

REACTING IN THE EVENT OF A COURT SUMMONS

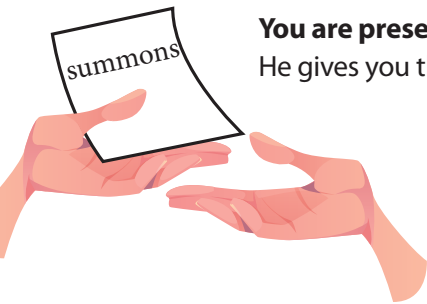
A bailiff gives you a summons at your home. It orders you to appear in court. Do not panic and follow the process, step by step.



What is a court summons?

Starting point of any legal action, it is an act that informs you that someone (individual, professional or administration) wants to bring a lawsuit against you before a court.

1 – A bailiff comes to your home



You are present

He gives you the **summons** in person.

You are absent

The bailiff leaves a notice of visit. You must collect the copy of the summons as soon as possible from the bailiff's office, either yourself or a person you have appointed for this purpose.



Tip: Go quickly to get the summons : delaying will not block the procedure. You run the risk that the judgement will be rendered only based on the elements provided by your opponent.

2 - Read the summons carefully

The summons must comply with mandatory statements :

- ✓ the court to which the matter has been referred ;
- ✓ the date and time of the hearing ;
- ✓ the claim or accusation against you ;
the full identity of the parties ;
- ✓ the reasons for the dispute
- ✓ the list of documents on which the application is based ;
- ✓ whether you need to hire a lawyer and within what time frame ;
- ✓ the consequences if you do not attend the hearing ;
- ✓ the amicable steps attempted to reach a prior resolution of the dispute.

The omission of a mention in the summons may invalidate the procedure.

Summons in view of evicting a tenant

When the purpose of the summons is to pronounce the termination of your lease and your eviction, the bailiff must file, by separate mail from the notice of visit, a document reminding you of the date, time and place of the hearing, and whose purpose is to inform you of the importance of your presence at the hearing as well as the possibility of filing, before the hearing, an application for legal aid and reaching out to local operators, who contribute to the prevention of rental evictions, whose addresses are indicated.



Summons
The summons specifies whether or not to hire a lawyer
(it depends on the matter and the amount in dispute)

Lawyer mandatory
To be appointed within 15 days

Lawyer not mandatory
Tip : it's always better to get one to assist you.
If you can't afford to, you can apply for legal aid ([link to legal aid](#))

your choice

Appointment of a lawyer

You defend yourself
Tip : show the summons to a legal professional ([link to form to obtain legal advice for free](#))

3 - preparing your defence

Constitution of the file and arguments to defend you : written summary of the facts with the dates, collection of evidence and supporting documents: financial documents (income, expenses, etc.) written exchanges with the opposing party (letters, SMS, emails), invoices, amicable steps already undertaken, property deeds, contracts, copies of cheques, bank statements, dated photos, testimonials from family and friends, etc.

4 - the hearing

Your presence is not mandatory
The lawyers argue.
The judge questions you

Your presence is mandatory
You argue for yourself

After the debates, the judge sets the date on which the decision will be rendered.
The case is then "adjourned for deliberation".

Judgement

You are satisfied



The End

You are not satisfied



Appeal