

Response pack

You should read the 'notes for defendant' attached to the claim form which will tell you when and where to send the forms.

Included in this pack are:

- either **Admission Form N9A** (if the claim is for a specified amount)
- either **Defence and Counterclaim Form N9B** (if the claim is for a specified amount)
- **Acknowledgment of service** (see below)
- or **Admission Form N9C** (if the claim is for an unspecified amount or is not a claim for money)
- or **Defence and Counterclaim Form N9D** (if the claim is for an unspecified amount or is not a claim for money)

If you admit the claim or the amount claimed and/or you want time to pay

If you admit part of the claim

If you dispute the whole claim or wish to make a claim (a counterclaim) against the claimant

If you need 28 days (rather than 14) from the date of service to prepare your defence, or wish to contest the court's jurisdiction

If you do nothing, judgment may be entered against you

Complete

the admission form

the admission form and the defence form

the defence form

the acknowledgment of service

Acknowledgment of service

Defendant's full name if different from the name given on the claim form

In the

Claim No.

Claimant
(including ref.)

Defendant

Address to which documents about this claim should be sent (including reference if appropriate)

Postcode

If applicable

Telephone no.

Fax no.

DX no.

Your ref.

E-mail

Tick the appropriate box

1. I intend to defend all of this claim ☐
2. I intend to defend part of this claim ☐
3. I intend to contest jurisdiction ☐

(My) (Defendant's) date of birth is

 / /

If you file an acknowledgment of service but do not file a defence within 28 days of the date of service of the claim form, or particulars of claim if served separately, judgment may be entered against you.

If you do not file an application to dispute the jurisdiction of the court within 14 days of the date of filing this acknowledgment of service, it will be assumed that you accept the court's jurisdiction and judgment may be entered against you.

If served outside the jurisdiction see CPR rule 6.35 and 6.37(5).

Signed

(Defendant) (Defendant's legal representative) (Litigation friend)

Position or office held

(if signing on behalf of firm or company)

Date

 / /

For further details of the courts www.gov.uk/find-court-tribunal. When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number.

Admission (unspecified amount, non-money and return of goods claims)

- Before completing this form please read the notes for guidance attached to the claim form. If necessary provide details on a separate sheet, add the claim number and attach it to this form.
- If you are not an individual, you should ensure that you provide sufficient details about the assets and liabilities of your firm, company or corporation to support any offer of payment made.

In non-money claims only

☐ I admit liability for the whole claim
(Complete section 11)

In return of goods cases only

Are the goods still in your possession?

☐ Yes ☐ No

Part A Response to claim (tick one box only)

☐ I admit liability for the whole claim but want the court to decide the amount I should pay / value of the goods

OR

☐ I admit liability for the claim and offer to pay in satisfaction of the claim
(Complete part B and sections 1 - 11)

Part B How are you going to pay the amount you have admitted? (tick one box only)

☐ I offer to pay on (date)

OR

☐ I cannot pay the amount immediately because (state reason)

AND

I offer to pay by instalments of £
per (week)(month)

starting (date)

1 Personal details

Surname

Forename

☐ Mr ☐ Mrs ☐ Miss ☐ Ms

☐ Married ☐ Single ☐ Other (specify)

Date of birth

Address

Postcode

Tel. no.

In the

Claim No.

Claimant

(including ref.)

Defendant

2 Dependants (people you look after financially)

Number of children in each age group

under 11 11-15 16-17 18 & over

Other dependants

(give details)

3 Employment

☐ I am employed as a

My employer is

Jobs other than

main job (give details)

☐ I am self employed as a

Annual turnover is..... £

☐ I am not in arrears with my national insurance contributions, income tax and VAT

☐ I am in arrears and I owe..... £

Give details of:

(a) contracts and other work in hand

(b) any sums due for work done

☐ I have been unemployed for years months

☐ I am a pensioner

4 Bank account and savings

☐ I have a bank account

☐ The account is in credit by..... £

☐ The account is overdrawn by.... £

☐ I have a savings or building society account

The amount in the account is..... £

5 Residence

I live in

☐ my own property ☐ lodgings

☐ jointly owned house ☐ rented property

☐ council accommodation

6 Income

My usual take home pay (*including overtime, commission, bonuses etc*)

£ per

Income support

£ per

Child benefit(s)

£ per

Other state benefit(s)

£ per

My pension(s)

£ per

Others living in my home give me

£ per

Other income (*give details below*)

£ per

£ per

£ per

Total income

£ per

8 Priority debts

(*This section is for arrears only. Do not include regular expenses listed in section 7*)

Rent arrears

£ per

Mortgage arrears

£ per

Council tax/Community Charge arrears

£ per

Water charges arrears

£ per

Fuel debts: Gas

£ per

Electricity

£ per

Other

£ per

Maintenance arrears

£ per

Others (*give details below*)

£ per

£ per

Total priority debts

£ per

7 Expenses

(*Do not include any payments made by other members of the household out of their own income*)

I have regular expenses as follows:

Mortgate (*including second mortgage*)

£ per

Rent

£ per

Council tax

£ per

Gas

£ per

Electricity

£ per

Water charges

£ per

TV rental and licence

£ per

HP repayments

£ per

Mail order

£ per

Housekeeping, food, school meals

£ per

Travelling expenses

£ per

Children's clothing

£ per

Maintenance payments

£ per

Others (*not court orders or credit debts listed in sections 9 and 10*)

£ per

£ per

£ per

Total expenses

£ per

9 Court orders

Court Claim No. £ per

Total court order instalments

£ per

Of the payments above, I am behind with payments to (*please list*)

10 Credit debts

Loans and credit card debts (*please list*)

£ per

£ per

£ per

Of the payments above, I am behind with payments to (*please list*)

11 Declaration

I declare that the details I have given above are true to the best of my knowledge

Signed

Position or office held

Date

(if signing on behalf of firm or company)

Defence and Counterclaim

(unspecified amount, non-money and return of goods claims)

- Fill in this form if you wish to dispute all or part of the claim and/or make a claim against the claimant (a counterclaim)
- You have a limited number of days to complete and return this form to the court.
- Before completing this form, please read the notes for guidance attached to the claim form.
- Please ensure that all the boxes at the top right of this form are completed. You can obtain the correct names and number from the claim form. The court cannot trace your case without this information.

How to fill in this form

- Set out your defence in section 1. If necessary continue on a separate piece of paper making sure that the claim number is clearly shown on it. In your defence you must state which allegations in the particulars of claim you deny and your reasons for doing so. If you fail to deny an allegation it may be taken that you admit it.
- If you dispute only some of the allegations you must
 - specify which you admit and which you deny; and
 - give your own version of events if different from the claimant's.
- If the claim is for money and you dispute the claimant's statement of value, you must say why and if possible give your own statement of value.

Name of court	
Claim No.	
Claimant (including ref.)	
Defendant	

- If you wish to make a claim against the claimant (a counterclaim) complete section 2.
- Complete and sign section 3 before returning this form.

Where to send this form

- send or take this form immediately to the court at the address given on the claim form.
- Keep a copy of the claim form and the defence form.

Need help with your legal problems?

Community legal advice is a free confidential service, funded by legal aid. They can help you find the information and advice you need by putting you in touch with relevant agencies, helplines or local advice services. And if you are eligible for legal aid, the service can offer specialist legal advice over the telephone in cases involving: debt; housing; employment; benefits; and education

Call **0845 345 4 345** or **www.communitylegaladvice.org.uk**

1. Defence

(continue over the page)

Defence (continued)**2. If you wish to make a claim against the claimant (a counterclaim)**

- To start your counterclaim, you will have to pay a fee. Court staff can tell you how much you have to pay.
- You may not be able to make a counterclaim where the claimant is the Crown (e.g. a Government Department). Ask at your local county court office for further information.

If your claim is for a specific sum of money, how much are you claiming?

£

I enclose the counterclaim fee of

£

My claim is for *(please specify nature of claim)*

What are your reasons for making the counterclaim?

If you need to continue on a separate sheet put the claim number in the top right hand corner.

3. Signed - To be signed by you or by your solicitor or litigation friend.

*(I believe) (The defendant believes) that the facts stated in this form are true.

*I am duly authorised by the defendant to sign this statement.

delete as appropriate*Position or office held**

(If signing on behalf of firm or company)

Date //Defendant's date of birth, if an individual //

Give an address to which notices about this case can be sent to you

	If applicable	
	Telephone no.	
	Fax no.	
	DX no.	

Postcode

E-mail

Notes for defendant on replying to the claim form

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

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

- If this claim form was received with the particulars of claim completed or attached, you must reply within 14 days of the date it was served on you. If the words 'particulars of claim to follow' are written in the particulars of claim box, you should not reply until after you are served with the particulars of claim (which should be no more than 14 days after you received the claim form). If the claim was sent by post, the date of service is taken as the second business day after posting (see post mark). If the claim form was delivered or left at your address the date of deemed service will be the second business day (see CPR rule 6.14) after delivery.
- You may either:
 - pay the total amount i.e. the amount claimed, the court fee, and solicitor's costs (if any)
 - admit that you owe all or part of the claim and ask for time to pay, or
 - dispute the claim
- If you do not reply, judgment may be entered against you.
- The notes below tell you what to do.
- The response pack will tell you which forms to use for your reply. (The pack will accompany the particulars of claim if they are served after the claim form).
- 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 this claim results in a judgment against you, details will be entered in a public register, the Register of Judgments, Orders and Fines. They will then be passed to credit reference agencies which will then supply them to credit grantors and others seeking information on your financial standing. **This will make it difficult for you to get credit.** A list of credit reference agencies is available from Registry Trust Ltd, 173/175 Cleveland Street, London W1T 6QR.

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 specified amount

If you admit all the claim, take or send the money, including the court fee, any interest and costs, to the claimant at the address given for payment on the claim form, within 14 days.

If you admit all the claim and you are asking for time to pay, complete Form N9A and send it to the claimant at the address given for payment on the claim form, within 14 days. The claimant will decide whether to accept your proposal for payment. If it is accepted, the claimant may request the court to enter judgment

against you and you will be sent an order to pay. If your offer is not accepted, the court will decide how you should pay.

If you admit only part of the claim, complete Form N9A and Form N9B (see 'Disputing the Claim' overleaf) and send them to the court within 14 days. The claimant will decide whether to accept your part admission. If it is accepted, the claimant may request the court to enter judgment against you and the court will send you an order to pay. If your part admission is not accepted, the case will proceed as a defended claim.

Claim for unspecified amount

If you admit liability for the whole claim but do not make an offer to satisfy the claim, complete Form N9C and send it to the court within 14 days. A copy will be sent to the claimant who may request the court to enter judgment against you for an amount to be decided by the court, and costs. The court will enter judgment and refer the court file to a judge for directions for management of the case. You and the claimant will be sent a copy of the court's order.

If you admit liability for the claim and offer an amount of money to satisfy the claim, complete Form N9C and send it to the court within 14 days. The claimant will be sent a copy and asked if the offer is acceptable. The claimant must reply to the court within 14 days and send you a copy. If a reply is not received, the claim will be stayed. If the amount you have offered is **accepted** -

- the claimant may request the court to enter judgment against you for that amount.
- if you have requested time to pay which is not accepted by the claimant, the rate of payment will be decided by the court.

If your offer in satisfaction is **not accepted** -

- the claimant may request the court to enter judgment against you for an amount to be decided by the court, and costs; and
- the court will enter judgment and refer the court file to a judge for directions for management of the case. You and the claimant will be sent a copy of the court's order.

Disputing the claim

If you are being sued as an individual for a specified amount of money and you dispute the claim, the claim may be transferred to a local court i.e. the one nearest to or where you live or carry on business if different from the court where the claim was issued.

If you need longer than 14 days to prepare your defence or to contest the court's jurisdiction to try the claim, complete the Acknowledgment of Service form and send it to the court within 14 days. This will allow you 28 days from the date of service of the particulars of claim to file your defence or make an application to contest the court's jurisdiction. The court will tell the claimant that your Acknowledgment of Service has been received.

If the case proceeds as a defended claim, you and the claimant will be sent a Directions Questionnaire. You will be told the date by which it must be returned to the court. The information you give on the form will help a judge decide whether your case should be dealt with in the small claims track, fast track or multi-track. After a judge has considered the completed questionnaires, you will be sent a notice of allocation setting out the judge's decision. The notice will tell you the track to which the claim has been allocated and what you have to do to prepare for the hearing or trial. **Leaflets telling you more about the tracks are available from the court office.**

Claim for specified amount

If you wish to dispute the full amount claimed or wish to claim against the claimant (a counterclaim), complete Form N9B and send it to the court within 14 days.

If you admit part of the claim, complete the Defence Form N9B and the Admission Form N9A and send them both to the court within 14 days. The claimant will decide whether to accept your part admission in satisfaction of the claim (see under 'Admitting the Claim - specified amount'). If the claimant does not accept the amount you have admitted, the case will proceed as a defended claim.

If you dispute the claim because you have already paid it, complete Form N9B and send it to the court within 14 days. The claimant will have to decide whether to proceed with the claim or withdraw it and notify the court and you within 28 days. If the claimant wishes to proceed, the case will proceed as a defended claim.

Claim for unspecified amount/return of goods/non-money claims

If you dispute the claim or wish to claim against the claimant (counterclaim), complete Form N9D and send it to the court within 14 days.

Personal injuries claims:

If the claim is for personal injuries and the claimant has attached a medical report to the particulars of claim, in your defence you should state whether you:

- agree with the report **or**
- dispute all or part of the report **and** give your reasons for doing so **or**
- neither agree nor dispute the report **or** have no knowledge of the report

Where you have obtained your own medical report, you should attach it to your defence.

If the claim is for personal injuries and the claimant has attached a schedule of past and future expenses and losses, in your defence you must state which of the items you:

- agree **or**
- dispute **and** supply alternative figures where appropriate **or**
- neither agree nor dispute or have no knowledge of.

Address where notices can be sent

This must be either the business address of your solicitor or European Lawyer or your own residential or business address within the UK or in any other European Economic Area state.

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.