

# Arbitration Claim - notes for the defendant

Please read these guidance notes carefully before you respond to the arbitration claim form

Court staff can help you with procedures but they cannot give legal advice. If you need legal advice, you should contact a solicitor or a Citizens Advice Bureau immediately.

## Responding to the claim

If you are:

- named as a defendant in the claim form; and
- served with a copy of it,

you should respond by completing and returning to the court office the acknowledgment of service form which was enclosed with the claim form, within \*(14 days) ( ) of the date it was served on you. At the same time you must serve a copy on the claimant and any other party shown on the claim form.

If the claim form was:

- sent by post, the \*(14 days) ( ) starts 2 business days from the date of the postmark on the envelope;
- delivered or left at your address, the \*(14 days) ( ) starts on the second business day it was given to you;
- handed to you personally, the \*(14 days) ( ) starts 2 business days from the day it was given to you.

## The acknowledgment of service

If you:

- fail to complete and file the acknowledgment of service within the time specified; or
- if you indicate that you do not intend to contest the claim,

If you later change your mind, you will not be entitled to contest the claim without the court's permission.

## Evidence

If you wish to rely on evidence before the court, you must file and serve your written evidence within \*(21 days) ( ) of the date the claim form was served on you.

## Statement of truth

The acknowledgment of service must be signed by you or by your solicitor. Where the acknowledgment of service is not signed by your solicitor and you are a registered company or corporation, it must be signed by either a director, the treasurer, secretary, chief executive, manager or other officer of the company and (in the case of a corporation) the mayor, Chairman, president or town clerk.

## Notes for arbitrators

If you are:

- an arbitrator; or
- ACAS (in a claim under the 1996 Act as applied with modification by the ACAS (England and Wales) Order 2001),

who has been named as a defendant in the claim form, the above notes apply to you as they do to any other defendant.

If you were, or are:

- an arbitrator in the arbitration which led to this claim; and
- if you are not named as a defendant;

this claim form is sent to you for information.

You may either:

- make a request (with notice only to the claimant) to be made a defendant
- may make representations to the court (see *paragraph 4.3 of practice direction to Part 62*)

*\*Claimant should alter where appropriate if the claim form is to be served out of the jurisdiction (see CPR Part6)*