

# Respond to a court claim for money

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## Resolve the claim through mediation

Mediation is when an impartial professional (the mediator) helps both sides work out an agreement. It's confidential and usually quicker and cheaper than going to court.

If you're disputing a claim of £10,000 or less, you will be told you must attend mediation. The court will organise this mediation. This service is free.

If you're disputing a claim of more than £10,000:

- the court may offer you mediation - the court will organise this
- you can arrange independent mediation yourself, if you're not offered it

## Mediation organised by the court

A mediator from HM Courts and Tribunals Service (HMCTS) will speak to you separately by phone to help you to explore options, negotiate and agree a settlement. The appointment will last up to one hour.

You can bring someone with you to mediation. For example, a trusted friend, relative, or a solicitor.

If you've been offered mediation, both sides need to agree to it. If both sides agree, you'll get a date and time for your telephone appointment.

If you've been told you must attend mediation, you'll be given a date and time for your telephone appointment.

Contact the small claims mediation service before your appointment if:

- you have a physical, mental or learning disability or long-term health condition that means you need support during your mediation appointment
- you're vulnerable (for example, you're worried about your safety)
- you have other questions about the claim or your appointment

Include your claim number when you contact the small claims mediation service, if you have one.

Small claims mediation service

[scmreferrals@justice.gov.uk](mailto:scmreferrals@justice.gov.uk)

Telephone: 0300 123 4593

Monday to Friday, 8am to 5pm

[Find out about call charges \(/call-charges\)](#)

## If you do not attend your mediation appointment

If you do not attend your mediation appointment, you'll usually need to go to a court hearing instead.

You can continue to try to settle the case out of court with the other side, up to the date of the hearing (for example, through independent mediation). If you can settle out of court, you will not need to attend the court hearing.

If you've been told you must attend mediation, the judge can sanction you if you do not attend or make an effort to reach an agreement. Sanctions can include your case being dismissed ('struck out') or having to pay all court costs even if you win.

If you tell the court why you did not attend your mediation appointment, the judge will take your reasons into account when deciding on your sanctions. You can tell the court why you did not attend:

- in your Money Claims online account
- at your court hearing

If you want your reasons for not attending your appointment to be private, contact the court your hearing will be in. You may be told to [fill in a N244 form \(/government/publications/form-n244-application-notice\)](https://gov.uk/government/publications/form-n244-application-notice) to request that the information is kept private.

## Independent mediation

You can get mediation from an [independent mediator \(https://civilmediation.org/mediator-search/\)](https://civilmediation.org/mediator-search/) for a claim of any amount. There's a [fixed fee for this service \(https://civilmediation.org/fixed-fee-scheme/\)](https://civilmediation.org/fixed-fee-scheme/).

If the claim is for £10,000 or less, you will have to attend court mediation.

## If you reach an agreement

You'll make a verbal agreement at the mediation appointment. This is legally binding which means that you must follow it. You'll be given the terms of the agreement in a document – this is called a settlement agreement.

If either side breaks the terms, then the other side can go to court to ask for a judgment or hearing.

## If you do not reach an agreement

You'll have to [attend a court hearing \(/respond-to-court-claim-for-money/court-hearing\)](https://gov.uk/respond-to-court-claim-for-money/court-hearing).

You cannot mention what happened during the mediation appointment in court.

You will not have to wait longer for a court hearing if you go to mediation first.

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