ORDER **In the County Court at** Case number:<< caseNumber>>

**<<**{dateFormat(currentDate, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}**>>**

**<<cs\_{writtenByJudge}>><<caseManagementLocation.venue\_name>><<else>> Online Civil Claims<<es\_>>**

# <<judgeName>>



|  |  |  |
| --- | --- | --- |
| Parties | <<applicant1.partyName>> | Claimant |

<<cs\_{hasApplicant2=true}>>

|  |  |  |
| --- | --- | --- |
|  | <<applicant2.partyName>> | Claimant |

<<es\_>>

|  |  |  |
| --- | --- | --- |
|  | <<respondent1.partyName>> | Defendant |

<<cs\_{hasRespondent2=true}>>

|  |  |  |
| --- | --- | --- |
|  | <<respondent2.partyName>> | Defendant |

<<es\_>>

**Warning:** You must comply with the terms imposed upon you by this order otherwise your claim or the defence of it is liable to be struck out or some other sanction imposed. If you cannot comply, you are expected to make a formal application to the court before any deadline imposed upon you expires.

You are encouraged to try to settle the case with the other side. You may also contact the Small Claims Mediation Service to arrange a mediation appointment. The service is free and can be contacted on (01604) 795511.

<<smallClaimsJudgesRecital.input>>

It is ordered that:

1. **Uploading documents:** Where this order requires a document to be uploaded to the Digital Portal, the order is complied with if:

        a. the document is served on all other parties by the date specified in this order,

        b. where the document is a draft consent order, it is also filed with the court by the date specified in this order, and

        c. the upload function has not become available on the Digital Portal at least 14 days before the date of compliance with paragraph (a) (and, if applicable, (b)) above.

1. This claim is allocated to the small claims track.

<<cs\_{drawDirectionsOrderRequired=‘Yes’}>>

1. There is judgment for the claimant for an amount to be decided by the court.

<<es\_>>

<<cs\_{drawDirectionsOrderRequired=‘Yes’ && drawDirectionsOrder.judgementSum!=null}>>

1. The damages awarded shall be subject to a deduction of **<<**drawDirectionsOrder.judgementSum**>>%** for contributory negligence.

<<es\_>>

<<cs\_{smallClaimsHearingToggle=true}>>

**Hearing**

1. This claim will be listed, on the first available date after <<{dateFormat(smallClaimsHearing.dateFrom, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}>>. The time estimate is <<smallClaimsHearingTime>>.
2. << smallClaimsHearing.input2>>

<<cs\_{smallClaimsMethodToggle=true}>>

<<cs\_{smallClaimsMethod=’smallClaimsMethodInPerson’}>>

1. This hearing will be in **person**, <<cs\_{hearingLocation.site\_name!=null}>>at <<hearingLocation.site\_name>>, <<hearingLocation.court\_address>> <<hearingLocation.postcode>>, <<es\_>>further details will be provided in your hearing notice.

<<es\_>>

<<cs\_{ smallClaimsMethod=’smallClaimsMethodTelephoneHearing’}>>

1. This hearing <<cs\_{hearingLocation.site\_name!=null}>>will take place at <<hearingLocation.site\_name>>, <<hearingLocation.court\_address>> <<hearingLocation.postcode>>, and <<es\_>>will be attended by **telephone**, further details will be provided in your hearing notice.

<<es\_>>

<<cs\_{ smallClaimsMethod=’smallClaimsMethodVideoConferenceHearing’}>>

1. This hearing <<cs\_{hearingLocation.site\_name!=null}>>will take place at <<hearingLocation.site\_name>>, <<hearingLocation.court\_address>> <<hearingLocation.postcode>>, and <<es\_>>will be attended by **video conference**, further details will be provided in your hearing notice.

<<es\_>>

<<es\_>>

<<es\_>>

<<cs\_{smallClaimsDocumentsToggle=true}>>

**Documents**

1. <<smallClaimsDocuments.input1>>
2. <<smallClaimsDocuments.input2>>

<<es\_>>

<<cs\_{smallClaimsWitnessStatementToggle=true}>>

**Witness statements**

1. <<smallClaimsWitnessStatement.input1>>

<<cs\_{smallClaimsNumberOfWitnessesToggle=true}>>

1. The claimant will be limited to **<<**smallClaimsWitnessStatement.input2**>>** witnesses and the defendant will be limited to **<<**smallClaimsWitnessStatement.input3**>>** witnesses. <<smallClaimsWitnessStatement.input4>>

<<es\_>>

1. A witness statement must:
2. start with the name of the case and the claim number.
3. state the full name and address of the witness.
4. set out the witness’ evidence clearly in numbered paragraphs on numbered pages.
5. end with this paragraph – ‘I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.’
6. be signed and dated by the witness.
7. If a witness is unable to read the statement, there must be a certificate stating that it has been read or interpreted to the witness by a suitably qualified person, and that there must be an independent interpreter at the final hearing who will not be provided by the Court.
8. The judge may refuse to allow a witness to give evidence or consider any statement of any witness whose statement has not been uploaded to the Digital Portal in accordance with the paragraphs above.
9. A witness whose statement has been uploaded in accordance with the above must attend the hearing. If they do not attend, it will be for the court to decide how much reliance, if any, to place on their evidence.

<<es\_>>

<<cs\_{hasCreditHire=true}>>

**Credit hire**

1. <<smallClaimsCreditHire.input1>>
2. A failure to comply with the paragraph above will result in the claimant being debarred from asserting impecuniosity at the final hearing.
3. <<smallClaimsCreditHire.input2>>

This statement must be uploaded to the Digital Portal by 4pm on **<<**{dateFormat(smallClaimsCreditHire.date1, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}**>>**. <<smallClaimsCreditHire.input3>>

1. <<smallClaimsCreditHire.input4>> **<<**{dateFormat(smallClaimsCreditHire.date2, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}**>>**. <<smallClaimsCreditHire.input5>> <<smallClaimsCreditHire.input6>> **<<**{dateFormat(smallClaimsCreditHire.date3, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}**>>**, <<smallClaimsCreditHire.input7>> **<<**{dateFormat(smallClaimsCreditHire.date4, ‘dd MMMM yyyy’, ‘yyyy-MM-dd’)}**>>**.
2. <<smallClaimsCreditHire.input11>>

<<es\_>>

<<cs\_{hasRoadTrafficAccident=true}>>

**Road traffic accident**

1. <<smallClaimsRoadTrafficAccident.input>>

<<es\_>>

<<cs\_{hasNewDirections=true}>>

**Additional directions**

<<rs\_smallClaimsAddNewDirections>>

1. <<value.directionComment>>

<<es\_smallClaimsAddNewDirections>>

<<es\_>>

**Important notes**

1. <<smallClaimsNotes.input>>