

## HOW TO START AN ACTION FOR DEBT IN THE SUPREME COURT OF NOVA SCOTIA

1. A person may start a Notice of Action for Debt claiming only on a debt with no agreed interest **or** with an agreement which exclusively provides for the payment of interest by filing a Notice of Action for Debt (Form 4.03A) and the Statement of Claim (Form 4.03B). A notice of action for debt **must include a Statement of Claim** as part of the notice (Civil Procedure Rule 4.02(1) and (2)).
2. To commence this action there is a **filing fee of \$218.05 and \$25.00 + HST for a law stamp**.
3. A "Court Data Information Sheet" is provided to be completed by the self-represented plaintiff(s) and filed with the Court.
4. Read the Notice of Action for Debt carefully. Retype the Notice of Action for Debt containing your information. Pay particular attention to the sections you must complete:
  - a) amount of judgment
  - b) the date from which interest is being claimed on the judgment amount
  - c) the Tariff D amount of Costs (Civil Procedure Rule 77)
  - d) whether the action is within or not within Rule 57
  - e) filing and delivering documents
  - f) provide your contact information
  - g) Indicate the place of trial
5. Read the Statement of Claim (Form 4.03B) carefully and retype the Statement of Claim containing your information paying particular attention to the sections you must complete.
  - a) description of plaintiff
  - b) description of each defendant
  - c) description of debt
  - d) how and why debt is due
  - e) interest agreed upon from contract signed
  - f) day debt is due, principal amount owed, and credits (payments received) and interest
6. The documents must be dated and signed by you.
7. You must file the original Notice of Action for Debt with attached Statement of Claim and at least three(3) copies with the court. If your Notice of Action is in the correct form, the Prothonotary will sign and certify the copies which will be returned to you for service. Your Affidavit of Service (Form 31.05) should be filed as soon as possible after service has taken place upon the defendant(s).
8. It is recommended that you seek legal advice before filing any documentation to start a court action and the court staff will provide you with a resource list to assist you in this regard.