

REPUBLIC OF TRINIDAD AND TOBAGO  
SUPREME COURT OF JUDICATURE

*Prescribed Forms*

1998

431

**FORM 2: FIXED DATE CLAIM FORM** Rule 8.1 (4)

*(Nature of Case)*

*Filing Attorney: (Name of Attorney) (Bar no.)*

*[Firm (if any)]*

*(Address)*

*(Tel no., fax no., e-mail address)*

*Advocate: (Name of Advocate) (Bar no.)*

*(Tel no., fax no., e-mail address)*

**The Republic of Trinidad and Tobago  
In the High Court of Justice**

**Claim No.** CV

**Between**

**A.B.**

Claimant

And

**C.D.**

Defendant

**CLAIM FORM**

The Claimant, A.B. (full names), of (full address)  
claims against the Defendant, C.D. (full names), of (full address)

(Set out briefly the nature of the claim and remedy you seek from the Court)

**NOTICE TO THE DEFENDANT—**

The first hearing of this claim will take place at [the Hall of Justice, Knox Street, Port-of-Spain] on ..... the ..... day of ..... 20....., at ..... a.m./p.m. in courtroom .....

**If you do not attend at that hearing, judgment may be entered against you in accordance with the claim.**

If you do attend, the Judge may—

(a) deal with the claim; or

(b) give directions for the preparation of the case for a further hearing.

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*Civil Proceedings Rules 1998*

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A statement of case or an affidavit giving full details of the claimant's claim should be served on you with this claim form. If not and there is no order permitting the claimant not to serve the statement of case or affidavit you should contact the court office immediately.

You should complete the form of appearance served on you with this claim form and deliver or send it to the court office (address below) so that they receive it within EIGHT days of service of this claim form on you. The form of appearance may be completed by you or an attorney-at-law acting for you.

**You should consider obtaining legal advice with regard to this claim. See the notes on the back of this form or on the next page.**

**This claim form has no validity if it is not served within four months of the date below unless it is accompanied by an order extending that time.**

**Certificate of truth**

I believe that the contents of this claim form are true and that I am entitled to the remedy claimed.

Signed:.....  
[Claimant]



Dated the  
The claimant's address for service is:

Signed: .....  
[Claimant in person] [Attorney-at-law for the Claimant]

The **court office** is at [the Hall of Justice, Knox Street, Port-of-Spain] telephone number xxx-xxxx, FAX xxx.xxxx. The office is open between [8:00 a.m.] and [4:00 p.m.] Mondays to Fridays except public holidays and court holidays.

**NOTES FOR DEFENDANT (FIXED DATE CLAIM)**

The claimant is seeking an order from the court as set out in the claim form overleaf on the basis of the facts or evidence set out in the statement of case or affidavit which was served with it. The claimant will not be entitled to enter judgment against you without a hearing.

You may:

**A. Admit the claim**

If so, you should complete and return the form of appearance to the court office stating this. You may attend the first hearing if you wish to do so.

**B. Dispute the claim**

If so, you should complete and return the form of appearance as under A. You should also file at the court office and serve on the claimant's attorney-at-law (or the claimant if he has no attorney-at-law):

- (a) a defence if the claim form was accompanied by the claimant's statement of case; OR
- (b) an affidavit in answer if the claim form is accompanied by an affidavit sworn by or on behalf of the claimant.

Your statement of case or affidavit must set out briefly ALL the facts on which you will rely to dispute the claim made against you.

**C. Make a claim against the claimant**

If so, you should complete and return the form of appearance as under A. You **must** file a statement of case (a counterclaim) setting out full details of what you claim against the claimant and the facts on which you will rely. The statement of case should also set out ALL the facts on which you rely in disputing any part of the claimant's claim against you.

**You should also attend the first hearing. If you do not the Judge may deal with the claim in your absence.**

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