

EXPLANATORY NOTES

CONTESTING A CREDITOR'S CLAIM FURTHER TO A SEIZURE OF INCOME (art. 566 and 775 C.C.P.) (SJ-857-07A)

Using the form entitled “Contesting a creditor’s claim further to a seizure of income”, any interested party may request that a creditor’s claim further to a seizure of income be dismissed, so that the sums the seizing creditor would have been entitled to are retained until a decision is rendered by the Court.

You have 15 days from notification of the claim to contest it.

TYPES OF FORMS

- Dynamic PDF:

After completing the form, you can print it on letter-sized paper, i.e. 8.5 inches by 11 inches (215.9 mm by 279.4 mm).

- 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.

You will need to contact the Small Claims Division office to obtain information to complete the “Notice of Summons” section of the form.

FILING AT THE COURT OFFICE

You must then submit the form to the Small Claims Division office. To do this, you may use the Digital Court Office of Québec (GNJQ), which is accessible via the website of the Ministère de la Justice at www.justice.gouv.qc.ca.

The clerk will then summon the other parties to a hearing.

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

CANADA
PROVINCE OF QUÉBEC

District: _____

Locality: _____

File No.: _____

COURT OF QUÉBEC

Civil Division

Small Claims Division

_____ _____ _____ Plaintiff	_____ _____ _____ Defendant
_____ _____ Executing bailiff	and _____ _____ Garnishee

**CONTESTING A CREDITOR'S CLAIM
FURTHER TO A SEIZURE OF INCOME
(art. 566 and 775 C.C.P.)**

The ☐ plaintiff ☐ defendant is contesting the claim of _____, creditor, filed in
the record on _____, on the following grounds:

THEREFORE, THE ☐ PLAINTIFF ☐ DEFENDANT IS ASKING THE COURT TO:

DISMISS the creditor's claim as worded and filed with the Office of this Court on _____ ;

THE WHOLE legal costs.

In _____, on _____

☐ Plaintiff ☐ Defendant ☐ Garnishee

NOTICE OF SUMMONS

TO : _____
Plaintiff

TO : _____
Defendant

TO : _____
Garnishee

TO : _____
Creditor whose claim is contested

Take note that this notice has been filed in the case record.

Consequently, in accordance with articles 566 and 717 of the Code of Civil Procedure, you are summoned to a hearing regarding this contestation, which will take place at the _____ courthouse, located in _____, on _____, at _____, room _____.

Please bring any documents that you consider useful to present to the Court at the hearing.

In _____, on _____.

Court clerk