Guidance on Using the List of Documents Relied On Template

(Form 6 of the District Court Rules 2014)

About the list of documents relied on

When filing a statement of claim, statement of defence, or other pleading, you need to file and serve on the other parties (at the same time as the pleading) a list of all the documents referred to in that pleading. You also need to list any other principal documents that you have used when preparing the pleading and on which you intend to rely on at the trial or hearing ([Rule 8.4(1) of the District Court Rules 2014](http://www.legislation.govt.nz/regulation/public/2014/0179/latest/DLM4874453.html)).

If the other party asks you for a copy of any document in the list, you must provide them with a copy (either electronic or hard copy) within 5 working days.

How to use the template

All the required fields are set out in the template on the following two pages.

The sections that you have to fill out are marked with red text. The red text explains what you need to put in. These are fillable form fields, so click on the red text and start typing. The red text will be replaced by the content that you type. If you want to leave a field blank, just enter a space.

The blue text is explanatory notes. Delete these notes before printing the form.

Formatting your form

Before printing the form, check that the pages are numbered. Numbering should start at page 1 on the page after the cover page (i.e. the cover page should not be numbered). The template is set up to automatically number the pages in this matter.

You may print the form either single or double-sided. However, the cover sheet must not be double sided. If you print double sided you must adjust the margins as follows:

* In the “Margins” section in Word, select “Custom Margins”. In the box that pops up, find the field called “Multiple pages”. Select “Mirror Margins” from the dropdown menu, and click OK.
* The wide margin should now be on the left of every front page, and on the right of every reverse page.

Once you have completed the form, print and sign it.

In the District Court

Choose an item. Registry

No: Enter the CIV number (court reference number) if known.

Under the: Enter the Act under which the proceeding is being brought (for example, “Fair Trading Act 1986”). Delete this line if not applicable.

In the matter of Enter in a few words what the dispute is about. For example, “a breach of contract”.

Between: Enter the plaintiff’s name here. If there is more than one plaintiff, it is not necessary to list all the names. Enter the name of the first plaintiff, followed by “and another” for one additional plaintiff; or “and others” for more than one additional plaintiff. For example “J. Smith and others”.

(plaintiff)

And: Enter the defendant’s name here. If there is more than one defendant, it is not necessary to list all the names. Enter the name of the first defendant, followed by “and another” for one additional defendant; or “and others” for more than one additional defendant. For example, “J. Smith and others”.

(defendant)

Note: if there are additional parties involved in the proceeding who are not plaintiffs or defendants/respondents, repeat the fields above for them. Specify the role of the party, e.g. “defendant’s insurer”, “third party”, etc.

If there is a counterclaim, repeat the fields above for any counterclaim plaintiffs/defendants.

Your role in proceedings; e.g. “Plaintiff”’s list of documents relied on

Next event date: Next court event date (if known). Delete this line if unknown.

Judicial officer: Judge hearing the next event (if known). Delete this line if unknown.

Fill out the option that applies and delete the other option. **NOTE: enter enough lines above so this section is at the bottom of the cover page.**

For an individual: Filed by Person’s name, the Your role in proceedings, e.g. “plaintiff” in person.

OR; for an organisation: Filed by Person’s name, an authorised officer for the Your organisation’s role in proceedings, e.g. “plaintiff”, Enter the name of the organisation.

**To** the Registrar of the District Court at Court location (e.g. “Manukau”)

and

**To** List the name(s) of the other party or parties to the proceeding.

This document lists and describes the documents relied on by the Your role in the proceeding (e.g. “plaintiff”).

|  |  |  |
| --- | --- | --- |
| **Item number** | **Title of document (if applicable)** | **Description of document** |
| 1 |  |  |
| 2 |  |  |
| 3 |  |  |
| 4 |  |  |
| 5 |  |  |

Note: enter the title and a brief description of the documents you are relying on in the table above. For example: Title: “Bank Statement”; Description: “Record of transactions from 1 January 2013 to 1 February 2013”.

If you need to add more rows, right-click on the table, go to “Insert”, and select “Insert a row below”.

Signature of Your role in the proceeding (e.g. “plaintiff”)

 (sign here)

Full name and address: Insert your full name and address here.

Position or office held: Your position in relation to the organisation (e.g. “Director”). Note: This only applies if you are signing on behalf of a registered company, a trust, a society, an incorporation, or an estate. If you are signing on your own behalf (as an individual) delete this field.

Date: Enter date here (may be handwritten)