

Notice of allocation to the Small Claims Track (no hearing)

To [Claimant][Defendant][Legal representative]

In the	
Claim no.	
Claimant (including ref.)	
Defendant (including ref.)	
Date	



District Judge _____ has considered the statements of case and directions questionnaire filed and allocated the claim [counterclaim] to the **small claims track**.

Unless the Claimant [Defendant] does by **4.00pm on the dd/mm/yyyy** pay to the court the trial fee of **£xx.xx** or file a properly completed application (i.e one which provides all the required information in the manner requested) for help with fees, then the claim [counterclaim] will be **struck out with effect from dd/mm/yy without further order[.]**

[If the claimant is to pay the fee insert: **and, unless the court orders otherwise, you will also be liable for the costs which the defendant has incurred.**]

The judge proposes to deal with the claim [counterclaim] without a hearing, that is, on the papers alone but can only do this if all parties agree.

Please tell the court whether or not you agree to your case being dealt with in this way by completing the lower half of this form and returning a copy to the court on or before _____ .
You must at the same time send a copy of it to all other parties.

The court office at

is open between 10 am and 4 pm Monday to Friday. Address all communications to the Court Manager quoting the claim number.

(The trial fee is fee 2.1 in the current Civil Fees Order).

If your claim has been struck out, it will no longer exist. The hearing will be vacated, unless a counterclaim survives the claim being struck out.

If, following strike out of the claim the claimant or defendant wishes to start fresh proceedings a new claim must be filed together with the appropriate fee or application for help with fees.

Information and leaflets explaining more about how to pay a court fee or how to apply for help with fees are available from the court office **or online at:** <https://www.gov.uk/court-fees-what-they-are>

Further information relating to Mediation of small claims is available from the court office **or online at:** http://hmctsformfinder.justice.gov.uk/HMCTS/GetLeaflet.do?court_leaflets_id=4454

The trial fee is **non refundable**. If parties settle before the trial fee is due, the trial fee will not be payable. If a consent order settling the matter is requested after the trial fee has been paid, the consent order fee will still be payable.

Please note, unless you apply for help with fees, there will be no further correspondence from the court office regarding payment of the fee or warnings as to the consequences of non payment.

Leaflets explaining more about what you should do and what happens when your case is allocated to the Small Claims Track are available from the court office or online at <http://hmctsformfinder.justice.gov.uk>

Reply to the court

Tick A **or** B **and** C

A I agree that the claim [counterclaim] should be dealt with on the papers alone.

or

B I do not agree that the claim [counterclaim] should be dealt with on the papers alone.

and

C I have sent a copy of this completed form to the other party.

Signed

(Claimant)(Defendant)(Legal representative)
(s litigation friend)

Dated

In the	
Claim no.	
Claimant (including ref.)	
Defendant (including ref.)	

Position or
office held

(if signing on behalf of firm or company)