# Lodge Default Order

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|  | **Prerequisites:**Before completing the steps in this User Guide, ensure:* you have access to an existing case in the **CMS Portal**
* the following documents are lodged prior to filing form 21A:

1. Affidavit of service.2. Overarching obligations certification or Certification of prior overarching obligations certification.3. Proper basis certification. |
|  | **Please see**:If you don’t have access to the case in the CMS Portal, please see User Guide: **Requesting access to a case** |
|  | **Important:**Completing this form creates a **Default Order** request which may be reviewed by court staff once submitted. |

| Step | Action | Result |
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|  | Log in to the **CMS Portal** | The **CMS Portal** screen displays:Graphical user interface, website  Description automatically generated |
|  | Click: **File on One of My Cases**File on One of My Cases button | The **My Account** screen display the **Cases** tab:The My Account Search Case screen displays with numerous fields to search with. |
|  | Type information in the **Search Case** fields to search for the relevant case, or locate the case in the list below the search fields:The Search Case panel displays with First Name, Last Name and a search result highlighted. Also displays Submit and Clear buttons.  |
|  | **Hint:** If your case displays in the list at the bottom of the page, proceed to step 5. |
|  | Click: **Submit****Submit button** | The **Results** section displays cases matching the search criteria:A screenshot of the case search result, showing the Case Number, Case Type and Case Name columns. |
|  | In the **Action** column, click: **File a document****The Action column displays, with options to File a Subcase, File a document and File amended document. File a document is highlighted.** | The **Case Summary** screen displays: |
|  | In the **Action** column, click: **File a Document panel** within the relevant subcase | The **Add Filing** screen displays: |
|  | Complete the required panels and fields. Fields marked with a red asterisk \* are mandatory.

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| PANEL: My Reference |
| In this panel … | Provide this information … |
| My Reference | Any name or number used by you to identify this filing. |
| PANEL: Add Document |
| Code / Name | Start typing the document **Code/Name** and select the type of breach, if relevant. |
|  | **Hint**: Only select a type of breach if your application relates to a breach of self-executing order or breach of terms of settlement. |
| PANEL: Details |
| Breach | Select the type of breach, if relevant. |
| Non-Monetary Claim | Displays **No**. Change if application relates to a non-monetary claim. |

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| PANEL: Claim |
| In this field … | Provide this information … |
| Claim Amount | This defaults to the amount of the original claim. |
| Less amounts paid since claim | Type any payments made since the claim was filed. |
| PANEL: Service Attempts |
| Number of service attempts | Type the number of attempts made to serve the complaint, if applicable. |
|  | **Note**:Affidavits of attempted service relating to these service attempts should be filed with the court prior to filing the Default Order. |
| Distance travelled for service to be effected (km) | Type the distance, in kilometres, claimed in relation to service of the complaint, if applicable. |
| Was the complaint, counterclaim or third party notice served personally? | Select **Yes** or **No** |
| PANEL: Costs |
|  | **Note**:All costs fields are derived and capped on the Portal, using the scale of costs and fees claimable in the Civil Jurisdiction of the Magistrates' Court of Victoria. |
| Professional Costs $ | Type any Professional costs incurred for the service. |
| Distance Fee $ | Field displays the calculated amount based on **Distance travelled for service to be effected (km)** field.  |
| Default Lodgement Fee $ | Type the fees for Default lodgement.  |

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| PANEL: Costs |
| In this field … | Provide this information … |
| Default Professional Costs | Type any professional costs associated with lodgement of Default order.  |
| Fee on Claim $ | Type any fees associated with the claim.  |
| Attempted Service Fee $ | Field displays the calculated fee based on **Number of service attempts** per service.  |
| Search Type | Select the search type **Business** or **Company** from menu.  |
| Search Fee $ | Type any fees associated with performing Search.  |
| Service Type | Select whether service was delivered **Personally** or via **Regular post** from the menu. |
| Service Fee $ | Type any fees associated with service type.  |
| PANEL: Other Costs |
|  | **Note**:Any other costs claimed are subject to review by the court. |
| Necessary Affidavits | Type details related to necessary affidavits. |
| Necessary affidavits details | Type necessary affidavits details in the free text field. |
| Other Costs | Type any additional costs not previously listed. |
|  | **Note**:Any costs claimed outside the scale of costs can be added as Other Costs and are reviewed by the court. |
| Other costs details | Type an explanation for the additional costs in this field.  |

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| PANEL: Interest |
| In this field … | Provide this information … |
| Manual interest calculation required | Select **Yes** if requesting interest be awarded at an alternate to the penalty interest rate.  |
|  | **Note**:If **Yes** is selected:* a percentage amount field displays
* it’s subject to review by the court
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| From | Select the interest period start date using the calendar icon.  |
| To | Select the interest period end date using the calendar icon. |
| Principal Amount | Type the principal interest amount.  |
| Percentage% | If a manual interest calculation, input a related interest percentage amount. |
| Interest Total | Type the total interest amount.  |
|  | **Important:**If you exceed any amounts set out in the Scale of Costs, you are not able to proceed with submitting a **21A Default Order** until the correct figure is entered. Screenshot of the 'Professional Cost' warning if you exceed amounts. |
| ADDITIONAL PANELS: |
| In this panel … | Provide this information … |
| Filed By | Tick box iconSelect the party lodging the Default Order. |
| Representation | Tick box iconSelect the legal representative you are filing on behalf of. |
| Filed Against | Tick box iconSelect the party the Default Order is lodged against. |

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| ADDITIONAL PANELS: |
| In this panel … | Provide this information … |
| Related Documents | Tick box iconSelect related documents to the Default Order. |
| Mandatory Documents | Start typing the name of the **Code/Name** and select relevant document from the results displayed. Click **Choose File** and upload the relevant PDF.  |
|  | **Hint**: ALL mandatory documents associated with your application are listed in this panel. Search/Magnifying glass iconIf you are unsure of the document **Code/Name**, click the magnifying glass icon to open the search menu. |
| Optional Document | Available optional documents are listed in the panel and vary depending on the claim type. Start typing the name of the **Code/Name** and select relevant document from the results displayed. Click **Choose File** and upload the relevant PDF. |
| Fee Waiver Panel | Displays **No,** change if required.  |
| Electronic Signature Consent | Select Tick box icon to consent to affixing your electronic signature to the filing of the document. |

*\*All document uploads must be PDF.* |
|  | Click: **Proceed****Proceed button** | The **My Account** screen displays: The Cart tab within the My Account screen displays, showing an item with payment due and the Submit Payment button.  |
|  | Select Tick box icon the item requiring payment.Click: **Submit payment****Submit Payment button** | The **Process Payment** screen displays:The Process Payment screen displays with payment options, and Continue and Back buttons.  |
|  | Radio buttonFrom the **Payment Options** panel, select a payment method, then click: **Continue****Continue button** |  | **Please See**:Payment options can be added and removed from the **My Account** screen. For more information, please see User Guide: **My account features** |
|  | **Note**:If **ePayment by Credit/Debit card** is selected, a popup displays.Enter your payment details, then click: **Make Payment****Make payment button** |
|  | The Default Order is filed.  | The **Confirmation of Filing** screen displays:The Confirmation of Filing screen displays with confirmation message, filing and payment information. Back To My Cart, My Account and Print This Page buttons also display. |
|  | **Note**:**Applications for order in default of defence** are granted and orders are made automatically in certain circumstances. Applications requiring consideration by a judicial officer, and/or with alternate interest or other costs claimed, are subject to review by the court and are made manually. |
|  | OPTIONAL:To view the status of the **Application for order in default of defence**, click: **My Account****My Account button** | The **My Account** screen displays the **Filings** tab: |
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| The Filings tab within the My Account screen displays with My Reference, Case/Record Number, Filing Status and Action columns highlighted.  |
| Field | Description |
| **Filing Date** | Shows filing date - the most recently filed document displays first. |
| **My Reference** | Displays the reference typed when filing the document. |
| **Case/Record Number** | Assists with locating filings. |
| **Filing Status** | Shows the filing’s live status. |
| Action/**View** | Allows you to view the **Case Summary** screen for the relevant case. |
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|  | **Note**:* An **Acknowledgment for filing** email is sent to the **CMS Portal** user when the document is filed
* An additional email is sent when the status of the filing is updated
* These emails may arrive simultaneously if the **Aplication for order in default of defence** is automatically approved by the **CMS Portal**
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