

A **summary civil summons** can be issued for a debt or liquidated money demand (forms No. 39.2 to No. 39.9), or an **ordinary civil summons** can be issued for tort, negligence or breach of duty (form No. 39.1).
 The forms are available in the District Court Rules, 1997 (S.I. No. 93 of 1997) Order 39.

For details of court rules visit our website www.courts.ie

The claim must not exceed €6,348.69.

To issue a **summary civil summons** or **ordinary civil summons** an original civil summons and a copy must be submitted to the Civil Office.

A record number and a return date will be assigned to the case.

The **copy summons** must be served on the defendant(s):

- if the defendant is an individual - by registered post giving 21 clear days notice
- if the defendant is a company - by ordinary post giving 14 clear days notice

The plaintiff(s) must lodge the **original summons**, together with a **declaration of service** and **original postage slip**, with the District Court Civil Office by 4.30 p.m. on the fourth day before the return date.

If the defendant wants to defend the case a **notice of intention to defend** must be lodged with the District Court Civil Office by 4.30 p.m. on the fourth day before the return date.

In the case of an **ordinary civil summons**, the plaintiff or his/her solicitor must attend Court No. 23, (Public Records Building) on the return date to obtain a date for the hearing of the case.

In the case of a **summary civil summons**, the plaintiff or his/her solicitor need only attend court to get a hearing date if a **notice of intention to defend** has been lodged.

The case is heard in court

If an order is made by the court the decree is lodged for issue.

Notice of intention to defend **lodged**

No notice of intention to defend lodged

The plaintiff lodges the **affidavit of debt and decree**. The **affidavit of debt** must be lodged in the District Court Office within one month of being sworn.

The **decree** issues

The **decree** may be lodged with the sheriff for enforcement

If payment is not forthcoming at this stage, the plaintiff may take enforcement proceedings.