

Allocation questionnaire

(Small claims track)

Completed by, or on behalf of, (print name)

who is the [Claimant][Defendant] in this claim.

In the

County Court

Claim No.

Last date for filing
with court office

Please read the notes on page 4 before completing the questionnaire.

You must complete this questionnaire. It will be used to assist the court in the management of the claim.

You should note the date by which it must be returned and the name of the court it should be returned to since this may be different from the court where proceedings were issued. This information is shown on the Form N152 which came with this questionnaire.

If you have settled this claim (or if you settle it on a future date) and therefore do not need a hearing, you must let the court know immediately.

A Settlement

Do you wish any further action in this claim to be postponed for one month so that you and the other party can attempt to settle the claim either by informal discussion or by alternative dispute resolution?

Yes No

B Location of hearing

The claim will be heard in the court to which this form must be returned. Is there any reason why it should be transferred to another court to be heard?

Yes No

If Yes, say which court and why

C Track

Do you agree that the small claims track is the most suitable track for this claim?

Yes No

If No, please say why

D Witnesses

So far as you know at this stage, how many witnesses (other than yourself) do you intend to call to give evidence at the hearing?

E Experts

Do you want permission to use an expert's report at the hearing? (*see notes*)

Yes No

If Yes, what will the expert's evidence deal with?

Have you already obtained an expert's report?

Yes No

If Yes, have you given a copy of that report to the other party?

Yes No

In addition to using an expert's report do you want your expert to attend the hearing and give evidence?

Yes No

If Yes, give the reasons why you think their attendance is necessary:

The court may order the appointment of a single expert who can be instructed by both parties. If you think this would not be appropriate, please say why.

F Hearing

Are there any days within the next four months when you, an expert or a witness will not be able to attend court for the hearing?

Yes No

If Yes, please give details

	Dates not available
Yourself	
Expert	
Other essential witness	

Will you be using an interpreter at the hearing either for yourself or for a witness? (*see notes*)

Yes No

If Yes, please specify the type of interpreter

G Other information

In the space below, set out any other information you consider will help the judge to manage or clarify the claim, including any other information you consider should be supplied by the other party.

H Fee

Have you attached the fee for filing this allocation questionnaire?

Yes No

I Signature *(see notes)*

Signed Date

Print full name

If a solicitor is acting for you please enter the firm's name, reference number and full postal address including (if appropriate) details of fax number, e-mail address, Document Exchange (DX) number. Otherwise, please enter your details as appropriate. This will assist the court in contacting you, if necessary at short notice.

	Ref. no.	
	Telephone no.	
	Mobile no.	
	Fax no.	
	e-mail address	
	DX no.	

Notes for completing a small claims track allocation questionnaire

- If the claim is not settled, a judge must allocate it to an appropriate case management track and if necessary give directions for the conduct of the case. The most just and cost-effective track for this claim appears to be the small claims track and you must now complete the attached questionnaire to help the judge decide.
- If you fail to return the allocation questionnaire by the date given, the judge may make an order that leads to your claim or defence being ‘struck out’ (Rule 3.4): this means you could not proceed with it. Alternatively the judge may order an allocation hearing at which the judge can order any party who has not filed their questionnaire to pay, immediately, the costs of that hearing.
- The letters below refer to the corresponding sections of the questionnaire and tell you what information is needed, including where appropriate other guidance and references to court rules.

A. Settlement

Even at this stage, you should still think about whether you and the other party can settle your dispute without going to court. If you wish no further action to be taken on the claim for a month (called a ‘stay’) and tick ‘yes’ to this question, the court may allow a stay whether or not all the parties to the claim agree. Where a stay is granted, it will be for an initial period of one month (Rule 26.4). You may seek to settle the claim either by informal discussion with the other party or by alternative dispute resolution (ADR). ADR covers a range of different processes which can help settle disputes. More information is available in the Legal Services Commission leaflet ‘Alternatives to Court’ free from any county court or from the LSC leaflet line 0845 3000 343

B. Location

Automatic transfer to a defendant’s local court applies to certain claims (Rule 26.2). This claim will be heard at the court to which you have been asked to return this questionnaire but the court will consider an application for it to be transferred to another court if there is a good reason to do so.

C. Track

The basic guide by which claims are normally allocated to a track is the amount in dispute, although other factors such as the complexity of the case will also be considered (Rules 26.6 - 26.8). A leaflet available from the court office explains the limits in greater detail.

Small Claims track	Disputes valued at not more than £5,000 except <ul style="list-style-type: none">• those including a claim for personal injuries worth over £1,000 and• those for housing disrepair where either the cost of repairs or other work exceeds £1,000 or any other claim for damages exceeds £1,000
Fast track	Disputes valued at more than £5,000 but not more than £15,000
Multi-track	Disputes over £15,000

D. Witnesses

Enter the number of witnesses you intend to call to give evidence **not** including yourself or any expert witness.

E. Experts

You should **not** obtain an expert’s report until you receive the court’s direction. If you have already obtained a report, please attach it to your completed questionnaire.

F. Hearing

Dates to avoid: You should only enter those dates where you, your expert or an essential witness will not be able to attend court because of a holiday or other commitments.

Interpreters: In some circumstances the court will arrange for, and meet the cost of, an interpreter. If you require an interpreter, you should contact the court immediately. For further details visit the HMCS website www.hmcourts-service.gov.uk under “Information about”

G. Other information

Give details of any other information that you consider will help the judge to manage the claim, referring as necessary to any documents you have attached. Bear in mind however that at this stage you need not attach all other documents which you wish the court to consider at the hearing. This is something you will later be asked to provide.

H. Fee

You should note that if you do not pay this fee it might lead to your claim being struck out (Rule 3.7). If you are the claimant, depending on the value of your claim, you may have to pay a court fee. If you have not applied for fee exemption or remission, the fee must be sent to the court at the same time as your completed questionnaire. Further details can be obtained from the Fees leaflet EX50 available free from any county court or from Her Majesty’s Courts Service website www.hmcourts-service.gov.uk

I. Signature

This questionnaire must be signed by only the party to the claim or litigation friend or legal representative.