

Notice of allocation to the Small Claims Track (hearing)

To Claimant][Defendant][Legal representative]

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

Seal

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 hearing of this claim [counterclaim] will take place at [am][pm] on the _____ of _____ at _____

The judge has estimated that the hearing of this claim [counterclaim] should take no longer than [_____ mins][hours]. This is the total time for you, the other party [parties] and any witnesses to put your evidence and for the judge to reach a decision. To help prepare the claim [counterclaim] for hearing, the judge has ordered that you comply with the following directions:-

[The reason[s] the judge has given for allocation to this track [is][are] that _____ .]

Notes

- If you cannot, or choose not to, attend the hearing, you must write and tell the court **at least 7 days before the date of the hearing**. The district judge will hear the case in your absence, but will take account of your statement of case and any other documents you have filed.
- If you do not attend the hearing and do not give notice that you will not attend, the district

- judge may strike out your claim, defence or counterclaim. If the claimant attends but the defendant does not, the district judge may make a decision based on the evidence of the claimant only.
- 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> and search for leaflet EX306.

The court office at _____

is open between 10am and 4pm 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.

EXAMPLE