Debt Collection — Circuit Court Workflow

DEBT COLLECTION – CIRCUIT COURT WORKFLOW

Action	Action Description	Documents	Next
DBC01	Take instructions and send initial letters to Parties	DBC01A – Initial Letter to Client DBC01B – Seven day Warning Letter to Debtor	DBC02 – 10 Days
DBC02	Ìssue Proceedings	DBC02A – Civil Bill DBC02B – Memo to issue Civil Bill	DBC03 – 4 Days
DBC03	Serve Proceedings	DBC03A – Letter to Debtor serving Civil Bill	DBC04 – 5 Days DBC05 – 18 Days
DBC04	Affidavit of Service	DBC04A – Affidavit of Service	
DBC05	Check whether Appearance entered	DBC05A – Fourteen day Warning Letter to Debtor	DBC05 – 14 Days DBC06 – 21 Days DBC07 – 0 Now
DBC06	Appearance entered: check whether Defence filed		DBC07 – 0 Now
DBC07	Prepare Judgement Papers/Motion for Order	DBC07A – Certificate of No Appearance DBC07B – Judgement Papers DBC07C – Motion and Affidavit in default of Appearance DBC07D – Letter to Client re Affidavit of Debt DBC07E – Affidavit of Debt	DBC08 – 14 Days
DBC08	Check whether Client has returned Affidavit of Debt		DBC08 – 7 Days DBC09 – 5 Days
DBC09	File Civil Bill, Affidavit of Service and Judgement Papers	DBC09A – Memo to file Judgement Papers	DBC10 – 1 Months
DBC10	Check whether Judgement received		DBC10 – 10 Days DBC11 – 0 Now
DBC11	Inform both Parties of issue of Judgement	DBC11A – Letter to Client on issue of Judgement DBC11B – Fee Note DBC11C – Letter to Debtor following issue of Judgement	DBC12 – 1 Months
DBC12	Check whether Client has paid fees		DBC12 – 14 Days DBC13 – 5 Days DBC14 – 5 Days DBC15 – 7 Days
DBC13	Register Judgement	DBC13A – Memo to Register Judgement DBC13B – Certificate of Registry of Judgement	DBC14 – 0 Now DBC15 – 7 Days
DBC14	Have Judgement Executed	DBC14A – Letter to County Sheriff with Execution Order DBC14B – Execution Order against Goods	DBC15 – 7 Days
DBC15	Close file		

Index to Documents

[MAT:Code]/[MAT:FECode]/[UDF:SecRef]

[DATE:Today]

Private & Confidential
[CNT:Name]
[CNT:Address]

RE: [CNT:Name] -v- [CAN:Name.Debtor#01]
_____

Dear [CNT:Salut],

I refer to the above matter and acknowledge receipt of your instructions in relation to same. I enclose herewith copy of a letter which has now been sent to the Defendant. I have drafted proceedings and, provided no response is received, will issue same on the expiry of the seven days.

I will keep you advised in the matter.

Kind regards,

Yours sincerely,

_____
[MAT:FeName]
[SYS:CON:NAME]
[MAT:FeEmail]

Encl.

[MAT:Code]/[MAT:FECode]/[UDF:SecRef]

[DATE:Today]

[CAN:Name.Debtor#01]
[CAN:Address.Debtor#01]

RE: [CNT:Name] -v- [CAN:Name.Debtor#01]
_____
[SYS:UpdateMatter()]

Dear Sir,

We act for [CNT:Name] of [CNT:LinearAddress]. We are instructed by our client that there is a sum of €[MAT:OriginalDebt] due to them on foot of invoices raised, full particulars whereof have already been furnished to you.

We are now instructed, unless this amount is paid within seven days from the date hereof, to issue Court proceedings against your company for recovery of this amount. In the event that we have to take this action, [CAN:Name.Debtor#01] will be responsible not only for the debt but also for interest thereon, and for the costs of the Court proceedings.

If you wish to avoid this action, please contact us by return with arrangements to discharge the sum due.

Yours faithfully,

_____
[SYS:CON:NAME]
[MAT:FeEmail]

AN CHUIRT CHUARDA
(The Circuit Court)

[CAN:COURTAREA.CIRCOURTS#01] CIRCUIT   **COUNTY OF**
[CAN:NAME.CIRCOURTS#01]

O R D I N A R Y   C I V I L   B I L L
Between/

[CNT:Name]

Plaintiff

and

[CAN:Name.Debtor#01]

Defendant

YOU ARE HEREBY REQUIRED within ten days after the service of this Civil Bill upon you, to enter, or cause to be entered, with the County Registrar, at his office at [CAN:SingleAddress.CirCourts#01], an Appearance to answer the claim of [CNT:Name] having its registered office at [CNT:LinearAddress], Limited Liability Company, the Plaintiff herein, as indorsed hereon.

AND TAKE NOTICE that, unless you do enter an Appearance, you will be held to have admitted the said claim, and the Plaintiff may proceed therein and judgment may be given against you in your absence without further notice.

AND FURTHER TAKE NOTICE that, if you intend to defend the proceeding on any grounds, you must not only enter an Appearance as aforesaid, but also within ten days after Appearance deliver a statement in writing showing the nature and grounds of your Defence.

The Appearance and Defence may be entered by posting the same to the said Office, and by giving copies thereof to the Plaintiff or his/her Solicitor, by post.

Dated this   day of   2014.

Signed: _____
                  [SYS:CON:NAME]
                  Solicitors for the Plaintiff
                  [DIA:Address]

TO: [CAN:Name.Debtor#01]
                  [CAN:Address.Debtor#01]
                  Defendant

INDORSEMENT OF CLAIM

1. The Plaintiff is a limited liability company having its registered office at [CNT:LinearAddress].

2. The Defendant is a [CAN:Occupation.Debtor#01] of/having its registered office at [CAN:LinearAddress.Debtor#01].

3. The Plaintiff's claim is to recover against the Defendant the sum of €[MAT:OriginalDebt] due and owing by the Defendant to the Plaintiff on foot of services provided by the Plaintiff to the Defendant and for invoices furnished by the Plaintiff to the Defendant at the Defendant's request between _____ and _____, detailed particulars of which have already been furnished to the Defendant.

4. The subject matter of these proceedings occurred within the jurisdiction of this Honourable Court within the past six years. The Plaintiff claims the sum of €[MAT:OriginalDebt] from the Defendant and the Plaintiff further claims costs and interest pursuant to the Courts Act, 1981.

NOTE: On payment to the Plaintiff or their Solicitor, within six days after service, of the above liquidated amount, together with the sum of €[UDF:TenDayCosts] inclusive of vat for costs, all further proceedings will be stayed.

Dated this   day of   2014.

Signed   :_____
                  [SYS:CON:NAME]
                  Solicitors for the Plaintiff
                  [DIA:Address]

NOTE: On payment to the Plaintiff or his Solicitor within six days after service, of the amount of the above claim together with the sum of €   for costs, all further proceedings will be stayed.

Record No.

AN CHUIRT CHUARDA
(The Circuit Court)

[CAN:CourtArea.CirCourts#01] Circuit　　　　**County of [CAN:Name.CirCourts#01]**

O R D I N A R Y   C I V I L   B I L L
Between/

[CNT:Name]

Plaintiff

and

[CAN:Name.Debtor#01]

Defendant

REQUEST FOR ENTRY OF CIVIL BILL

Between/

[CNT:Name]

-　**Plaintiff**

and

[CAN:Name.Debtor#01]

Defendant

The Defendant having been duly served with a copy of the Civil Bill herein and not having satisfied the Plaintiff's demand I request you will enter the said original Civil Bill which is attached hereto for further proceedings.

Dated this　day of　2014.

Signed　　　:_____
　　　　　　[SYS:CON:Name]
　　　　　　Solicitors for the Plaintiff
　　　　　　[DIA:Address]

MEMO TO

From: [MAT:FeName]

Re: [CNT:Name]
                 [CAN:Name.Debtor#01]

Date   [DATE:Today]

Ref: [MAT:Code]/[MAT:FECode]/[UDF:SecRef]

,

I attach Civil Bill in triplicate and cheque for €68. Please arrange to have same stamped and issued.

Many thanks,

_____
[MAT:FeName]
[SYS:CON:Name]

[MAT:Code]/[MAT:FECode]/[UDF:SecRef]

[DATE:Today]

REGISTERED POST
[CAN:Name.Debtor#01]
[CAN:Address.Debtor#01]

RE: [CNT:Name] -v- [CAN:Name.Debtor#01]
        The Circuit Court Record No. [CSM:CsPlaintNo]
_____

Dear Sir,

Please find enclosed herewith, under cover of registered post, true copy Ordinary Civil Bill in the above matter, by way of service upon you.

Yours faithfully,

_____
[SYS:CON:NAME]
[MAT:FeEmail]

Encl.

AN CHUIRT CHUARDA
(THE CIRCUIT COURT)

[CAN:COURTAREA.CIRCOURTS#01] CIRCUIT   **COUNTY OF**
[CAN:NAME.CIRCOURTS#01]

Record No. [CSM:CsPlaintNo]

BETWEEN:

[CNT:Name]

PLAINTIFF

-and-

[CAN:Name.Debtor#01]

DEFENDANT

AFFIDAVIT OF SERVICE

I, **[CAN:NAME.DEPONENT#??],** [CAN:Occupation.Deponent#??], of [DIA:SingleAddress], aged 18 years and upwards **MAKE OATH** and say as follows:-

1.   I make this Affidavit from facts within my own knowledge save where otherwise appears and where so otherwise appearing I depose to the same believing it to be true and accurate to the best of my knowledge, information and belief and I am duly authorised to make this Affidavit.

2.   I say that I did on the [CAN:CivilBillSDate.Debtor#01] at 4.00 p.m. at   , serve a true copy of the Civil Bill herein by posting same by prepaid registered post, addressed to [CAN:Name.Debtor#01] at [CAN:LinearAddress.Debtor#01], the Defendant herein. I beg to refer to copy of the Certificate of Posting attached hereto and upon which marked with the letter "A" I have endorsed my name prior to the swearing hereof.

3.   The said envelope has not been returned marked undelivered to the sender.

                        SWORN by the said
                        [CAN:NAME.DEPONENT#??] this   day of
                        2014 at [DIA:SingleAddress], before me a
                        Commissioner for Oaths and I know the Deponent.

                        _____
                        COMMISSIONER FOR OATHS

This Affidavit is filed for and on behalf of the Plaintiffs by [SYS:CON:Name], Solicitors, [DIA:SingleAddress] this   day of   2014.

EXHIBIT "A"
Affidavit of [CAN:Name.Deponent#??]

_____
[CAN:Name.Deponent#??]

_____
Commissioner for Oaths/
Practising Solicitor

AN CHUIRT CHUARDA
(THE CIRCUIT COURT)

[CAN:COURTAREA.CIRCOURTS#01] CIRCUITCOUNTY OF [CAN:NAME.CIRCOURTS#01]

Record No. [CSM:CsPlaintNo]

BETWEEN:

[CNT:NAME]

PLAINTIFF

-and-

[CAN:NAME.DEBTOR#01]

DEFENDANT

AFFIDAVIT OF SERVICE
OF [CAN:NAME.DEPONENT#??]

[SYS:CON:NAME]
Solicitors
[DIA:Address]

[MAT:Code]/[MAT:FECode]/[UDF:SecRef]

[DATE:Today]

REGISTERED POST
[CAN:Name.Debtor#01]
[CAN:Address.Debtor#01]

RE: [CNT:Name] -v- [CAN:Name.Debtor#01]
       The Circuit Court Record No. [CSM:CsPlaintNo]
_____

Dear Sir,

We refer to the Civil Bill dated the [UDF:CivilBillIssueDate] and served on you on the [CAN:CivilBillSDate.Debtor#01].

<u>TAKE NOTICE </u>that in pursuance of the Rules of the Circuit Court, it is the intention of the Plaintiff, after the expiration of 14 days from the date hereof, to apply to the Circuit Court for Judgement in default of Appearance.

<u>FURTHER TAKE NOTICE </u>that the Plaintiff hereby consents to the late delivery of Appearance within a period of 14 days from the date hereof.

Yours faithfully,

_____
[SYS:CON:NAME]
[MAT:FeEmail]

<div align="center">

AN CHUIRT CHUARDA
THE CIRCUIT COURT

</div>

<div align="right">

Record No. [CSM:CsPlaintNo]

</div>

[CAN:COURTAREA.CIRCOURTS#01] CIRCUITCOUNTY OF [CAN:NAME.CIRCOURTS#01]

BETWEEN:

<div align="center">

[CNT:Name]

</div>

<div align="right">

Plaintiff

</div>

<div align="center">

-and-

[CAN:Name.Debtor#01]

</div>

<div align="right">

Defendant

</div>

CERTIFICATE OF NO APPEARANCE

I hereby certify that no Appearance has been entered by or on behalf of the Defendant to the Civil Bill served herein on the [CAN:CivilBillSDate.Debtor#01].

Dated this   day of   2014.

_____
COUNTY REGISTRAR

AN CHUIRT CHUARDA
(THE CIRCUIT COURT)

[CAN:COURTAREA.CIRCOURTS#01] CIRCUITCOUNTY OF [CAN:NAME.CIRCOURTS#01]

Record No. [CSM:CsPlaintNo]

BETWEEN:

[CNT:Name]

PLAINTIFF

-and-

[CAN:Name.Debtor#01]

DEFENDANT

JUDGEMENT BY DEFAULT OF APPEARANCE

The Defendant, [CAN:Name.Debtor#01], not having entered an Appearance to the Civil Bill herein for €[MAT:BalanceOfDebt] which was duly served on the Defendant on the [CAN:CivilBillSDate.Debtor#01], as appears by the Affidavit of Service filed herein.

Judgement by Default of Appearance is hereby entered in the Office and the Court doth accordingly order that the said Plaintiff do recover from the Defendant the sum of €[MAT:BalanceOfDebt], being the amount now actually due together with the sum of € for costs herein.

Dated this   day of   2014.

BY THE COURT

_____
COUNTY REGISTRAR

AN CHUIRT CHUARDA
(THE CIRCUIT COURT)

[CAN:COURTAREA.CIRCOURTS#01] CIRCUITCOUNTY OF [CAN:NAME.CIRCOURTS#01]

Record No. [CSM:CsPlaintNo]

BETWEEN:

[CNT:Name]

PLAINTIFF

-and-

[CAN:Name.Debtor#01]

DEFENDANT

JUDGEMENT BY DEFAULT OF APPEARANCE

[SYS:CON:Name]
Solicitors
[DIA:Address]

<div align="center">

AN CHUIRT CHUARDA
(THE CIRCUIT COURT)

</div>

[CAN:COURTAREA.CIRCOURTS#01] CIRCUITCOUNTY OF [CAN:NAME.CIRCOURTS#01]

Record No. [CSM:CsPlaintNo]

BETWEEN:

[CNT:Name]

PLAINTIFF

-and-

[CAN:Name.Debtor#01]

DEFENDANT

CERTIFICATE OF NO APPEARANCE

I hereby certify that no Appearance has been entered by or on behalf of the Defendant to the Civil Bill served herein on the [CAN:CivilBillSDate.Debtor#01].

Dated this   day of   2014.

_____
COUNTY REGISTRAR

AN CHUIRT CHUARDA
(THE CIRCUIT COURT)

[CAN:COURTAREA.CIRCOURTS#01] CIRCUITCOUNTY OF [CAN:NAME.CIRCOURTS#01]

Record No. [CSM:CsPlaintNo]

BETWEEN:

[CNT:Name]

PLAINTIFF

-and-

[CAN:Name.Debtor#01]

DEFENDANT

REQUEST FOR EXECUTION ORDER

I request, on behalf of the Plaintiff herein, the issue of an Execution Order directed to the Sheriff of the City of Dublin on foot of the Decree made herein on the   day of 2014 for the sum of €[MAT:BalanceOfDebt].

The said Defendant is a [CAN:Occupation.Debtor#01] of/having its registered address at [CAN:LinearAddress.Debtor#01]

Dated this   day of   2014.

SIGNED: _____
                [SYS:CON:NAME]
                Solicitors for the Plaintiff
                [DIA:Address]

AN CHUIRT CHUARDA
(THE CIRCUIT COURT)

[CAN:COURTAREA.CIRCOURTS#01] CIRCUITCOUNTY OF [CAN:NAME.CIRCOURTS#01]

Record No. [CSM:CsPlaintNo]

BETWEEN:

[CNT:Name]

PLAINTIFF

-and-

[CAN:Name.Debtor#01]

DEFENDANT

REQUEST FOR EXECUTION ORDER

[SYS:CON:NAME]
Solicitors
[DIA:Address]

AN CHUIRT CHUARDA
(THE CIRCUIT COURT)

[CAN:COURTAREA.CIRCOURTS#01] CIRCUITCOUNTY OF [CAN:NAME.CIRCOURTS#01]

Record No. [CSM:CsPlaintNo]

BETWEEN:

[CNT:Name]

PLAINTIFF

-and-

[CAN:Name.Debtor#01]

DEFENDANT

DECREE

The Defendant having been duly served with the Civil Bill herein and it appearing to the Court that the Plaintiff is entitled to the sum of €[MAT:BalanceOfDebt] as therein claimed. The Court doth order that the Plaintiff do recover the said sum of €[MAT:BalanceOfDebt] together with the sum of €   for the costs of the proceeding.

Dated this   day of   2014.

BY THE COURT

_____

COUNTY REGISTRAR

Combined Office Manager / Nominated Signatory on behalf of the County Registrar

19

MEMORANDUM OF THE REGISTRY OF A JUDGEMENT
(under 7 & 8 Vic. C.90)

The following Memorandum or Minute contains the particulars of a Judgement in the Circuit Court which I require to be registered pursuant to the Statute.

Name of the Solicitor: [SYS:CON:Name]
of   [DIA:Address].
And Party for whom he is concerned:

TITLE OF CAUSE:

[CNT:Name]

Plaintiff

[CAN:Name.Debtor#01]

Defendant

Name of the Defendant or person whose Estate is intended to be affected	Usual or last known place of abode of such person	Title, trade or profession of such person
[CAN:Name.Debtor#01]	[CAN:Address.Debtor#01]	[CAN:Occupation.Debtor#01]

THE CIRCUIT COURT
[CAN:CourtArea.CirCourts#01] Circuit   County of [CAN:Name.CirCourts#01]
RECORD NO. [CSM:CsPlaintNo]

DATE OF JUDGEMENT: day of   2014

AMOUNT OF DEBT OR DAMAGES: €[MAT:BalanceOfDebt]

Name of the Plaintiff	Usual or last known place of abode of such person	Title, trade or profession of such person
[CNT:Name]	[CNT:LinearAddress]	[CNT:Occupation]

I CERTIFY that the Judgement described in the above Memorandum or Minute has been entered in the Circuit Court and is now in existence/

Dated this   day of   2014.

_____
COUNTY REGISTRAR

AN CHUIRT CHUARDA
(THE CIRCUIT COURT)

[CAN:COURTAREA.CIRCOURTS#01] CIRCUITCOUNTY OF [CAN:NAME.CIRCOURTS#01]

Record No. [CSM:CsPlaintNo]

BETWEEN:

[CNT:Name]

PLAINTIFF

-and-

[CAN:Name.Debtor#01]

DEFENDANT

EXECUTION ORDER

The above named Plaintiff having its registered office at [CNT:LinearAddress], having applied for the issue of an Execution Order on foot of the Judgement by default of Appearance entered in the offices herein on the   day of   2014 for the sum of €[MAT:BalanceOfDebt] together with the sum of €   for costs, you and the several Sheriffs and County Registrars with whom this Order be lodged are hereby authorised and required to take in execution the goods of the said Defendant [CAN:Name.Debtor#01] at [CAN:LinearAddress.Debtor#01], within your Bailiwick to satisfy the amount due on foot of the said Judgement by default together with costs of the said execution, including the sum of €   as and for the costs of this Order and also interest at the rate of 8% per annum on the said sum of €[MAT:BalanceOfDebt] (being the sum due under the Judgement by default exclusive of costs and expenses) from the   day of   201 .

Dated this   day of   2014.

BY THE COURT

COUNTY REGISTRAR

To: The several Sheriffs and County Registrars.

Note: This Execution Order is in force for one year only from the date hereof.

ENDORSEMENT ON EXECUTION ORDER

This Execution Order was issued by [SYS:CON:Name], Solicitors of [DIA:SingleAddress], for the Plaintiff herein.

Lodged with the County Registrar of the County of [CAN:Name.CirCourts#01] at his office in [CAN:SingleAddress.CirCourts#01], at the hour of   o'clock this   day of   2014 in the County of Dublin .

TO WIT   I authorise and empower

-------------------------------------   of   and
                                                      of   Court

Given under my hand this   day of   2014.

                                          SHERIFF or COUNTY REGISTRAR
                                          of the said County.

The sum to be levied hereunder is €

                                          SHERIFF or COUNTY REGISTRAR
                                          of the said County.

AN CHUIRT CHUARDA
(THE CIRCUIT COURT)

[CAN:COURTAREA.CIRCOURTS#01] CIRCUITCOUNTY OF [CAN:NAME.CIRCOURTS#01]

Record No. [CSM:CsPlaintNo]

BETWEEN:

[CNT:Name]

PLAINTIFF

-and-

[CAN:Name.Debtor#01]

DEFENDANT

REQUEST FOR JUDGEMENT BY DEFAULT OF APPEARANCE

The Plaintiff refers to the Civil Bill issued herein on the [UDF:CivilBillIssueDate] and served herein on the [CAN:CivilBillSDate.Debtor#01], the time for Appearance to which expired on the   day of   2014 as appears by the Affidavit of Service lodged herewith. No Appearance having been entered by or on behalf of the Defendant, the Plaintiff hereby requests that Judgement be entered for €[MAT:BalanceOfDebt] being the sum now actually due over all just credits and allowances (or the goods and chattels withheld by the Defendant) as verified by the Affidavit sworn by [CAN:Name.Deponent#01], together with costs.

CERTIFICATE

IT IS HEREBY CERTIFIED that no sum whatsoever has been paid on foot of the claim herein since service of the Civil Bill herein and that the sum of €[MAT:BalanceOfDebt] is now actually due by the Defendant to the Plaintiff.

Dated the   day of   2014.

SIGNED: _____

[SYS:CON:NAME]
Solicitors for the Plaintiff
[DIA:Address]

TO: **THE COUNTY REGISTRAR**
Circuit Court Office
[CAN:Address.CirCourts#01]

AN CHUIRT CHUARDA
(THE CIRCUIT COURT)

[CAN:COURTAREA.CIRCOURTS#01] CIRCUITCOUNTY OF [CAN:NAME.CIRCOURTS#01]

Record No. [CSM:CsPlaintNo]

BETWEEN:

[CNT:Name]

PLAINTIFF

-and-

[CAN:Name.Debtor#01]

DEFENDANT

<u>REQUEST FOR JUDGEMENT BY DEFAULT OF APPEARANCE</u>

[SYS:CON:NAME]
Solicitors
[DIA:Address]

ENDORSEMENT OF SERVICE

In pursuance of Section 7(3) of the Courts Act, 1964 the within Civil Bill was served by me on the Defendant [CAN:Name.Debtor#01] by posting a true copy thereof at 4.00 p.m. on the [CAN:CivilBillSDate.Debtor#01] at Drimnagh Post Office, Dublin 12, in a registered prepaid envelope addressed to the said Defendant, the said [CAN:Name.Debtor#01], [CAN:LinearAddress.Debtor#01].

Endorsed this   day of   2014.

Signed: _____

Record No. [CSM:CsPlaintNo]

[CAN:COURTAREA.CIRCOURTS#01] CIRCUIT   COUNTY OF
[CAN:NAME.CIRCOURTS#01]

BETWEEN:

[CNT:Name]

Plaintiff

-and-

[CAN:Name.Debtor#01]

Defendant

NOTICE OF MOTION FOR JUDGEMENT BY DEFAULT OF APPEARANCE

TAKE NOTICE that the Plaintiff will apply to the Court on the   day of
 201   or the next opportunity thereafter for Judgment in Default of Appearance on the grounds that:

The Civil Bill herein was issued on the [UDF:CivilBillIssueDate] and served on the [CAN:CivilBillSDate.Debtor#01]. The time for Appearance to the Civil Bill expired on the day of   2014 as appears by the Declaration of Service lodged herewith. No Appearance having been entered by or on behalf of the Defendant, the Plaintiff will apply for Judgment in terms of the Indorsement of Claim in the Civil Bill herein.

DATED this   day of   2014.

SIGNED: _____
                [SYS:CON:NAME]
                Solicitor for the Plaintiff
                [DIA:Address]

TO: [CAN:Name.Debtor#01]
            [CAN:Address.Debtor#01]
            Defendant

AND: THE COUNTY REGISTRAR
            Circuit Court Office
            [CAN:Address.CirCourts#01]

Filed this   day of   2014 by [SYS:CON:Name], Solicitors for the Plaintiff, [DIA:SingleAddress].

AN CHUIRT CHUARDA
THE CIRCUIT COURT

Record No. [CSM:CsPlaintNo]

[CAN:COURTAREA.CIRCOURTS#01] CIRCUIT　　　　　　**COUNTY OF**
[CAN:NAME.CIRCOURTS#01]

BETWEEN:

[CNT:Name]

Plaintiff

-and-

[CAN:Name.Debtor#01]

Defendant

NOTICE OF MOTION FOR JUDGEMENT BY DEFAULT OF APPEARANCE

[SYS:CON:NAME]
Solicitors
[DIA:Address]

Record No. [CSM:CsPlaintNo]

[CAN:COURTAREA.CIRCOURTS#01] CIRCUIT   **COUNTY OF**
[CAN:NAME.CIRCOURTS#01]

BETWEEN:

[CNT:Name]

Plaintiff

-and-

[CAN:Name.Debtor#01]

Defendant

AFFIDAVIT OF [MAT:FENAME]

I **[MAT:FeName]** of [DIA:SingleAddress], aged eighteen years and upwards, **MAKE OATH** and say as follows:-

1.   I am a Solicitor in the firm of [SYS:CON:Name] Solicitors of [DIA:SingleAddress]. I beg to refer to the Civil Bill herein dated the   [UDF:CivilBillIssueDate] already filed herein.

2.   I refer to the Civil Bill herein served on the Defendant on the [CAN:CivilBillSDate.Debtor#01] and I say that the sum of [MAT:BalanceOfDebt] claimed therein to be due to the Plaintiff is now actually due and owing as stated in the Indorsement of Claim. The said sum is due and owing by the Defendant to the Plaintiff in respect of goods sold and delivered by the Plaintiff to the Defendant, details of which have already been supplied to the Defendant.

3.   I say that by letter dated the   day of   2014 I notified the Defendant that the time for the filing and delivery of Appearance had expired and enclosing a letter consenting to an extension period for the delivery of an Appearance which letters upon the back of which marked with the letter "A" I have signed my name prior to the swearing hereof.

4.   I say and believe that no Appearance has been filed or delivered by the Defendant notwithstanding the consent to the late filing of Appearance. In this regard I beg to refer to the Certificate of the County Registrar certifying that no Appearance has been filed when produced.

6.   I pray this Honourable Court for Judgement as set forth in the Notice of Motion and the Indorsement of Claim of the Civil Bill herein.

SWORN by **[MAT:FENAME]** this day of 2014 at [DIA:SingleAddress], this day of 2014.

AN CHUIRT CHUARDA
THE CIRCUIT COURT

Record No. [CSM:CsPlaintNo]

[CAN:COURTAREA.CIRCOURTS#01] CIRCUIT　　　　**COUNTY OF**
[CAN:NAME.CIRCOURTS#01]

BETWEEN:

[CNT:Name]

Plaintiff

-and-

[CAN:Name.Debtor#01]

Defendant

AFFIDAVIT OF [MAT:FENAME]

[SYS:CON:NAME]
Solicitors
[DIA:Address]

EXHIBIT "A"

Exhibit "A" as referred to in the
Affidavit of [MAT:FeName]

_____
[MAT:FENAME]

_____
**COMMISSIONER FOR OATHS/
PRACTISING SOLICITOR**

[MAT:Code]/[MAT:FECode]/[UDF:SecRef]

[DATE:Today]

Private & Confidential
[CNT:Name]
[CNT:Address]

RE: [CAN:Name.Debtor#01]
_____

Dear [CNT:Salut],

I served the Civil Bill on [CAN:Name.Debtor#01] and no Notice of Appearance has been entered by any party on its behalf. I now intend to proceed to Judgement on behalf of [CNT:Name].

I enclose herewith Affidavit of Debt and would be grateful if you could sign it and have it sworn in front of a commissioner for oaths/solicitor, and return it to me in early course. I will then proceed to lodge the Affidavit of Debt with the Judgement papers in the Circuit Court to seek Judgement in respect of the debt due.   Once we obtain Judgement against [CAN:Name.Debtor#01], we can look at all our options.

I will await hearing from you.

Kind regards,

Yours sincerely,

_____
[MAT:FENAME]
[SYS:CON:NAME]
[MAT:FeEmail]

Encl.

<div align="center">

AN CHUIRT CHUARDA
(THE CIRCUIT COURT)

</div>

[CAN:COURTAREA.CIRCOURTS#01] CIRCUITCOUNTY OF [CAN:NAME.CIRCOURTS#01]

<div align="right">

Record No. [CSM:CsPlaintNo]

</div>

BETWEEN:

<div align="center">

[CNT:Name]

</div>

<div align="right">

PLAINTIFF

</div>

<div align="center">

-and-

[CAN:Name.Debtor#01]

</div>

<div align="right">

DEFENDANT

</div>

<div align="center">

AFFIDAVIT OF DEBT

(Excepting Proceedings Instituted in pursuance of the Consumer Credit Act, 1995)

</div>

I, [CAN:Name.Deponent#01], [CAN:Occupation.Deponent#01], of [CNT:LinearAddress], aged 18 years and upwards, **MAKE OATH** and say as follows:-

1. I am the [CAN:Occupation.Deponent#01] of the Plaintiff herein, and I am duly authorised by the Plaintiff to make this Affidavit on its behalf. I make this Affidavit from facts within my own knowledge save where otherwise appears and, where so appearing, I believe the same to be true.

2. I refer to the Civil Bill herein served on the Defendant on the [CAN:CivilBillSDate.Debtor#01] and I say that the sum of €[MAT:BalanceOfDebt] claimed therein to be due to the Plaintiff is now actually due and owing as stated in the Indorsement of Claim to the Civil Bill. The said sum arises on foot of services provided by the Plaintiff to the Defendant, detailed particulars of which have already been furnished to the Defendant.

3. I say and believe that no Appearance has been filed by or on behalf of the Defendant herein.

4. Value added tax is/is not payable by the Plaintiff on the costs of the within proceedings and any such value added tax is/is not recoverable by the Plaintiff from the Revenue Commissioners.

5. I apply to this Honourable Court for Judgement against the Defendant in default of Appearance.

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</div>

SWORN by the said [CAN:Name.Deponent#01]
this   day of   2014
at [DIA:SingleAddress], before me a Commissioner for Oaths
/ Practising Solicitor. And I know the Deponent

_____

Commissioner for Oaths/Practising Solicitor

AN CHUIRT CHUARDA
(THE CIRCUIT COURT)

[CAN:COURTAREA.CIRCOURTS#01] CIRCUITCOUNTY OF [CAN:NAME.CIRCOURTS#01]

Record No. [CSM:CsPlaintNo]

BETWEEN:

[CNT:Name]

PLAINTIFF

-and-

[CAN:Name.Debtor#01]

DEFENDANT

<u>AFFIDAVIT OF DEBT</u>

[SYS:CON:NAME]
Solicitors
[DIA:Address]

MEMO TO

From:	[MAT:FeName]
Re:	[CNT:Name] [CNT:Name] -v- [CAN:Name.Debtor#01]
Date	[DATE:Today]
Ref:	[MAT:Code]/[MAT:FECode]

,

I attach the following:-

1. Original Civil Bill;
2. Endorsement of service;
3. Original Affidavit of Service with exhibit;
4. Copy 14 day warning letter;
5. Affidavit of Debt;
6. Judgement in default of Appearance;
7. Memorandum of the Registry of a Judgement;
8. Request for Judgement in default of Appearance;
9. Decree;
10. Certificate of No Appearance;
11. Request for Execution Order;
12. Execution Order against Goods;
13. Cheque for €132 representing €120 on Judgement in default of Appearance, and €12 on Memorandum of the Registry of a Judgement.

Many thanks,

_____
[MAT:FeName]
[SYS:CON:NAME]

[MAT:Code]/[MAT:FECode]/[UDF:SecRef]

[DATE:Today]

Private & Confidential
[CNT:Name]
[CNT:Address]

RE: [CAN:Name.Debtor#01]

_____

Dear [CNT:Salut],

I refer to previous communications in connection with the above matter. I now write to advise that I have obtained Judgement on your behalf against [CAN:Name.Debtor#01]. I am in a position to register the Judgement against [CAN:Name.Debtor#01] and also to send an Execution Order to the Sheriff to levy execution against the Defendant.

If you wish me to lodge the Judgement with the Sheriff to levy execution, I need you to put me in funds. I enclose herewith fee note, and would be grateful to receive cheque in early course.

Kind regards,

Yours sincerely,

_____
[MAT:FENAME]
[SYS:CON:NAME]
[MAT:FeEmail]

Encl.

FEE NOTE

[CNT:Name]
-to-
[SYS:CON:NAME]

PROFESSIONAL FEES for work done in relation to Circuit Court proceedings against [CAN:Name.Debtor#01], to include:-

Receiving instructions to correspond with debtor, sending seven day letter to debtor, drafting Circuit Court proceedings, issuing and serving Circuit Court proceedings on the debtor, entering Certificate of No Appearance, preparing Affidavit of Debt for completion by client, preparing Judgement papers and filing them in the Circuit Court Office.

Obtaining Judgement, submitting Memorandum to Register Judgement, and submitting Execution Order.

Fee for work done   €

V.A.T. @ 23%   €

OUTLAY NOT SUBJECT TO VAT

Stamp duty on Civil Bill	€68.00	
Commissioners fees on Affidavit of Service	€12.00	
Commissioners fees on Affidavit of Debt	€12.00	
Stamp duty on Affidavit of Debt	€12.00	
Stamp duty on Memorandum of the Registry of a Judgement	€12.00	
Stamp duty on Judgement by Default of Appearance	€120.00	
Sheriffs Fees	€175.00	**€411.00**

Total: **€**

Dated this   day of   , 201 .

Signed_____
[SYS:CON:NAME]
Solicitors
[DIA:Address]

THIS IS NOT A VAT INVOICE
      REF: [MAT:Code]/[MAT:Code]/[MAT:FECode]/[UDF:SecRef]

TO:
[CNT:Name]
[CNT:Address]

[MAT:Code]/[MAT:FECode]/[UDF:SecRef]

[DATE:Today]

[CAN:Name.Debtor#01]
[CAN:Address.Debtor#01]

RE: [CNT:Name] –v- [CAN:Name.Debtor#01]
       The Circuit Court Record No. [CSM:CsPlaintNo]
_____

Dear Sir,

We refer to previous communications in connection with the above matter. We now write to advise that Judgement against you has been issued by the Circuit Court Office in [CAN:Name.CirCourts#01]. We are now instructed to proceed on foot of same .

Yours faithfully,

_____
[SYS:CON:NAME]
[MAT:FeEmail]

MEMO TO

From:	[MAT:FeName]
Re:	[CNT:Name]
	[CAN:Name.Debtor#01]
Date	[DATE:Today]
Ref:	[MAT:Code]/[MAT:FECode]/[UDF:SecRef]

,

I attach Memorandum of the Registry of a Judgement (duly stamped) together with Certificate of the Registry of a Judgement. Please register same in the Central Office.

Many thanks,

_____
[MAT:FeName]
[SYS:CON:Name]

CERTIFICATE OF THE REGISTRY OF A JUDGEMENT

Name of Solicitor And party for whom he is concerned	**[SYS:CON:NAME]** Solicitors for [CNT:Name] of [DIA:Address]

TITLE OF CLAUSE

[CNT:Name] and [CAN:Name.Debtor#01]	Plaintiff Defendant

Name of the Defendant or Person whose Estate is intended to be affected thereby	Usual or last known place of abode of such person	Title, Trade profession of such person
[CAN:Name.Debtor#01]	[CAN:Address.Debtor#01]	[CAN:Occupation.Debtor#01]

AN CHUIRT CHUARDA – THE CIRCUIT COURT   Record No.

District Court Area: District No.

Date of Judgement:

Amount of Debt or Damages   €[MAT:BalanceOfDebt]

Amount of Costs   €

Name of Plaintiff	Usual or last known place of abode of such person/ having its registered office at:	Title, Trade profession of such person
[CNT:Name]	[CNT:Address]	[CNT:Occupation]

I CERTIFY that Judgement described in the foregoing Memorandum was registered in the Central Office on the   day of   and is contained in Book   Vol. Page

Dated this   day of   2014

_____

REGISTRAR FOR THE MASTER
OF THE HIGH COURT

45

[MAT:Code]/[MAT:FECode]/[UDF:SecRef]

[DATE:Today]

County Sheriff
[CAN:Address.Sheriff#01]

RE: [CNT:Name] –v- [CAN:Name.Debtor#01]
        The Circuit Court Record No. [CSM:CsPlaintNo]
_____

Dear Sheriff,

I write to you in connection with the above matter and enclose herewith Execution Order for execution against goods of the Defendant herein.

I also enclose cheque in the sum of €   respect of your fees.

Yours faithfully,

_____
[SYS:CON:NAME]
[MAT:FeEmail]

Encl.

AN CHUIRT CHUARDA
(The Circuit Court)

[CAN:COURTAREA.CIRCOURTS#01] CIRCUIT   **COUNTY OF**
[CAN:NAME.CIRCOURTS#01]

Between/

[CNT:Name]

Plaintiff

and

[CAN:Name.Debtor#01]

Defendant

EXECUTION ORDER AGAINST GOODS

The Plaintiff, having its registered office at [CNT:LinearAddress], having applied for the issue of an Execution Order on foot of Judgement obtained herein on the   day of 201   for the sum of €[MAT:BalanceOfDebt] together with the sum of €_____ for costs, you, the several Sheriffs and County Registrars with whom this Order may be lodged, are hereby authorised and required to take in execution the goods of the said Defendant, [CAN:Name.Debtor#01] of/having its registered office at [CAN:Address.Debtor#01], within your bailiwick to satisfy the amount due on foot of the said Judgement, together with the costs of the said execution, including the sum of €_____ as and for the costs of this Order, and also interest at the rate of 8 per cent per annum on the said sum of €[MAT:BalanceOfDebt] (being the sum due under the Decree, exclusive of costs and expenses) from the   day of   2014.

BY THE COURT

_____

COUNTY REGISTRAR

Combined Office Manager/Nominated Signatory on behalf of the County Registrar

TO: The several Sheriffs and County Registrars

NOTE: This Execution Order is in force for one year only from the date hereof.

ENDORSEMENT ON EXECUTION ORDER

This Execution Order was issued by [SYS:CON:Name] of [DIA:Address], Solicitor for the Plaintiff herein.

Lodged with the Sheriff of the City of Dublin at his office in 13 Fownes Street, Temple Bar, Dublin 2, at the hour of   o'clock in the   noon, the   day of   201 .

I Authorise and Empower City of Dublin TO WIT **JOHN FITZPATRICK** of 13 Fownes Street, Temple Bar, Dublin 2, and Court messengers and their assistants to execute this Execution Order.

Given under my hand this   day of   2014.

BY THE COURT

_____

SHERIFF OR COUNTY REGISTRAR OF THE SAID COUNTY

The sum to be levied hereunder is €   .

AN CHUIRT CHUARDA
(The Circuit Court)

[CAN:CourtArea.CirCourts#01] Circuit   County of [CAN:Name.CirCourts#01]

Between/

[CNT:Name]

Plaintiff

and

[CAN:Name.Debtor#01]

Defendant

EXECUTION ORDER AGAINST GOODS

[SYS:CON:NAME]
Solicitors
[DIA:Address]