

Notes for defendant on replying to the Part 20 claim form

Please read these notes carefully - they will help you decide what to do about this claim.

- You must reply to this claim form within 14 days of the date it was served on you. If the claim was
 - sent by post, the date of service is taken as the second day after posting (see post mark).
 - delivered or left at your address, the date of service will be the day after it was delivered.
 - handed to you personally, the 14 days begins on the day it was given to you.
- You may either
 - pay the amount claimed
 - admit the truth of all or part of the claim or
 - dispute the claim
- If you do not reply, the court will consider that you have admitted the claim and judgment may be entered against you.
- The notes below tell you what to do and which forms to use for your reply.
- Court staff can help you complete the forms of reply and tell you about court procedures. But they cannot give legal advice. If you need legal advice, for example about the likely success of disputing the claim, you should contact a solicitor or a Citizens Advice Bureau immediately.

Registration of Judgments: If the claim results in a judgment being made against you in a **county court**, your name and address may be entered in the Register of County Court Judgments. This may make it difficult for you to obtain credit.

Costs and Interest: Additional costs and interest may be added to the amount claimed on the front of the claim form if judgment is entered against you. In a county court, if judgment is for £5,000 or more, or is in respect of a debt which attracts contractual or statutory interest for late payment, the claimant may be entitled to further interest.

Your response and what happens next

How to pay

Do not bring any payments to the court - they will not be accepted.

When making payments to the claimant, quote the claimant's reference (if any) and the claim number.

Make sure that you keep records and can account for any payments made. Proof may be required if there is any disagreement. It is not safe to send cash unless you use registered post.

Admitting the Claim

Claim for a specified amount

Complete Form N9A and send it to the claimant at the address given for payment on the claim form within 14 days. You should at the same time send a copy to all the other parties to the main claim (in other words the claim where the Part 20 claimant is the defendant).

Claim for an unspecified amount

Complete Form N9C and send it to the court within 14 days. A copy will be sent to the claimant.

What happens next

The claimant may apply to the court for judgment to be entered on your admission. The court will arrange a hearing and tell you and the claimant where and when to attend.

Disputing the claim

Complete the form of defence (either N9B if the claim is for a specified amount or N9D if the claim is for an unspecified amount) and return it to the court within 14 days. On receipt of your defence, the court will arrange a hearing and tell you and the claimant when and where

to attend. At the hearing the judge will usually give directions as to the future case management of the claim but may make any other order, e.g. striking out all or part of a statement of case.

If you need longer than 14 days to prepare your defence, complete the acknowledgment of service Form N213 and return it to the court. This will allow you 28 days from the date of service of the claim form to) le your defence.

Contesting the court's jurisdiction

Complete the acknowledgment of service Form N213 and return it to the court within 14 days. You should make an application to the court within 28 days of service of the claim. An application form (N244) can be obtained from the court and a fee may be payable.

If you do nothing

If you do nothing or you send an acknowledgment of service to the court but fail to send your defence, you will be considered to have admitted the claim and be bound by any judgment or decision made in the main claim where it relates to this claim against you.

Statement of truth

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

Where the defendant is a **registered company or a corporation** the response must be signed by either the director, treasurer, secretary, chief executive, manager or other officer of the company **or** (in the case of a corporation) the mayor, chairman, president or town clerk.