Notes for claimant on completing a claim form

Before you begin completing the claim form

- You must think about whether alternative dispute resolution (ADR) is a better way to reach an agreement before going to court. The leaflet 'I'm in a dispute - What can I do?' explains more about ADR and how you can attempt to settle your claim.
- Please read all the notes which follow the order in which information is required on the form.
- Before completing this form, consider whether you might prefer to issue online www.moneyclaim.gov.uk
- If you are filling in the claim form by hand, please use black ink and write in block capitals.
- Copy the completed claim form and the defendant's notes for guidance so that you have one copy for yourself, one copy for the court and one copy for each defendant.
- If the claim is for a sum of money then you must send it to the County Court Money Claims Centre, PO Box 527, Salford, M5 0BY.
- If it is a High Court claim or is a claim for anything other than money you should send the form and the fee to a court office.
- You can get additional help in completing this form from the Money Claim helpdesk - phone 0300 1231372. If you need legal advice you should contact a solicitor or a Citizens Advice Bureau.

Further information may be obtained from Direct.gov.uk or from the court in a series of free leaflets.

Notes on completing the claim form

Heading

You must fill in the heading of the form to indicate the name of the court where you want the claim to be issued. If you want the claim to proceed in the county court and it is for money only, you must enter 'Northampton County Court'.

The claimant and defendant

As the person issuing the claim, you are called the 'claimant'. Please enter your name and address. The person you are suing is called the 'defendant'. Please enter their name.

You must provide the following information about yourself and the defendant according to the capacity in which you are suing and in which the defendant is being sued.

Providing information about yourself and the defendant

full address including postcode

You should provide the address including postcode for yourself and the defendant or its equivalent in any European Economic Area (EEA) state (if applicable).

If an address does not have a postcode you will need to ask the judge for permission to serve the claim with this information missing. There is no additional fee for this, but the court will not allow your claim to be served without the postcode, unless you have permission from the judge.

When suing or being sued as:-

an individual:
You must enter his or her full name where known, including the title (for example, Mr., Mrs., Ms., Dr.) and residential address postcode and telephone number. Where the defendant is a proprietor of a business, a partner in a firm or an individual sued in the name of a club or other unincorporated association, the address for service should be the usual or last known place of residence or principal place of business.

Where the individual is:

trading under another name
you must enter his or her full unabbreviated name where known, and the title by which he or she is known and the full name under which he or she is trading, for example, 'Mr. John Smith trading as Smith's Groceries'.

suing or being sued in a representative capacity you must say what that capacity is for example, 'Mr Joe Bloggs as the representative of Mrs Sharon Bloggs (deceased)'.

suing or being sued in the name of a club or other unincorporated association add the words 'suing/sued on behalf of' followed by the name of the club or other unincorporated association.

an unincorporated business - a firm
In the case of a partnership (other than a limited liability partnership) you must enter the full name of the business followed by the suffix 'a firm' for example, 'Bandbox - a firm' and an address including postcode for service. This may either be one of the partners residential addresses or the principal or last known place of business of the firm.

n1a_0312.indd 1

© Crown copyright 2012. Reproduced by Thomson Reuters (Professional) UK Ltd

a company registered in England and Wales or a Limited Liability Partnership

In the case of a registered company or limited liability partnership, enter the full name followed by the appropriate suffix (for example, 'Ltd'.) and an address including postcode which is either the company's registered office or any place of business in the UK that has a connection with the claim e.g. where goods were bought.

a corporation (other than a company)
enter the full name of the corporation and any suffix and the address including postcode in the UK which is either its principal office or any other place where the corporation carries on activities and which has a connection with the claim.

an overseas company (defined by s744 of the Companies Act 1985)
enter the company's full name and any suffix if appropriate and address including postcode. The address must either be the registered address under s691 of the Act or the address of the place of business having a connection with the claim

under 18 write '(a child by Mr Joe Bloggs his litigation friend)' after the name. If the child is conducting proceedings on their own behalf write '(a child)' after the child's name.

a patient within the meaning of the Mental Health Act 1983 write '(by Mr Joe Bloggs his litigation friend)' after the patient's name.

Brief details of claim

You must set out under **this** heading:

- a concise statement of the nature of your claim
- the remedy you are seeking e.g. payment of money

Value

If you are claiming a **fixed amount of money** (a 'specified amount') write the amount in the box at the bottom right-hand corner of the claim form against 'amount claimed'.

If you are not claiming a fixed amount of money (an 'unspecified amount') under 'Value' write "I expect to recover" followed by whichever of the following applies to your claim:

- 'not more than £5,000' **or**
- 'more than £5,000 but not more than £25,000' **or**
- 'more than £25,000'

If you are **not able** to put a value on your claim, write 'I cannot say how much I expect to recover'.

Personal injuries
If your claim is for 'not more than £5,000' and includes a claim for personal injuries, you must also write 'My claim includes a claim for personal injuries and the amount I expect to recover as damages for pain, suffering and loss of amenity is' followed by either:

- 'not more than £1,000' **or**
- 'more than £1,000'

Housing disrepair
If your claim is for 'not more than £5,000' and includes a claim for housing disrepair relating to residential premises, you must also write 'My claim includes a claim against my landlord for housing disrepair relating to residential premises. The cost of the repairs or other work is estimated to be' followed by either:

- 'not more than £1,000' **or**
- 'more than £1,000'

If within this claim, you are making a claim for other damages, you must also write:

'I expect to recover as damages' followed by either:

- 'not more than £1,000' **or**
- 'more than £1,000'

Preferred Court

You may be asked to send this claim to a court centre that is not convenient for you to attend. If attendance is required the court will transfer the case to make it easier for one or all of the parties to attend. A list of county courts can be found at: hmctscourtfinder.justice.gov.uk State your preferred court where indicated. The court will take it into account if transfer is required.

Defendant's name and address

Enter in this box the title, full names, address and postcode of the defendant receiving the claim form (one claim form for each defendant). If the defendant is to be served outside the UK or any other state of the EEA, you may need to obtain the court's permission.

Particulars of claim

You must set out under this heading:

- a concise statement of the facts on which you rely
- a statement (if applicable) that you are seeking aggravated damages or exemplary damages
- details of any interest which you are claiming
- any other matters required for your type of claim as set out in the relevant practice direction

Statement of truth

This must be signed by you, your solicitor or your litigation friend.

Where the claimant is a registered company or a corporation the claim must be signed by either the director or other officer of the company or (in the case of a corporation) the mayor, chairman, president or town clerk.

Address for documents

Please note that the service regulation provides that cross-border service by any direct means including fax or email is not permitted within the EEA.