



# The Simple Procedure Claim Form

The Simple Procedure is a speedy, inexpensive and informal court procedure for settling or determining disputes with a value of **£5,000 or less**.

The Simple Procedure Rules should be read alongside this form. They can be found on the Scottish Courts and Tribunals Service website. Please **read the whole Claim Form** before beginning to complete it. There are guidance notes above each section of the form.

To make a claim using the Simple Procedure, you must **complete this Claim Form** and send it to the sheriff court to register your case. You should either complete the form yourself or, if you have someone assisting or representing you, you should complete the form with them.

## A. ABOUT YOU

- ① Set out information about you, so that the court knows who you are and how to contact you.

A1. Are you an individual, a company or an organisation?

- An individual (including a sole trader) (please fill out A2)
- A company or organisation (please fill out A3)

A2. What is your full name?

Name	<input type="text"/>
Middle name	<input type="text"/>
Surname	<input type="text"/>
Trading name or representative capacity (if any)	<input type="text"/>

A3. What is the name of the company or organisation?

Name	<input type="text"/>
Company type	<input type="text"/>
Company registration number (if limited company or LLP)	<input type="text"/>
Trading name (if any)	<input type="text"/>

A4. What are your contact details?

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Address

City

Postcode

Email address

A5. How would you prefer the court and the respondent to contact you?

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By post

Online

**B. ABOUT YOUR REPRESENTATION**

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① Set out information about how you will be represented.

B1. How will you be represented during this case?

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I will represent myself

I will be represented by a solicitor

I will be represented by a non-solicitor (e.g. a family member, friend, or someone from an advice or advocacy organisation)

B2. Who is your representative?

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① If a family member or friend, please give their full name. If someone from an advice or advocacy organisation, please also give the name of that organisation.

Name

Surname

Organisation / firm name

B3. What is the address of your representative?

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① If your representative works for a solicitors' firm or an advocacy organisation, please give the address of that firm or organisation.

Address

City

Postcode

Email address

**B4. Would you like us to contact you through your representative?**

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① If you select 'yes', then the court will send orders and information in this case to your representative.

Yes

No

**B5. How would your representative prefer the court to contact them?**

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By post

Online

**C. ABOUT THE RESPONDENT(S)**

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① The person who you are making the claim against is called the respondent. In this part, you must fill in information about that person so that the court knows who they are and how to contact them.

① If there are more than two respondents, you must select 'more than two respondents' at C1 and complete a Further Respondent Form for each further respondent.

**C1. Is there one respondent, two respondents or more than two respondents?**

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One respondent

Two respondents

More than two respondents

**C2. Is the first respondent an individual, a company or an organisation?**

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An individual (including a sole trader) (please complete C3)

A company or organisation (please complete C4)

**C3. What is the first respondent's full name?**

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① If the respondent is an individual trading under a name, please also give that name.

Name

Middle name

Surname

Trading name (if any)

**C4. What is the first respondent's company name or organisation name?**

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- ① If the respondent is a company (which might be indicated by 'Limited', 'Ltd' or 'plc' after its name), please give the full name of that company and the company registration number.
- ① You can check the name of a company on the Companies House website.

Name	<input type="text"/>
Company type	<input type="text"/>
Company registration number (if limited company or LLP)	<input type="text"/>
Trading name (if any)	<input type="text"/>

**C5. What are the first respondent's contact details?**

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Address	<input type="text"/>
City	<input type="text"/>
Postcode	<input type="text"/>
Email address	<input type="text"/>

**C6. Is the second respondent an individual, a company or an organisation?**

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- An individual (including a sole trader) (please complete C7)
- A company or organisation (please complete C8)

**C7. What is the second respondent's full name?**

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- ① If the respondent is an individual trading under a name, please also give that name.

Name	<input type="text"/>
Middle name	<input type="text"/>
Surname	<input type="text"/>
Trading name (if any)	<input type="text"/>

**C8. What is the second respondent's company name or organisation name?**

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- ① If the respondent is a company (which might be indicated by 'Limited', 'Ltd' or 'plc' after its name), please give the full name of that company and the company registration number.
- ① You can check the name of a company on the Companies House website.

Name	<input type="text"/>
Company type	<input type="text"/>
Company registration number (if limited company or LLP)	<input type="text"/>
Trading name (if any)	<input type="text"/>

**C9. What are the second respondent's contact details?**

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Address	<input type="text"/>
City	<input type="text"/>
Postcode	<input type="text"/>
Email address	<input type="text"/>

**C10. Would you like the court to formally serve this Claim Form on your behalf?**

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- ① The court cannot formally serve this Claim Form on your behalf if you are a company or if you are represented by a solicitor. You will have to arrange formal service yourself.
- Yes
- No

**D. ABOUT YOUR CLAIM**

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- ① In this part, you must fill in information about the claim you are making against the respondent.

**D1. What is the background to your claim?**

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- ① In this section, you should briefly describe the essential facts about the story behind your claim. You do not need to set out every detail of the story. You should focus on the parts which are important for you to establish your claim.
- ① You should include:
  - key dates,
  - if there was an agreement, what you agreed to do and what the respondent agreed to do,
  - when you became aware of the problem or dispute,

- whether any payments have been made so far, and if so what,
  - whether any services have been provided so far, and if so what.
- ① If this is insufficient space to describe the essential factual background, you may use another sheet of paper, which must be headed 'D1' and must be attached to the Claim Form.

**D2. Where did this take place?**

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- ① You should set out where the events described above took place. If any part happened online, please state this.
- ① This is so that the court and the respondent can make sure that this is the right court to hear this claim.

Address	
City	
Postcode	
Details	

**D3. Does this claim relate to a consumer credit agreement?**

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- ① You should select 'Yes' if the claim is about an agreement between you and the respondent in which you provided the respondent with credit of any amount.
- Yes (please complete D4)
- No

**D4. What are the details of the consumer credit agreement?**

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- ① Set out the following information:
- the date of the agreement and its reference number
  - the name and address of any person who acted as guarantor

- the details of the agreed repayment arrangements
- the unpaid balance or amount of arrears.

**D5. If your claim is successful, what do you want from the respondent?**

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- ① You should select the option(s) that best describes the type of order you would like the court to make if your claim is successful. You can ask for more than one type of order to be made in a claim.
- ① You can also ask for alternative orders. For example, you could ask for the respondent to be ordered to repair something of yours or, failing that, to give you money to buy a new item.
- ① You should set out the detail of what you would like the court to order next to each option that you select.
- I want the respondent to be ordered by the court to pay me a sum of money:

- ① You should provide a breakdown to explain the sum of money you are claiming
- ① You should also set out the date from which you would like the court to order interest to run from and the rate of interest you would like the court to order.

I want the respondent to be ordered by the court to deliver something to me:

- ① Set out the item(s) you want to be delivered to you.
- ① You may want to set out an alternative claim for payment of a sum of money in case the respondent does not deliver the items to you.

I want the respondent to be ordered by the court to do something for me:

- ① Set out exactly what you want the respondent to be ordered to do.
- ① You may want to set out an alternative claim for payment of a sum of money in case the respondent does not do what the court has ordered.

**D6. If your claim is successful, would you like the court to order the respondent to pay you a sum of money for the expenses of the claim?**

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- ① If your claim is successful, the court can order the respondent to pay you a sum of money to compensate you for the expense of making this claim.

Yes

No

**D7. Why should your claim be successful?**

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- ① ① You should set out briefly the reasons why your claim should be successful, and the court should make the orders which you have asked for, for example:
    - “The respondent breached a contract with me by not completing work satisfactorily”
    - “The respondent caused damage or financial loss to me by breaking something belonging to me”



- "The respondent has kept something belonging to me without the right to do."

**D8. What steps have you taken, if any, to try to settle the dispute with the respondent?**

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- ① It is an important principle of simple procedure that parties should be encouraged to settle their disputes by negotiation, where possible.
- ① You should set out any steps you have taken, if any, to try to settle the dispute with the respondent.
- ① The court will use this information to assess whether more negotiation would help you and the respondent settle your dispute.

## **E. WITNESSES, DOCUMENTS AND EVIDENCE**

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**E1. Set out in a numbered list any witnesses you might bring to a hearing to support your claim, their name and address, and what their relationship to the claim is.**

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- ① You should list any witnesses you think you might bring to a hearing. You do not need to list yourself or the respondent.
- ① You should provide the full name and address of any witnesses.
- ① Your claim may require no witnesses other than you and the respondent. You do not need to bring a witness if the evidence which they might give can be shown in some other way, e.g. by photographs.
- ① You should describe the relationship of each witness to the claim. For example, you might indicate that a witness:
  - was the person with whom you made an agreement
  - was present when damage took place
  - inspected some work which you consider to have not been completed satisfactorily.

- ① If the court orders a hearing, Part 11 of the Simple Procedure Rules tells you what you need to do to arrange the attendance of your witnesses.

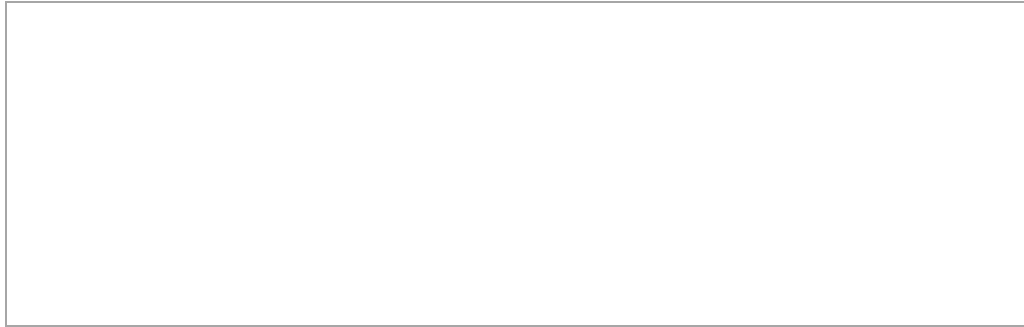
**E2. Set out in a numbered list any documents you might bring to court to support your claim.**

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- ① You should list any documents you think you might bring to a hearing. This includes photographs and other printed material which may be kept in a file.
  - ① When preparing these documents for a hearing, it is useful if they are indexed with numbers.
  - ① If the court orders a hearing, Part 10 of the Simple Procedure Rules tells you what you need to do to lodge documents.

**E3. Set out any other pieces of evidence you intend to bring to a hearing to support your claim.**

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- ① You should list any other evidence you think you might bring to a hearing.
  - ① This includes objects, but not printed material.
  - ① For example, if the claim was about damage caused to an item of clothing, you might list the item of clothing. You do not need to bring a piece of evidence if the important point can be shown in some other way, e.g. by photographs.

- ① If the court orders a hearing, Part 10 of the Simple Procedure Rules tells you what you need to do to lodge evidence.

A large, empty rectangular box with a thin black border, intended for the user to provide details regarding evidence to be lodged.

**PLEASE CHECK THIS FORM BEFORE SENDING IT.**