

Guide to using the HMCTS online County Court Pilot to issue claims

July 2020

Background

- As part of the Court's program to offer more digital services, a pilot was set up to allow court proceeding for unspecified damages to be issued online in the County Court.
- This pilot was originally very small, but was extended quickly to meet the urgent need in March 2020 for claims to be issued digitally during the Covid-19 outbreak and subsequent lockdown put in place in the UK.
- When the process outlined in the following pages is completed, the system will confirm that a claim has been issued immediately and it will provide the court reference along with a PDF version of the sealed N1 claim form. The fee is taken from your firm's PBA account.
- The system will not deal with service, nor does it cater for particulars of claim: these need to be e-filed at court with an appropriate certificate of service and served on the defendant (s) with a response pack.

The Rules

This extended pilot has its own specific practice direction under Civil Procedure Rule 51. The Practice Direction in question is PD51S which can be found <u>here</u>.

The Pilot covers the issue of the claim form only: a sealed claim form with court reference and confirmation that the fee has been paid is generated immediately.

These claims are issued electronically out of the County Court Money Claims Centre.

The system is specifically intended for legal representatives to issue on behalf of their client rather than a client use the process themselves.

Note: The process is <u>ONLY</u> suitable for:

• Part 7 proceedings

- Service in England and Wales
- Proceedings where the claimant is NOT a child or protected party
- Proceedings where the defendant is 18 years of age or over

This guide is not a substitute for reading the relevant rules and practice directions

The Process

This guide provides a step by step guide to issuing a claim in the county court, using this new service.

First of all, you should apply to formally join the Pilot.

To sign up:

- send an e-mail to <u>onlinecivilmoneyclaims@justice.gov.uk</u>
- include the e-mail addresses of up to ten members of your firm who would like access.

HMCTS is still testing the service, so it needs to manage the total number of users and anticipates that this will allow all firms to have some access.

The website front page

You will need to access the log in page at the following location:

Right click and select – 'Open Hyperlink'

www.moneyclaim-legal.platform.hmcts.net

The correct username is the e-mail address of the person in your office or team who set up the account.

Make a note of your password and keep it safe

GOV.UK BETA This is a new service - your feedback will help us to improve it. Sign in Email address Password Forgotten password?

Sign in

Checklist before you start...

You will need to make sure you have the following in place before you start the process. It isn't clear yet if you can save progress part way through so it is best to ensure that you have what you need before you start:

- ✓ Your firm's correspondence address
- ✓ The clients name and address
- ✓ The value of the claim (bracket)
- The correct PBA number to pay the court fee
- ✓ A brief description of the claim
- The client's authority to sign the statement of truth

- ✓ The defendant's name and address
- ✓ Details of the defendant's solicitors
- ✓ Service address if different
- ✓ Defendant's title
- ✓ Client's preferred county court
- ✓ What the court fee should be

Does your case fit the pilot?

When you log in, you will see this reminder as a check to make sure that your case is appropriate for the pilot.

In particular:

- It is an unspecified claim
- Claimant is not a protected party

When you are confident that it is – hit the start button:

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Money Claim

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Issue civil court proceedings

Who this service is for

To use this service you must be

- a legal representative
- issuing a claim for an unfixed (unspecified) amount of money
- serving the claim yourself

The claimants you represent and defendants you claim against must be 18 or older. They can't be protected parties.

What this service does

This service is an alternative to posting a completed N1 claim form - it allows you to:

- · issue civil court proceedings in the County Court
- calculate and pay the issue fee using Fee Account
- download the sealed claim form to serve on the defendant yourself

For claims issued after 4pm, at weekends, or on bank holidays the issue date is the next working day.

It normally takes 15 minutes to complete.

Start now

Before you start

You'll need:

- current addresses for all claimants and defendants
- the address you want to serve the claim to

You will need to input IM/IMe details first

The first question is to insert your firm's name as appropriate.

Your organisation address

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Your organisation name

ļ		
	Save and continue	

own or city	
Postcode	
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Addeese

Then address... this is the address you want the court to write to – if you are unsure look at what you normally insert into an N1 from your firm's own systems.

Your organisation contact details

The defendant can use these details to contact you - they'll also appear on

Finally, in this section – contact details. These are optional, but will appear on the N1 when complete.

Phone number (optional)
Email (optional)
DX address (optional)
Save and continue

the sealed claim form.

Court location, claim type & Client details

While the claim will be issued from the County Court Money Claims Centre – you should insert the preferred County Court

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Optional

Choose court location

Find a hearing centre (opens in a new window)

This should be your preferred County Court hearing centre.

Money Claim

Sign out

Save and continue Choose claimant type Address An organisation Address Confirm the type of claimant An individual and provide their name/title... Full name (include title) Town or city Save and continue ... and their address. Postcode Do you want to add another claimant? Save and continue You can add up to 20 claimants in this service. (🔵) No You can then add more claimants if required Save and continue

Defendant's details	🗯 GOV.UK	Money Claim
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	Choose defenda	nt type
	You'll have a chance to add mor	e defendants later.
Eirot the type of defendent in one of title	An organisation	
First the type of defendant – name/title	Organisation name	
	Companies House number (o	ptional)
Address	A sole trader	
Address	An individual	
	Save and continue	
Town or city		
Postcode and their address – represe	enting solicitors	and

Save and continue

service address are dealt with separately

Defendant's details continued...

Confirm if they are represented and if service is to be accepted by solicitors

Address for service



Use the defendant's address

Use another address

Save and continue



Add in the service address if different from the defendant's own address

Do you want to add another defendant?

You can add up to 20 defendants in this service.

Additional defendant's can be added



Save and continue

Save and continue

Confirm the type of claim

The system wants to know if it is a personal injury claim and whether the injury is valued at more or less than £1,000



Is it a claim for housing disrepair seeking an order for a landlord to carry out work?



There is an additional question for housing disrepair matters



Money Claim

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Describe the claim

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Money Claim Sign out

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Briefly describe the claim

Tell us:

- the type of claim, for example 'rent arrears' or 'damages'
- what you expect to recover

You don't need to include particulars of claim here - serve them on the defendant when you get your sealed claim form.



Save and continue

This is what would normally appear on your N1 claim form under the section headed:

Brief Details of the Claim. So for example, in an RTA: that damages are sought, the date of the accident and the protocols which had been complied with.

Fully particulars to be dealt with separately

Value & Issue Fee

Please then enter an appropriate bracket for the value of the claim. Again, this is exactly what you would have put on a 'normal' claim form.

The lower value is optional

The value affects the court fee, so accuracy is important.

Your issue fee

Amount claimed	To be assessed
Legal representative's costs	To be assessed
Issue fee (based on £5,000 higher value)	£205



Lower value (optional)

Higher value £

Save and continue

Please check that the fee indicated is the one you expected!

Remember to seek a Fee Remission if appropriate

Save and continue

Check & Amend

Against each of the sections completed, you are presented with a summary of the information you have entered and an opportunity to go back into any pages to amend the details.

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DET/A This is a new service - you	r feelbeck will help us to improve it. (opens in a new window)	
Check the clair	n details	
lake sure this information is	correct before you issue.	
Your organisation deta	ils	
Organisation name		Change
Address		Change
Phone number		Change
Email.		Change
DX address		Change
Your reference number		Change
Preferred court		Change
Claimant details		
Name		Change
Address		Change

fendant details			
Organisation name		Chenge	
Companies House Iumber		Chance	
lddress		Chance	
bout this claim			
Brief details of claim	Damages arising from a road traffic accident on 2 May 2019. Certificate of Compliance: In accordance with paragraph 9.7 of the Practice Election: Pre Action Conduct, the Claimant certifies that he has complied with Sections III and IV of the abread Practice Direction as well as the provisions of the Pre Action Protocol for Personal Injury Claims.	Chanse	
Xaim amount	To be assessed	Change	
Statement of value	This claim is for personal injury. The claimant expects to recover more than £1.000 as damages for pain. suffering and loss of amenity. The claimant expects to recover up to £5.000. The claimant estimates the claim to be worth more than £8.000.	Charge	
ssue fee	£205		

Statement of Truth

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	Sign out	
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Statement of truth

The claimant believes that the facts in this claim form are true. I'm duly authorised by the claimant to sign this statement.

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.

Name

Organisation

Your role

Save and continue

It is important to have confirmation from the client that you can complete this statement or truth. The client should have seen the claim form and confirmed that it is accurate and that they have authorised you to sign this on their behalf.

You will need to enter your full name and position, which will copy across to the N1

Payment By Account (PBA) Number

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Pay by Fee Account

Remember: to seek a Fee Remission if the fee is over the appropriate level

Confirmation of Issue

Once the fee has been paid, you will received immediate confirmation that the matter has been issued. The screen on the right will confirm he claim number and date of issue.

If you click on the link highlighted in this message – you will be able to download a copy of the full, sealed N1 for service.



Follow these steps to serve a claim:

<u>Download the sealed claim form</u> (opens in a new window).
 Send the form, particulars of claim and a response pack to the defendant within 4 months of the date of issue.
 Send the court a certificate of service and a copy of any documents you served on the defendant, within 21 days of service.

Court address:

County Court Money Claims Centre (CCMCC) Salford Greater Manchester M5 0BY

DX: 702634 Salford 5

Complete a survey to help us improve this service (opens in a new window).

Finish >

Download the N1 Claim Form

When you click on the link to download the claim form from the web service, you may need to open it from a pop-up at the bottom of the screen.



E-mail Confirmation

You will also receive an e-mail confirmation that the claim has been issued.

This will always be sent to the person who is the registered the log-in.

The link to form finder may be useful for the response pack and certificate of service.



Downloaded N1 Form

The claim form is sealed with the claim number and the issue date is shown.

Both pages can be downloaded and saved for service.

To ensure compliance with CPR 7.4 it is always best to serve particulars with the N1. The Particulars of Claim should be efiled with a certificate of service.

In line with CPR 7.8 – a response pack must be served with the N1

1/2 0 0	HAN I H D	Tools	Comment	Sha
Claimant	In th	e County Court Money Claim numbe Fee account Claim submitted Claim issued dress	Claims Centre r: 29 April 2020 30 April 2020	
Claimant solicitor reference				
Defendant	Service ad	dress		
Brief details of claim	Damages arising from a roa Certificate of Compliance: In the Practice Direction: Pre A certifies that he has complie aforesaid Practice Direction Action Protocol for Personal	d traffic accident on 2 N accordance with parag ction Conduct, the Clair d with Sections III and I as well as the provision Ingury Clairns.	Aay 2019. graph 9.7 of mant V of the is of the Pre	

Retrieving N1 in the future

You are able to return to the website and download a copy of the N1 later if needed.

The website address is: <u>https://www.moneyclaim-legal.platform.hmcts.net/dashboard/search</u>

You may be asked to sign in again, but can then search for a previously issued claim by entering the Claim Reference Number.

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BETA This is a new service – your fe	edback will help us to improve it. (opens	in a new window)
Manage your cla	ims	Issue a new claim
Find a claim		
Once you've found a claim you o	an:	
download any documents relation	ated to the claim	
Search by claim number		
	Q	