

2. **WARNING:** if you do not do as required by paragraph 1 above the Court will strike out your statement of case and you will not be permitted to continue with your claim or defence of the claim. This means that if you are the Claimant and fail to do as ordered your case will be struck out. If you are a Defendant and fail to do as ordered *your defence will be struck out and judgment will be given in favour of the Claimant for the amount claimed, interest and costs or for damages or such other remedy to be determined.*

The Hearing

Upon compliance with paragraph 1 of this order a notice will be sent to all parties as to the time and date of the hearing and the length of time allocated to it.

You will also be told the venue for the hearing and what hearing fees need to be paid in advance of the hearing and the consequences of any failure to do so.

The Claimant must pay the hearing fee of £25.00 (unless evidence is produced to the Proper Officer for a full or part fee remission) no later than fourteen days before the hearing date. Notice is given that if payment is not made the hearing will be removed from the list and the claim will be struck out

The hearing of the claim will take place on a date to be fixed by the court.

(The trial fee is fee 2.1 in the current Civil Fees Order).

If your claim has been struck out, it will no longer exist. The hearing will be vacated, unless a counterclaim survives the claim being struck out.

If, following strike out of the claim the claimant or defendant wishes to start fresh proceedings a new claim must be filed together with the appropriate fee or application for help with fees.

Information and leaflets explaining more about how to pay a court fee or how to apply for a help with fees are available from the court office **or online at:** <https://www.gov.uk/court-fees-what-they-are>

Further information relating to Mediation of small claims are available from the court office **or online at:** http://hmctsformfinder.justice.gov.uk/HMCTS/GetLeaflet.do?court_leaflets_id=4454

The trial fee is **non refundable**. If parties settle before the trial fee is due, the trial fee will not be payable. If a consent order settling the matter is requested after the trial fee has been paid, the consent order fee will still be payable.

Please note, unless you apply for help with fees, there will be no further correspondence from the court office regarding payment of the fee or warnings as to the consequences of non payment.

Date