

Allocation questionnaire

To be completed by, or on behalf of,

who is [1st][2nd][3rd][] [Claimant][Defendant]
[Part 20 claimant] in this claim

In the

Claim No.

Last date for filing
with court office

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

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 the proceedings were issued.

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

Have you sent a copy of this completed form to the other party(ies)? ☐ Yes ☐ No

A Settlement

Do you wish there to be a one month stay to attempt to settle the claim, either by informal discussion or by alternative dispute resolution? ☐ Yes ☐ No

B Location of trial

Is there any reason why your claim needs to be heard at a particular court? ☐ Yes ☐ No

If Yes, say which court and why?

C Pre-action protocols

If an approved pre-action protocol applies to this claim, complete **Part 1** only. If not, complete **Part 2** only. If you answer 'No' to the question in either Part 1 or 2, please explain the reasons why on a separate sheet and attach it to this questionnaire.

Part 1 The* protocol applies to this claim.

**please say
which
protocol*

Have you complied with it? ☐ Yes ☐ No

Part 2 No pre-action protocol applies to this claim.

Have you exchanged information and/or documents (evidence) with the other party in order to assist in settling the claim? ☐ Yes ☐ No

D Case management information

What amount of the claim is in dispute?

£

Applications

Have you made any application(s) in this claim?

☐ Yes

☐ No

If Yes, what for?

(e.g. summary judgment,
add another party)

For hearing on

Witnesses

So far as you know at this stage, what witnesses of fact do you intend to call at the trial or final hearing including, if appropriate, yourself?

Witness name

Witness to which facts

Experts

Do you wish to use expert evidence at the trial or final hearing?

☐ Yes

☐ No

Have you already copied any experts' report(s) to the other party(ies)?

☐ None yet
obtained

☐ Yes

☐ No

Do you consider the case suitable for a single joint expert in any field?

☐ Yes

☐ No

Please list any single joint experts you propose to use and any other experts you wish to rely on. Identify single joint experts with the initials 'SJ' after their name(s).

Expert's name

Field of expertise (eg. orthopaedic surgeon, surveyor, engineer)

Do you want your expert(s) to give evidence orally at the trial or final hearing?

☐ Yes

☐ No

If Yes, give the reasons why you think oral evidence is necessary:

Track

Which track do you consider is most suitable for your claim? Tick one box

☐ small
claims
track ☐ fast
track ☐ multi-
track

If you have indicated a track which would not be the normal track for the claim, please give brief reasons for your choice

E Trial or final hearing

How long do you estimate the trial or final hearing will take?

____ days ____ hours ____ minutes

Are there any days when you, an expert or an essential witness will not be able to attend court for the trial or final hearing?

☐ Yes ☐ No

If Yes, please give details

Name	Dates not available

F Proposed directions *(Parties should agree directions wherever possible)*

Have you attached a list of the directions you think appropriate for the management of the claim?

☐ Yes ☐ No

If Yes, have they been agreed with the other party(ies)?

☐ Yes ☐ No

G Costs

*Do **not** complete this section if you have suggested your case is suitable for the small claims track **or** you have suggested one of the other tracks and you do not have a solicitor acting for you.*

What is your estimate of your costs incurred to date?

£

What do you estimate your overall costs are likely to be?

£

In substantial cases these questions should be answered in compliance with CPR Part 43

H Other information

Have you attached documents to this questionnaire?

☐ Yes ☐ No

Have you sent these documents to the other party(ies)?

☐ Yes ☐ No

If Yes, when did they receive them?

Do you intend to make any applications in the immediate future?

☐ Yes ☐ No

If Yes, what for?

In the space below, set out any other information you consider will help the judge to manage the claim.

Signed

Date

[Counsel][Solicitor][for the][1st][2nd][3rd][
[Claimant][Defendant][Part 20 claimant]

Please enter your firm's name, reference number and full postal address including (if appropriate) details of DX, fax or e-mail

		if applicable		
		fax no.		
		DX no.		
Tel. no.	Postcode		e-mail	
Your reference no.				

Notes for completing an allocation questionnaire

- If the claim is not settled, a judge must allocate it to an appropriate case management track. To help the judge choose the most just and cost-effective track, you must now complete the attached questionnaire.
- If you fail to return the allocation questionnaire by the date given, the judge may make an order which leads to your claim or defence being struck out, or hold an allocation hearing. If there is an allocation hearing the judge may order any party who has not filed their questionnaire to pay, immediately, the costs of that hearing.
- Use a separate sheet if you need more space for your answers marking clearly which section the information refers to. You should write the claim number on it, and on any other documents you send with your allocation questionnaire. Please ensure they are firmly attached to it.
- The letters below refer to the sections of the questionnaire and tell you what information is needed.

A Settlement

If you think that you and the other party may be able to negotiate a settlement you should tick the 'Yes' box. The court may order a stay, whether or not all the other parties to the claim agree. You should still complete the rest of the questionnaire, even if you are requesting a stay. Where a stay is granted it will be for an initial period of one month. You may 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 the LSC leaflet line Phone: 0845 3000 343

B Location of trial

High Court cases are usually heard at the Royal Courts of Justice or certain Civil Trial Centres. Fast or multi-track trials may be dealt with at a Civil Trial Centre or at the court where the claim is proceeding. Small claim cases are usually heard at the court in which they are proceeding.

C Pre-action protocols

Before any claim is started, the court expects you to have exchanged information and documents relevant to the claim, to assist in settling it. For some types of claim e.g. personal injury, there are approved protocols that should have been followed.

D Case management information

Applications

It is important for the court to know if you have already made any applications in the claim, what they are for and when they will be heard. The outcome of the applications may affect the case management directions the court gives.

Witnesses

Remember to include yourself as a witness of fact, if you will be giving evidence.

Experts

Oral or written expert evidence will only be allowed at the trial or final hearing with the court's permission. The judge will decide what permission it seems

appropriate to give when the claim is allocated to track. Permission in small claims track cases will only be given exceptionally.

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. 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 - 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

E Trial or final hearing

You should enter only those dates when you, your expert(s) or essential witness(es) will not be able to attend court because of holiday or other commitments.

F Proposed directions

Attach the list of directions, if any, you believe will be appropriate to be given for the management of the claim. Agreed directions on fast and multi-track cases should be based on the forms of standard directions set out in the practice direction to CPR Part 28 and form PF52.

G Costs

Only complete this section if you are a solicitor and have suggested the claim is suitable for allocation to the fast or multi-track.

H Other Information

Answer the questions in this section. Decide if there is any other information you consider will help the judge to manage the claim. Give details in the space provided referring to any documents you have attached to support what you are saying.

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