

Notes for claimant on completing a claim form

Before you begin completing the claim form

- You must think about whether alternative dispute resolution (ADR) is a better way to reach an agreement before going to court. The leaflet 'Making a claim? - Some questions to ask yourself' explains more about ADR and how you can attempt to settle your claim.
- Please read all of these guidance notes. The notes follow the order in which information is required on the form.
- If you are filling in the claim form by hand, please use black ink and write in block capitals.
- Copy the completed claim form and the defendant's notes for guidance so that you have one copy for yourself, one copy for the court and one copy for each defendant. Send or take the forms to the court office with the appropriate fee. The court will tell you how much this is.
- Court staff can help you fill in the claim form and give information about procedure once it has been issued. But they cannot give legal advice. If you need legal advice, for example, about the likely success of your claim or the evidence you need to prove it, you should contact a solicitor or a Citizens Advice Bureau.

Further information may be obtained from the court in a series of free leaflets.

Notes on completing the claim form

Heading

You must fill in the heading of the form to indicate the name of the court where you want the claim to be issued.

The claimant and defendant

As the person issuing the claim, you are called the 'claimant'; the person you are suing is called the 'defendant'. Claimants who are under 18 years old (unless otherwise permitted by the court) and patients within the meaning of the Mental Health Act 1983, must have a litigation friend to issue and conduct court proceedings on their behalf. Court staff will tell you more about what you need to do if this applies to you.

Providing information about yourself and the defendant

full address including postcode

You should provide the full address including postcode for yourself and the defendant. The postcode for any address in the United Kingdom may be obtained free from the Royal Mail Address Management Guide, or their website at www.royalmail.com.

If an address does not have a postcode you will need to ask the judge for permission to serve the claim with this information missing. There is no additional fee for this, but if you omit a postcode and fail to ask permission of the judge the court will not allow your claim to be served on the defendant until you supply the missing postcode or a judge permits service without it.

You must provide the following information about yourself and the defendant according to the capacity in which you are suing and in which the defendant is being sued.

When suing or being sued as:-

an individual:

You must enter his or her full unabbreviated name where known, including their first name and any middle name, their last name and the title by which she or he is known (i.e. Mr., Mrs., Ms., Dr., etc.) and residential address (including postcode and telephone number). Where the defendant is a proprietor of a business, a partner in a firm or an individual sued in the name of a club or other unincorporated association, the address for service should be the usual or last known place of residence or principal place of business of the company, firm or club or other unincorporated association.

Where the individual is:

trading under another name

you must enter his or her full unabbreviated name where known, and the title by which he or she is known and the full name under which he or she is trading, e.g. 'Mr. John Smith trading as Smith's Groceries'.

suing or being sued in a representative capacity

you must say what that capacity is e.g. 'Mr Joe Bloggs as the representative of Mrs Sharon Bloggs (deceased)'.

suing or being sued in the name of a club or other unincorporated association

add the words 'suing/sued on behalf of' followed by the name of the club or other unincorporated association.

an unincorporated business - a firm

In the case of a partnership (other than a limited liability partnership) you must enter the full name of the business followed by the suffix 'a firm'.

Enter the name of the firm followed by the words 'a firm' e.g. 'Bandbox - a firm' and an address including postcode for service. This may either be one of the partners residential addresses or the principal or last known place of business of the firm.