

Notice of Issue

(Practice Direction 8B – Pre-Action Protocol for Low Value Personal Injury Claims in Road Traffic Accidents)

To the claimant[’s solicitor]

Name of court	
Claim no.	
Claimant <i>(including ref.)</i>	
Defendant <i>(including ref.)</i>	
Issue Fee	

Your Part 8 claim was issued on

/ /

The court sent it to the defendant by first class post on
and it will be deemed served on

/ / / /

The defendant has until

/ / to reply.

You must tell the court immediately if your claim is settled or discontinued.

Notes for guidance

Service of the claim form

- the claim form must be served on the defendant within 4 months of the date of issue (6 months if you are serving outside England and Wales). You may be able to extend the time for serving the claim form but the application must generally be made before the 4 month or 6 month period expires.

Stay of proceedings only (paragraph 16.2 of Practice Direction 8B) where a stay has been granted:

- you must serve a copy of the order imposing the stay with the claim form;
- where the parties have complied with the RTA Protocol but have been unable to reach agreement and now wish to apply for the court to determine the amount of damages to be paid under Practice Direction 8B you must make an application to lift the stay and request directions;
- where your claim does not continue under the RTA protocol and you wish to start proceedings under Part 7, you must apply to the court to lift the stay and request directions.

All other claims under Practice Direction 8B:

Replying to the claim form

- the defendant must file an acknowledgement of service with the court within 14 days of service of the claim form. At the same time, the defendant must send copies to you and all other parties;
- the defendant may not file any further written evidence unless directed to do so by the court.

The defendant may

- contest your claim;
- object to your using this procedure and set out their own reasons;
- dispute the court’s jurisdiction.

What happens next

- the court file will be referred to a judge for directions for the disposal of the claim 14 days after the expiry of the time for filing the acknowledgement of service.

Failure to reply

If an acknowledgement of service is not filed, the defendant may attend a hearing in the claim but may not take part at the hearing unless the court gives permission.

The court office at _____ is open between 10 am and 4 pm Monday to Friday. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: _____ Fax: _____