

EXPLANATORY NOTES

LIST OF WITNESSES TO BE SUMMONED BY THE CLERK (SJ-839A)

The “List of Witnesses to Be Summoned by the Clerk” form allows a party to a small claims case to identify the witnesses that he or she wishes to have testify in court and to request that the clerk of the Small Claims Division summon the witnesses. This form must be sent to the office of the Court at least 30 days before the hearing date. If the judge finds that a witness was summoned and his or her attendance was unnecessary, the party having requested the witness to be summoned could be required to pay the legal costs related to the witness’s appearance in Court.

Note that the presence of a witness can be replaced by a written statement that will serve as factual testimony. Note also that the presence of an expert witness can be replaced by a written statement that will serve as an expert report (the Court will rule on whether the person qualifies as an expert and on the probative value of the report). In this respect, you must use the form “Statement in Lieu of Testimony” (SJ-837A), which is available from the clerk of the Court or on the website of the ministère de la Justice at www.justice.gouv.qc.ca.

For more information, as well as the contact information for all courthouses in the province of Québec, consult the [list of courthouses](#) on the website of the ministère de la Justice.

TYPES OF FORMS

This form is available in dynamic PDF format, meaning the form can be downloaded from www.justice.gouv.qc.ca and completed directly on screen.

- Dynamic PDF:

After completing the form, you must print it on letter-sized paper, i.e. 8.5 inches by 11 inches (215.9 mm by 279.4 mm). Be sure to set your printer to this paper size.

- Paper:

If you complete the form by hand, please write legibly in block letters.

PROCEDURE

Once the form is completed, keep a copy for your files.

Be sure to provide the full address of all witnesses to be summoned and to notify the clerk of any change of address. You must then send it to the courthouse. The clerk will see to summoning the witnesses.

CANADA
PROVINCE OF QUÉBEC
District:
Locality:
File No.:

COURT OF QUÉBEC
Civil Division
Small Claims Division

Plaintiff

versus

Defendant

and

Intervening third party

LIST OF WITNESSES TO BE SUMMONED BY THE CLERK

At the request of the ☐ Plaintiff ☐ Defendant ☐ Intervening third party

Name and full address of each witness to be summoned (Attach additional sheets as necessary):

Given name		Surname	
Number	Street	Apartment	
Locality		Province	Postal code
Reason for summons:			
Purpose of testimony:			

Given name		Surname	
Number	Street	Apartment	
Locality		Province	Postal code
Reason for summons:			
Purpose of testimony:			

Given name		Surname	
Number	Street	Apartment	
Locality		Province	Postal code
Reason for summons:			
Purpose of testimony:			

At _____, on _____

Plaintiff / Defendant / Intervening third party

If you know the date of the trial, please indicate it:

DATE OF TRIAL: _____ ROOM: _____ TIME: _____