

EXPLANATORY NOTES

APPLICATION TO HAVE A CASE SET DOWN FOR JUDGMENT BY DEFAULT (SJ-1102A)

This form is used to obtain a judgment if the defendant fails to:

- answer the summons, or
- file a defence within the time limit set in the case protocol.

For further information, as well as the contact information for courthouses in the province of Québec, consult the [list of courthouses](#) on the website of the ministère de la Justice.

TYPES OF FORMS

This form is available in dynamic PDF format, meaning the form can be downloaded from www.justice.gouv.qc.ca and completed directly on screen.

- Dynamic PDF:

After completing the form, you must print it on letter-sized paper, i.e. 8.5 inches by 11 inches (215.9 mm by 279.4 mm). Be sure to set your printer to this paper size.

- Paper:

If you complete the form by hand, please write legibly in block letters.

PROCEDURE

The application to have the case set down for judgment must be filed together with an affidavit, which must be sworn by a commissioner for oaths or the court clerk. The affidavit in this form is valid if the sole subject matter of the legal proceeding instituted is the price of a service contract or the sales price of movable property or if it seeks payment of an amount of money clearly stated in an authentic act or private writing (for example, loan agreement, invoice). For any other type of proceeding, a detailed affidavit must be filed. In that case, you may use the “Affidavit” form (SJ-1139A), which is available from the court clerk, or on the website of the ministère de la Justice at www.justice.gouv.qc.ca.

If a notice is required to be given to the defendant, you must contact the clerk to obtain the date, time and place of presentation of the application so that you can fill out the notice of presentation and notify the application for setting down to the defendant.

Once the form is completed, keep a copy for your files. You must then file with the clerk your application to have a case set down.

CANADA
PROVINCE OF QUÉBEC
District:
Locality:
File No.:

c. Plaintiff

and Defendant

APPLICATION TO HAVE A CASE SET DOWN FOR JUDGMENT BY DEFAULT
(aa. 175, 181 and 182 C.C.P.)

The _____ requests that the clerk set this case down for judgment, following the
_____ failure to:

answer the summons;

or

file a defence within the time limit set in the case protocol; and

NOTIFIES THE _____ that, by reason of his or her default, the case will proceed to trial
on _____, at _____, in room _____, at the courthouse in _____,
located at: _____.

And encloses exhibits in support of the application together with an affidavit.

Nature of the case: _____

Amount in dispute: _____

At _____, on _____

Signature of the party or his/her attorney

Name of the party or his/her attorney
(in block letters)

AFFIDAVIT

I, the undersigned, _____, declare that:

1- I am the _____ or their representative.

2- The amount claimed is owing.

or

Since the filing of the application, I have received partial payment in the amount of \$ _____
as at _____, and a balance of \$ _____ remains outstanding.

3- _____

(enter any other relevant information)

4- All of the facts alleged in the originating application are true.

And I have signed

At _____, on _____

Sworn before me

At _____, on _____

Clerk / Commissioner for Oaths