

Serving Documents Checklist

You may want to use this checklist to make sure you have considered all the steps in serving documents. Unless otherwise stated, the “Rules” referred to in this document are from the [Small Claims Rules](#) and forms This is meant as a guide only and not legal advice. You should review the applicable rules. If there is any omission or conflict in this list with the rules, the rules should be followed.

Serving a notice of claim or notice of Civil Resolution Tribunal (CRT) claim

- Review rules that apply to the service of documents on your defendant: Be sure to identify your defendant correctly. (See Rule 2 for Notice of Claim and Rule 1.1 for Notice of CRT Claim).
- Proof of service: Find out what you need in order for the court to be satisfied that proper service was done (See Rule 18(14) and (15)).

For a Notice of Claim serve (See Rule 2)

- The defendant copy of the filed Notice of Claim
- A blank reply (Form 2)
- Serve within 1 year of filing (or apply to have it renewed)

For a Notice of CRT Claim (See Rule 1.1)

- The other party's copy of the filed Notice of CRT Claim
- All responses made or received by the filing party
- One of the following
 - Certificate from the CRT stating the CRT process is complete
 - Notice from CRT stating the CRT refuses to resolve the claim
 - Copy of the order from the Provincial Court that the CRT not resolve the claim
- A blank reply (Form 2) if applicable
- Serve within 28 days of filing (or apply to have it renewed)

Serving an individual adult

- Serve by personal service (For Notice of Civil Claim see Rule 2. For Notice of CRT Claim see Rule 1.1(11))
 - You, a friend, or a hired process server hands the notice to the other party. If the person refuses to take it, drop it at their feet.

or

- Serve by registered mail
 - Send via registered mail through Canada Post
 - To prove service, obtain a copy of the signature obtained by Canada post at the time it was delivered or a print-out of the delivery confirmation

- For defendants who are under 19 years old, review special rules for service (Rule 18(2))

Serving companies and other entities

- Read the special rules for service for companies, extraprovincial companies, and partnerships if applicable (For Notice of Claim see Rule 2. For Notice of CRT Claims see Rule 1.1 (12)-(14))

- Read the special rules for municipalities, trade unions, non-share corporations, unincorporated associations or societies, if applicable. (See Rule 18)

Trouble serving or finding a defendant

- If you are having trouble serving a defendant (See Rule 18), you may make an application to the registrar (Form 16) to see if they will allow a different type of service or set a deadline for filing the reply.

Serving outside of BC

- Review rules regarding service outside of BC (See Rule 18(6)-(7.1))

- If you are serving a Notice of Claim or Notice of CRT Claim on someone outside of BC make sure to change the time for their reply from 14 days to 30 days on the document itself before you file it.

Serving other documents

- Unless the document you wish to serve is a Notice of Claim, a Notice of CRT Claim, a Third Party Notice or a Summons to a Payment Hearing or to a Default Hearing, you can serve the document by ordinary mail (see Rule 18(12)).

- If you serve by ordinary mail, documents will be deemed served 14 days after it was mailed. Be sure to mail in time to meet any deadlines.

Changing Address for Service

- ❑ Promptly notify, in writing the registry and all parties of any change in the party's address for service. You can do this by filing and serving a Notice of Change of Address. [Form 38, Address For Service](#), allows parties to indicate an email address for service, which can also be used by the registry to provide notification (eg. of a settlement conference) by email.