



**The Royal Court Civil Rules, 2007
(O.R.C. IV of 2007)**

**Rule 90 - Procedure for Issuing Summonses in the Royal Court
without instructing an Advocate**

1. A Plaintiff/Claimant can bring an action for debt or damages before the Magistrate's Court (as a Petty Debt) for a sum not exceeding £10,000, by instructing HM Sergeant to issue a summons. Claims in excess of £10,000 can only be pursued before the Royal Court.
2. This Rule provides for a Plaintiff/Claimant to issue a summons in civil proceedings before the Royal Court without instructing an Advocate. (A copy of Rule 90 is attached)
3. The Plaintiff/Claimant must first apply to the Bailiff for leave to issue a Summons. He or she does this by delivering to HM Greffier the following three forms, Application Form A, Summons Form B (or, if the action is for eviction, Summons Form B for Evictions) and Cause Form C. A written summary of the material facts, which the Plaintiff/Claimant will rely upon in support of their action, must be attached to the Summons form. The Greffe requires two complete sets of the forms and documentation to be filed. The Application Fee must be paid when the application is delivered to the Greffe.
4. The Bailiff will usually consider the application on the papers and HM Greffier will then write to the Plaintiff/Claimant telling them of the Bailiff's decision.
5. If the application is granted, HM Greffier will send a standard letter to the Plaintiff/Claimant enclosing:-
 - (1) The Application Form A duly certified to indicate that it has been granted;
 - (2) Copies of Summons Form B and Cause Form C; and
 - (3) Extract from the Royal Court (Costs and Fees) (Amendment) Rules, 2023 is attached so that the Plaintiff/Claimant is aware of the Court fees they may be charged. If the Plaintiff/Claimant is unsuccessful they may also be ordered by the Royal Court to pay the costs of the Defendant. For example, if the Defendant has engaged an Advocate, on the standard recoverable basis the Advocate's time can be charged for at a figure not exceeding the amount stated in Rule 2 of the Royal Court (Costs and Fees) Rules. Thereafter the rate will be increased in accordance with the Guernsey Retail Price Index.
6. The Plaintiff/Claimant is required to instruct HM Sergeant to issue a summons two clear working days prior to the Friday Court ie by 12 noon on the Tuesday preceding the



Court, and to lodge with HM Greffier the cause, bearing HM Sergeant's certificate of service, by close of business (4.00 pm) on the Wednesday before the Friday 9.30 am sitting of the Royal Court.

7. The Plaintiff/Claimant is required to pay the appropriate tabling fee at the Greffe when they lodge their cause in accordance with paragraph 6.

The tabling fees vary according to the amount claimed.

8. Copies of Application Form A, Summons Form B, and Cause Form C are attached.
9. For further information, and copies of Forms, please contact:

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