#### **What is a warrant for arrest?**

A warrant for arrest is issued to a bailiff to have a person arrested and brought before the court for not attending the court as ordered by a summons.

#### **Court appearance**

The judgment debtor will be brought before the court, which will deal with the person's contempt for non- appearance. The judgment creditor can then proceed to conduct the means inquiry. If the judgment creditor is unavailable to conduct the means or default inquiry, then the court may adjourn the inquiry to another date and place and require the arrested person to enter into an undertaking to appear.

#### **See Fact Sheets:**

**No. 24 Means Inquiry (information for the judgment creditor)**

**No. 25 Means Inquiry (information for the judgment debtor)**

#### **How to apply for a warrant for arrest**

Complete and lodge **Form 6**. The judgment creditor will be required to pay the prescribed bailiff enforcement fees. Enforcement fees may vary based upon a number of factors including the number of enforcement attempts made and

the distance travelled to execute the enforcement process. Please refer to the Civil Judgment Enforcement Regulations 2005 for the full list of fees.

## **Role of the Bailiff**

The bailiff will arrest and take the judgment debtor to a prison, lockup or a court custody centre.

**This is a guide only. The content is subject to change.**

If you are unsure about any of the information in this fact sheet, contact your nearest registry or seek legal advice.