

Form P1

To be inserted by Court

Case Number:

Date Filed:

FDN:

FINAL NOTICE

[SUPREME/DISTRICT/MAGISTRATES] COURT OF SOUTH AUSTRALIA
CIVIL JURISDICTION

Please specify the Full Name including capacity (eg Administrator, Liquidator, Trustee) and Litigation Guardian Name (if applicable) for each party. Each party should include a party number if more than one party of the same type.

First Applicant (Sender)

First Respondent (Recipient)

Applicant (Sender)	Full Name (including Also Known as, capacity (eg Administrator, Liquidator, Trustee) and Litigation Guardian Name (if applicable))			
Name of law firm / solicitor If any	Law Firm	Solicitor		
Address for service	Street Address (including unit or level number and name of property if required)			
	City/town/suburb	State	Postcode	Country
	Email address			
Phone Details	Type - Number			

Duplicate panel if multiple Applicants

Respondent (Recipient)	Full Name (including Also Known as, capacity (eg Administrator, Liquidator, Trustee) and Litigation Guardian Name (if applicable))			
Address	Street Address (including unit or level number and name of property if required)			

	City/town/suburb	State	Postcode	Country
	Email address			
Phone Details	Type - Number			

Duplicate panel if multiple Respondents

Notice to the Recipient

The Sender intends to file an action against you in one of the above named Courts for \$[amount] plus the cost of this Final Notice \$[amount]; a total of \$[amount].

A brief basis of the action is below:

Number each paragraph separately if there is more than one paragraph

The sender seeks a response from you within 21 days. Details of your options, what they mean and how they work are set out below.

Information about this Notice

This notice is not a formal court action. However, it provides an opportunity for you to voluntarily negotiate a resolution with the Sender without further involvement by the Court. This may save you costs, time and court appearances.

Possible Consequences of Ignoring this Notice

You may wish to seek independent legal or financial counselling advice before deciding what to do.

If you ignore this notice or if you are not able to reach a resolution within 21 days of receipt of this notice, the Sender may file an action against you in one of the above named Courts. If you lose the case you will have to pay or provide what is claimed and in addition you may have to pay extra costs if you ignore this notice. A court judgment against you may affect your credit rating.

Options for Payment/Settlement of the Action

- If you accept that you owe the full amount claimed, you can avoid the risk of the Sender filing an action against you if you pay the amount claimed to the Sender within 21 days. **Do not send money to Court.**

- If you accept that you owe the full amount claimed but cannot afford to pay the amount in full, you can try to arrange instalment payments with the Sender. You can use an Enforceable Payment Agreement (EPA) where in return for you acknowledging the debt and making payments, the Sender agrees not to commence a formal action, nor to report the debt to credit referencing agencies. You can obtain these from the CAA website (<http://www.courts.sa.gov.au/ForLawyers/Pages/Rules-Forms-and-Fees.aspx>) or any Court Registry. Keep a record of payments made.
- If you agree there is an amount owed but disagree with the amount claimed, try to negotiate with the Sender. If the Sender agrees, you may be able to use the free mediation service to do this (see below).
- If you owe some of the amount claimed, you could pay that to reduce the amount in dispute.
- The Sender is not entitled to debt collecting costs unless you agreed to pay them in your credit or other agreement for goods or services supplied.

Mediation and Expert Services

Mediation is an alternative way of resolving a dispute other than by court processes leading to trial.

- Court mediation is available in the Magistrates Court, depending on the type of matter this may be at no cost or there may be a charge.
- A number of independent court experts are available via the Magistrates Court to provide an opinion on technical issues.
- Information regarding Mediation is available on the CAA website (<http://www.courts.sa.gov.au/civil-cases/mediation>).

Contacts

For further information about Court services that may be available to you, call CourtSA Registry Services on 8204 2444.

The Interpreting and Translating Centre may be able to assist you if English is your second language. This is not a free service.

91-97 Grenfell Street

ADELAIDE SA 5000

Telephone: 1800 280 203

Website: www.translate.sa.gov.au