

## EXPLANATORY NOTES

### STATEMENT IN LIEU OF TESTIMONY (SJ-837A)

The “Statement in Lieu of Testimony” form enables a party involved in a small claims application to replace:

- the presence of a witness by a written statement that will serve as testimony;
- or
- the presence of an expert witness by a written statement that will serve as an expert report (the Court will rule on whether the person qualifies as an expert and on the probative value of the report).

The statement must be filed with the office of the Court at least 21 days before the date set for the hearing.

For more information, as well as the contact information for all courthouses in the province of Québec, consult the [list of courthouses](#) on the website of the ministère de la Justice.

### TYPES OF FORMS

This form is available in dynamic PDF format, meaning the form can be downloaded from [www.justice.gouv.qc.ca](http://www.justice.gouv.qc.ca) and completed directly on screen.

- Dynamic PDF:

After completing the form, you must print it on letter-sized paper, i.e. 8.5 inches by 11 inches (215.9 mm by 279.4 mm). Be sure to set your printer to this paper size.

- Paper:

If you complete the form by hand, please write legibly in block letters.

### PROCEDURE

After completing the form, you should keep a copy for your files. You must then file the statement at the courthouse where the hearing will be held. The clerk will serve the notice on the other parties, who may ask the clerk to summon the witness-declarant.

Plaintiff

versus

Defendant

and

Intervening third party

**STATEMENT IN LIEU OF TESTIMONY**  
(art. 555 C.C.P.)

At the request of the  Plaintiff  Defendant  Intervening third party,

I, the undersigned, \_\_\_\_\_

domiciled and residing at: \_\_\_\_\_

declare the following:

as factual testimony: (Be precise. You must have personal knowledge of the facts set out.)

to serve as an expert report regarding: (for example: nature of damage/latent defects, damage appraisal/replacement cost. Specify briefly.)

\_\_\_\_\_  
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\_\_\_\_\_

(Attach additional sheets as necessary.)

At \_\_\_\_\_, on \_\_\_\_\_

\_\_\_\_\_  
Signature of the declarant