

Explanatory note
Approval of forms

Form 23A – Notice of intention to elect trial by jury in defamation proceedings

Form 23B – Requisition for trial by jury

UCPR 29.2 was amended to clarify the procedure for making an election under the Defamation Act 2004. The new forms:

- Reflect the amendment to the rule
- Will replace Form 23 - Requisition for trial by jury/ Notice of intention to elect trial by jury in defamation proceedings

Form 26 – Subpoena to produce

The new form removes an incorrect reference to UCPR 31.32.

Form 64 – Writ of delivery

The new form corrects a typographical mistake.

Form 70 – Garnishee order for debts

The new form updates the Lawlink web address.

Form 71 – Garnishee order for wages or salary

The new form reflects an amendment to s.122 of the Civil Procedure Act 2005 that changes the maximum amount payable in relation to garnishee orders against wages or salaries.

Form 79 – Notice of intention to file notice of ceasing to act

Form 80 – Notice of ceasing to act

UCPR 7.29 was amended to require a solicitor who intends to withdraw from proceedings to file (instead of serve) a notice of intention to change of solicitor. The new forms reflect the amendment to the rule.

Form 87 – Request for service abroad of judicial documents and certificate

Form 88 – Summary of the document to be served

The new forms will be used when documents are served under the Hague Convention. The forms:

- Are based on the forms that are required to be used under the Hague Convention
- Were approved by the harmonisation committee that developed the harmonised rules.

Form 111 – Summons for Probate, Administration, Administration with the Will annexed

Form 112 - Probate/Letters of Administration/Reseal

Form 113 – Reseal

The new forms:

- Include more information about the will and any codicils in the title of proceedings
- Remove the instructions for completing the "relief claimed" section in the summons.
- Provide a separate form if a person is applying for a reseal of a grant.

NOTICE OF INTENTION TO ELECT TRIAL BY JURY IN DEFAMATION PROCEEDINGS

COURT DETAILS

Court

#Division

#List

Registry

Case number

TITLE OF PROCEEDINGS

[First] plaintiff [name]

#Second plaintiff #Number of
plaintiffs (if more than two)

[First] defendant [name]

#Second defendant #Number of
defendants (if more than two)

FILING DETAILS

Filed for [name] [role of party eg plaintiff]

#Legal representative [solicitor on record] [firm]

#Legal representative reference [reference number]

Contact name and telephone [name] [telephone]

ELECTION UNDER SECTION 21 DEFAMATION ACT 2005

[Name of party] intends to make an election for trial by jury under section 21 of the
Defamation Act 2005.

SIGNATURE

#Signature of legal representative

#Signature of or on behalf of
party if not legally represented

Capacity [eg solicitor, authorised officer, role of party]

Date of signature

REQUISITION FOR TRIAL BY JURY

COURT DETAILS

Court

#Division

#List

Registry

Case number

TITLE OF PROCEEDINGS

[First] plaintiff [name]

#Second plaintiff #Number of
plaintiffs (if more than two)

[First] defendant [name]

#Second defendant #Number of
defendants (if more than two)

FILING DETAILS

Filed for [name] [role of party eg plaintiff]

#Legal representative [solicitor on record] [firm]

#Legal representative reference [reference number]

Contact name and telephone [name] [telephone]

JURY REQUISITION

#[Name of party] requires a trial with a jury.

#[Name of party] has made an election for trial by jury under section 21 of the Defamation
Act 2005.

SIGNATURE

#Signature of legal representative

#Signature of or on behalf of
party if not legally represented

Capacity

[eg solicitor, authorised officer, role of party]

Date of signature

SUBPOENA TO PRODUCE

COURT DETAILS

Court

#Division

#List

Registry

Case number

TITLE OF PROCEEDINGS

[First] plaintiff [name]

#Second plaintiff #Number of
plaintiffs (if more than two)

[First] defendant [name]

#Second defendant #Number of
defendants (if more than two)

ISSUING DETAILS

Issued at request of [name] [role of party eg plaintiff]

#Legal representative [solicitor on record] [firm]

#Legal representative reference [reference number]

Contact name and telephone [name] [telephone]

Address for service

ORDER TO THE WITNESS

Name

Address

You are ordered to produce this subpoena or a copy of it and the documents or things specified in the Schedule to the court.

NOTICE TO THE WITNESS

1 Failure to comply with this subpoena without lawful excuse is a contempt of court and may result in your arrest.

2 The last day for service of this subpoena is [date] (see note 1).

[Note: date must be 5 clear days before the earliest date on which the addressee is required to comply with the subpoena or an earlier or later date fixed by the court (UCPR 33.3), unless the subpoena is to be served outside NSW, but in Australia.]

3 Please read notes 1 to 12 at the end of this subpoena.

HOW TO RESPOND

You must comply with this subpoena:

- by attending to produce this subpoena or a copy of it and the documents or things specified in the Schedule below to the address below at the time, date and place specified for production, or
- by delivering or sending this subpoena or a copy of it and the documents or things specified in the Schedule below to the address below so that they are received not less than 2 clear days before the date specified for production. (See notes 5 – 9.)

DATE TIME AND PLACE AT WHICH YOU MUST ATTEND TO PRODUCE THE SUBPOENA OR A COPY OF IT AND DOCUMENTS OR THINGS

Date

Time

Place

ADDRESS TO WHICH THE SUBPOENA (OR COPY) AND DOCUMENTS OR THINGS MAY BE DELIVERED OR POSTED

[insert registry address]

SCHEDULE

The documents or things you must produce are as follows:

[List the documents or things. Attach another sheet if there is insufficient space.]

[on separate page]

NOTES**Last day for service**

- 1 You need not comply with the subpoena unless it is served on you on or before the date specified in the subpoena as the last date for serving the subpoena.

Informal service

- 2 Even if this subpoena has not been served personally on you in accordance with the rules, you must, nevertheless, comply with its requirements, if you have, by the last date for service of the subpoena, actual knowledge of the subpoena and of its requirements.

Addressee a corporation

- 3 If the subpoena is addressed to a corporation, the corporation must comply with the subpoena by its appropriate or proper officer.

Conduct money

- 4 You need not comply with the subpoena in so far as it requires you to attend to give evidence unless conduct money sufficient to meet your reasonable expenses of attending as required by the subpoena is handed or tendered to you a reasonable time before the date on which your attendance is required.

Production of subpoena or copy of it and documents or things by delivery or post

- 5 In so far as this subpoena requires production of the subpoena or a copy of it and a document or thing, instead of attending to produce the subpoena or a copy of it and the document or thing, you may comply with the subpoena by delivering or sending the subpoena or a copy of it and the document or thing to the Registrar at the address specified in the subpoena for the purpose, or if more than one address is so specified, to any one of those addresses, so that they are received not less than 2 clear days before the date specified in the subpoena for attendance and production.
- 6 If you object to a document or thing produced in response to this subpoena being inspected by a party to the proceeding or any other person, you must, at the time of production, notify the registrar in writing of your objection and of the grounds of your objection.
- 7 Unless the court otherwise orders, if you do not object to a document or thing produced by you in response to the subpoena being inspected by any party to the proceeding, the registrar may permit the parties to the proceeding to inspect the document or thing.

Production of a number of documents or things

- 8 If you produce more than one document or thing, you must, if requested by the registrar, produce a list of the documents or things produced.

Production of copy instead of original

- 9 You may, with the consent of the issuing party, produce a copy, instead of the original, of any document that the subpoena requires you to produce.

Applications in relation to subpoena

- 10 You have the right to apply to the Court:
- (a) for an order setting aside the subpoena (or a part of it) or for relief in respect of the subpoena, and
 - (b) for an order with respect to your claim for privilege, public interest immunity or confidentiality in relation to any document or thing the subject of the subpoena.

Loss or expense of compliance

- 11 If you are not a party to the proceeding, you may apply to the court for an order that the issuing party pay an amount (in addition to conduct money and any witness's expenses) in respect of the loss or expense, including legal costs, reasonably incurred in complying with the subpoena.

Failure to comply with subpoena—arrest

- 12 Failure to comply with a subpoena without lawful excuse:
- (a) is a contempt of court and may be dealt with accordingly.
 - (b) may lead to your arrest under section 97 Civil Procedure Act or under rules of the court to enforce compliance with a subpoena.

WRIT OF DELIVERY

COURT DETAILS

Court

#Division

#List

Registry

Case number

TITLE OF PROCEEDINGS

[First] plaintiff [name]

#Second plaintiff #Number of
plaintiffs (if more than two)

[First] defendant [name]

#Second defendant #Number of
defendants (if more than two)

JUDGMENT DETAILS

Person entitled to execution of judgment [name] [role of party]

Person liable to execution of judgment [name] [role of party]

TO THE SHERIFF OF NEW SOUTH WALES AND ALL SHERIFF'S OFFICERS

Goods to be delivered

Location/s of goods for delivery

#Location of person liable to
execution of judgment's goods

Total amount to be enforced for costs

Costs of writ

Total amount to be levied

Seize the goods described above and deliver them to the person entitled to execution of judgment.

#Levy on the property of the person liable to execution of judgment to the amount referred to above together with the reasonable costs of execution of this writ.

This writ authorises the execution of the writ at other locations nominated by the person entitled to execution of judgment on payment of further fees for execution.

ISSUING DETAILS

This writ continues to be in force for 12 months from the date of issue or such further time as is permitted under UCPR 39.20.

Writ issued on

Issued at

Signature

Capacity

Date writ received by Sheriff

[on separate page]

DETAILS OF PERSON ENTITLED TO EXECUTION OF JUDGMENT

Name

Address for service

#[unit/level number]

#[building name]

[street number]

[street name]

[street type]

[suburb/city]

[state/territory]

[postcode]

#Telephone

#Fax

#Email

GARNISHEE ORDER FOR DEBTS

COURT DETAILS

Court

#Division

#List

Registry

Case number

TITLE OF PROCEEDINGS

[First] plaintiff [name]

#Second plaintiff #Number of
plaintiffs (if more than two)

[First] defendant [name]

#Second defendant #Number of
defendants (if more than two)

GARNISHEE ORDER

Name of garnishee

Address of garnishee

Judgment debtor [name] [role of party]

Address of judgment debtor
(if known)

- 1 It is ordered that all debts that are due or accruing from the garnishee to the judgment debtor at the time of service of this order are attached to the extent of \$[amount outstanding under judgment] to answer a judgment in these proceedings.
- 2 You are ordered to pay any amount so attached to the judgment creditor within 14 days after the date on which the order is served on the garnishee or, if the debt attached is a debt that falls due after that date, within 14 days after the date on which the debt becomes due.

NOTICE TO GARNISHEE

Please read the attached information sheet.

If you do not to comply with this garnishee order, the court may give judgment in favour of the judgment creditor against you for the amount of the debt or for the unpaid amount of the judgment debt, whichever is the lesser.

Details of debt[s] attached under garnishee order	[give details of debt(s) attached under garnishee order eg name of financial institution, branch number, account number or any other identifying information]
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You can get further information about this garnishee order from:

- The court registry.
- A legal practitioner.
- LawAccess NSW on 1300 888 529 or at www.lawaccess.nsw.gov.au.

ISSUING DETAILS

Garnishee order made on

Issued at

Signature

Capacity

JUDGMENT CREDITOR'S DETAILS

Name

Address for service

#[unit/level number]

#[building name]

[street number]

[street name]

[street type]

[suburb/city]

[state/territory]

[postcode]

#Telephone

#Fax

#Email

Important information for the garnishee

Please read this notice and the garnishee order for debts very carefully.

Attached to this notice is a garnishee order for debts issued out of a New South Wales court.

The order requires you (**the garnishee**) to pay money you are holding on behalf of or owe to the judgment debtor to the judgment creditor in satisfaction of the judgment debt.

The garnishee order takes effect from when it is served on you.

Time within which payment to be made

Payment must be made to the judgment creditor within 14 days after the date of service of this order or, if the order attaches a debt that falls due after that date, within 14 days after the date on which the debt falls due.

Making payments

Payment must be made to the judgment creditor at the address specified in the garnishee order.

You are entitled to retain a maximum of \$13.00 to cover your expenses in complying with the garnishee order. Any amount that you retain for expenses does not operate to reduce the judgment debt.

A payment to the judgment creditor must be accompanied by a statement showing:

- The amount attached under the garnishee order.
- How much of that amount has been retained by you for your expenses.
- How much of the amount has been paid to the judgment creditor.

What if there is no debt due or accruing?

If you believe that there is no debt payable by you to the judgment debtor at the time of service of this order you may serve a statement to that effect on the judgment creditor. The statement must be in the approved form and set out the reasons you believe that there is no debt payable. Approved forms are available from the UCPR website at www.lawlink.nsw.gov.au/ucpr or at any NSW court registry.

Debts yet to accrue

If the garnishee order attaches a debt that is due for payment to the judgment debtor more than 28 days after service of this order on you, you must, within that period of 28 days, serve notice of that fact on the judgment creditor. The notice must specify the date on which the debt is, or is likely to be, due for payment to the judgment debtor and, if the amount of the debt is less than the unpaid amount of the judgment debt specified in the garnishee order, the amount of the debt.

Lien or claim of third person

If you claim that some person, other than the judgment debtor, is or may be entitled to any money paid under the garnishee order, any debt attached by the garnishee order or any charge, lien or other interest in any such money or debt, you may apply to the court to determine your claim.

GARNISHEE ORDER FOR WAGES OR SALARY

COURT DETAILS

Court

#Division

#List

Registry

Case number

TITLE OF PROCEEDINGS

[First] plaintiff

[name]

#Second plaintiff #Number of
plaintiffs (if more than two)

[First] defendant

[name]

#Second defendant #Number of
defendants (if more than two)

GARNISHEE ORDER

Name of garnishee

Address of garnishee

Judgment debtor

[name] [role of party]

Address of judgment debtor
(if known)

- 1 It is ordered that any wage or salary that is payable by the garnishee to the judgment debtor from the time of service of this order is attached to the extent of \$[amount outstanding under judgment] to answer a judgment in these proceedings.
- 2 You are ordered to pay any amount so attached to the judgment creditor within 14 days after the date on which the wage or salary falls due until the amount of \$[amount outstanding under judgment] is paid or until the court otherwise orders.

NOTICE TO GARNISHEE

Please read the attached information sheet.

If you do not comply with this garnishee order the court may give judgment in favour of the judgment creditor against you for the amount of the wage or salary or for the unpaid amount of the judgment debt.

You can get further information about this garnishee order from:

- The court registry.
- A legal practitioner.
- Law Access NSW on 1300 888 529 or at www.lawaccess.nsw.gov.au.

ISSUING DETAILS

Garnishee order made on

Issued at

Signature

Capacity

JUDGMENT CREDITOR'S DETAILS

Name

Address for service

#[unit/level number]

#[building name]

[street number]

[street name]

[street type]

[suburb/city]

[state/territory]

[postcode]

#Telephone

#Fax

#Email

Important information for the garnishee

Please read this notice and the attached garnishee order for wages or salary very carefully.

Attached to this notice is a garnishee order for wages or salary issued out of a New South Wales court.

The order requires you (**the garnishee**) to make payments from any wage or salary that is payable by you to the judgment debtor to the judgment creditor in satisfaction of the judgment debt.

The garnishee order takes effect from when it is served on you and will continue to operate until the judgment debt is paid unless the court otherwise orders.

#A garnishee order addressed to the Crown that attaches to wages or salary binds the Crown.

Time within which payments to be made

Payments must be made within 14 days after the date on which the wage or salary is due to be paid to the judgment debtor.

Making payments

Payment must be made to the judgment creditor at the address specified in the garnishee order.

You are entitled to retain a maximum of \$13.00 to cover your expenses in complying with the garnishee order. Any amount that you retain for expenses does not operate to reduce the judgment debt.

Any amount paid under one or more garnishee orders must not, in total, reduce the net weekly amount of any wage or salary received by the judgment debtor to less than the standard workers compensation weekly benefit (section 122 Civil Procedure Act 2005). This amount is adjustable – refer to <http://www.workcover.nsw.gov.au/WorkersCompensation/WorkplaceInjuries/Benefits/weekly.htm> to determine the applicable rate.

If the judgment debt becomes the subject of an instalment order, you are only required to pay the amount payable under the instalment order. You will no longer be able to retain an amount to cover your expenses.

A payment to the judgment creditor must be accompanied by a statement showing:

- The amount attached under the garnishee order (ie the net wage or salary payable for the pay period less the net weekly amount the debtor is entitled to receive under section 122 Civil Procedure Act 2005).
- How much of that amount has been retained by you for your expenses (maximum \$13).
- How much of the amount has been paid to the judgment creditor.

What if there is no salary or wage payable?

If you believe that no wage or salary will become payable by you to the judgment debtor you may serve a statement to that effect on the judgment creditor. The statement must be in the approved form and set out the reasons you believe that there is no wage or salary payable. Approved forms are available from the UCPR website at www.lawlink.nsw.gov.au/ucpr or at any NSW court registry.

Lien or claim of third person

If you claim that some person, other than the judgment debtor, is or may be entitled to any money paid under the garnishee order, any wage or salary attached by the garnishee order or any charge, lien or other interest in any such money, wage or salary, you may apply to the court to determine your claim.

NOTICE OF INTENTION TO FILE NOTICE OF CEASING TO ACT

COURT DETAILS

Court

#Division

#List

Registry

Case number

TITLE OF PROCEEDINGS

[First] plaintiff [name]

#Second plaintiff #Number of
plaintiffs (if more than two)

[First] defendant [name]

#Second defendant #Number of
defendants (if more than two)

FILING DETAILS

Filed in relation to [eg plaintiff's claim, (number) cross-claim]

Legal representative [solicitor on record] [firm]

#Legal representative reference [reference number]

Contact name and telephone [name] [telephone]

NOTICE TO [NAME] [ROLE OF PARTY]

- 1 After [number of days – this must not be less than 28 days if a date for trial has been fixed or 7 days in any other case] days from the date of service of this notice, I, [name of solicitor] will file in the registry of the court and serve a notice that I have ceased to act as your solicitor in these proceedings.
- 2 You must file in the registry of the court and then serve on [names of other parties to be served] a notice stating the name of, and address of the office of, the solicitor who is to act for you, or, if you do not have a solicitor who is to act for you, a notice stating your address for service of documents.

- 3 Until that notice is filed and served, any document to be served on you in the proceedings will be taken to have been served on you if a copy of it is left at or posted to [last known residential or business address of party] in accordance with UCPR 4.5.

SIGNATURE

Signature of legal representative

Capacity

[eg solicitor on record, contact solicitor]

Date of signature

NOTICE OF CEASING TO ACT

COURT DETAILS

Court

#Division

#List

Registry

Case number

TITLE OF PROCEEDINGS

[First] plaintiff [name]

#Second plaintiff #Number of
plaintiffs (if more than two)

[First] defendant [name]

#Second defendant #Number of
defendants (if more than two)

FILING DETAILS

#Filed in relation to [eg plaintiff's claim, (number) cross-claim]
[include only if form to be eFiled]

Former legal representative [solicitor on record] [firm]

#Former legal representative [reference number]
reference

Contact name and telephone [name] [telephone]

NOTICE OF CEASING TO ACT

[Name of solicitor] of [firm], has ceased to act as the legal representative of [name of former client], the [role of party eg plaintiff] in these proceedings.

#A notice of intention to file and serve this notice was filed on [date] and served on [name of former client] on [date].

#Leave to file this notice was granted on [date].

The residential or business address of the [role of party eg plaintiff] last known to me is:

#[unit/level number] #[building name]
[street number] [street name] [street type]
[suburb/city] [state/territory] [postcode]

SIGNATURE

Signature of former legal representative

Capacity [eg solicitor on record, contact solicitor]

Date of signature

**REQUEST FOR SERVICE ABROAD OF JUDICIAL DOCUMENTS AND
CERTIFICATE**

(Rules 11A.4, 11A.6)

PART 1 – REQUEST FOR SERVICE ABROAD OF JUDICIAL DOCUMENTS

Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or
Commercial Matters, done at The Hague on 15 November 1965

Identity and address of the forwarding
authority requesting service

Identity and address of receiving authority
[*Central Authority/additional authority*]

The undersigned forwarding authority (on the application of [*name and address of applicant on whose behalf forwarding authority requests service*]) has the honour to transmit - in duplicate - the documents listed below and, in conformity with Article 5 of the abovementioned Convention, requests prompt service of one copy thereof on the addressee, ie: (identity and address)

-
- (a) in accordance with the provisions of subparagraph (a) of the first paragraph of Article 5 of the Convention*.
- (b) in accordance with the following particular method (subparagraph (b) of the first paragraph of Article 5*):
-
- (c) by delivery to the addressee, if the addressee accepts it voluntarily (second paragraph of Article 5)*.

The receiving authority [*Central Authority/additional authority*] is requested to return or to have returned to the forwarding authority a copy of the documents - and of the annexes* - with a certificate as provided in Part 2 of this Form on the reverse side.

List of documents

Done at _____, the _____

Signature or stamp (or both) of forwarding authority.

*Delete if inappropriate.

PART 2 – CERTIFICATE

Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, done at The Hague on 15 November 1965

The undersigned authority has the honour to certify, in conformity with Article 6 of the Convention:

- 1 that the documents listed in Part 1 have been served*
- the (date) _____
- at (place, street, number) _____
- _____
- in one of the following methods authorised by Article 5:
- (a) in accordance with the provisions of subparagraph (a) of the first paragraph of Article 5 of the Convention*, _____
- _____
- (b) in accordance with the following particular method*: _____
- _____
- (c) by delivery to the addressee, who accepted it voluntarily*.
- The document referred to in the request, has been delivered to:
- (identity and description of person) _____
- _____
- relationship to the addressee (family, business or other.) _____
- _____
- _____
- 2 that the document has not been served, by reason of the following facts*: _____
- _____
- _____

In conformity with the second paragraph of Article 12 of the Convention, the forwarding authority is requested to pay or reimburse the expenses detailed in the attached statement*.

Annexes

Documents returned: _____

In appropriate cases, documents, establishing the service: _____

Done at _____, the _____

Signature or stamp, (or both).

*Delete if inappropriate.

SUMMARY OF THE DOCUMENT TO BE SERVED

(Rule 11A.4)

Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, done at The Hague on 15 November 1965.
(Article 5, fourth paragraph)

Identity and address of the addressee [Central Authority/additional authority]:

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IMPORTANT

THE ENCLOSED DOCUMENT IS OF A LEGAL NATURE AND MAY AFFECT YOUR RIGHTS AND OBLIGATIONS. THE SUMMARY OF THE DOCUMENT TO BE SERVED WILL GIVE YOU SOME INFORMATION ABOUT ITS NATURE AND PURPOSE. YOU SHOULD HOWEVER READ THE DOCUMENT ITSELF CAREFULLY. IT MAY BE NECESSARY TO SEEK LEGAL ADVICE.

IF YOUR FINANCIAL RESOURCES ARE INSUFFICIENT YOU SHOULD SEEK INFORMATION ON THE POSSIBILITY OF OBTAINING LEGAL AID OR ADVICE EITHER IN THE COUNTRY WHERE YOU LIVE OR IN THE COUNTRY WHERE THE DOCUMENT WAS ISSUED.

ENQUIRIES ABOUT THE AVAILABILITY OF LEGAL AID OR ADVICE IN THE COUNTRY
WHERE THE DOCUMENT WAS ISSUED MAY BE DIRECTED TO: _____

SUMMARY OF THE DOCUMENT TO BE SERVED

Name and address of the forwarding authority: _____

Particulars of the parties:

****JUDICIAL DOCUMENT**

Nature and purpose of the document:

Nature and purpose of the proceedings and, when appropriate, the amount in dispute:

Date and place for entering appearance: _____

Court in which proceedings pending/judgment given: _____

**Date of judgment (if applicable): _____

Time-limits stated in the document: _____

**SUMMONS FOR [#PROBATE #ADMINISTRATION
#ADMINISTRATION WITH THE WILL ANNEXED #RESEAL]**

COURT DETAILS

Court	Supreme Court of New South Wales
Division	Equity
List	Probate
Registry	Sydney
Case number	

TITLE OF PROCEEDINGS

Plaintiff	[name/s]
	The estate of [name of deceased]
	Late of: [suburb] [occupation] deceased
	Date of death: [date]
	Gross value: [gross value of the estate]
	Net value: [net value of the estate]
	#Pages in will: [number of pages in the will]
	#Number of codicils: [number]
	#Date of codicils: [date/s]

FILING DETAILS

Filed for	[name/s] plaintiff[s]
#Legal representative	[solicitor on record] [firm]
#Legal representative reference	[reference number]
Contact name and telephone	[name] [telephone]

HEARING DETAILS

The summons is to be dealt with in the absence of the parties.

RELIEF CLAIMED

[See Supreme Court website for information about what to include in this section.]

1 []

2 []

SIGNATURE

#Signature of legal representative

#Signature of or on behalf of
party if not legally represented

Capacity

[eg plaintiff, solicitor on record, contact solicitor]

Date of signature

[on separate page]

FURTHER DETAILS ABOUT PLAINTIFF**Plaintiff**

Name

Address

[The filing party must give the party's address.]

#[unit/level number]

#[building name]

[street number]

[street name]

[street type]

[suburb/city]

[state/territory]

[postcode]

#[country (if not Australia)]

#Frequent user identifier

[include if the plaintiff is a registered frequent user]

#Contact details for plaintiff acting in person

Address for service

[The filing party must give an address for service. This must be an address in NSW unless the exceptions listed in UCPR 4.5(3) apply. State "as above" if the filing party's address for service is the same as the filing party's address stated above.]

#as above

#[unit/level number]

#[building name]

[street number]

[street name]

[street type]

[suburb/city]

[state/territory]

[postcode]

#Telephone

#Fax

#Email

#Legal representative for plaintiff

Name

[name of solicitor on record]

Practising certificate number

Firm

[name of firm]

#Contact solicitor

[include name of contact solicitor if different to solicitor on record]

Address

#[unit/level number]

#[building name]

[street number]

[street name]

[street type]

[suburb/city]

[state/territory]

[postcode]

DX address

Telephone

Fax

Email

Electronic service address

[#email address for electronic service eg service@emailaddress.com.au #Not applicable]

**[#PROBATE #LETTERS OF ADMINISTRATION #LETTERS OF
ADMINISTRATION WITH WILL ANNEXED]**

COURT DETAILS

Court	Supreme Court of New South Wales
Division	Equity
List	Probate
Registry	Sydney
Case number	

DECEASED'S DETAILS

Estate of:	[name of deceased]
Late of:	[address]
Occupation:	[occupation]
Date of death:	[date of death]
#Date of will:	[date of will]
#Number of codicils:	[number]
#Date of codicils:	[date/s]

**[#PROBATE #LETTERS OF ADMINISTRATION #LETTERS OF ADMINISTRATION WITH
WILL ANNEXED] DETAILS**

Granted to:	[name and address of person to whom grant is made] #[name and address of person to whom grant is made]
Basis of grant:	[see Supreme Court website for information about what to include in this section]

The attached inventory lists property disclosed to the Court under s.81A of the Probate and Administration Act 1898. It is issued by the Court under s.91 (2) of that Act.

SEAL AND SIGNATURE

Court seal
Signature
Capacity
Date

RESEAL

COURT DETAILS

Court	Supreme Court of New South Wales
Division	Equity
List	Probate
Registry	Sydney
Case number	

DECEASED'S DETAILS

Estate of:	[name of deceased]
Late of:	[address]
Occupation:	[occupation]
Date of death:	[date of death]
Jurisdiction of original grant:	[jurisdiction]
Date of original grant:	[date]

Sealed with the seal of the Supreme Court of New South Wales under the Probate and Administration Act 1898.

The attached inventory lists property disclosed to the Court under s.81A of the Probate and Administration Act 1898. It is issued by the Court under s.91 (2) of that Act.

SEAL AND SIGNATURE

Court seal
Signature
Capacity
Date