

NOTICE TO DEFENDANT

Small Claims Summons

You have been served with a small claims summons to attend the Court of Alderney on the date specified in the summons.

What Happens Next

1. If you agree that you owe the amount, you can pay the whole amount into this office or to the Creditor by midday on the Tuesday prior to the Court date. If you require time to pay, you must contact the Creditor and make arrangements with them to pay this sum. If you have paid the debt, or reached an agreement with the Creditor to pay by instalments, you should notify the Court no later than midday on the Tuesday prior to the Court date.
2. If you do not agree that you owe the amount, you must attend Court on the date specified in the summons and tell the Court that you intend to defend the claim. The Court will then fix a hearing date when all the facts of the matter will be heard and the Court will determine whether the amount is owed or not.
3. If you do not attend the Court on the date specified on the Summons, then the Court may enter judgment against you in your absence. If judgment is made against you the Court office will send you an Act of Court recording the judgment and ask you to attend the Court office with payment in full or your proposals for payment by instalments.

Costs

1. If you pay the amount before the date given in the summons or arrange with the Plaintiff to pay in instalments, you are agreeing to pay an additional **£50 costs** of the Summons. This must be paid into this office or to the Creditor.
2. If you agree to pay the amount after the Summons date (midday on the Tuesday prior to the Court date) the matter will be inscribed on the Court List and you may incur Court listing fees as well as the Summons fees. The costs including the Court listing fee increase by a **further £80 costs** for debts of less than £1,000; or **£100 costs** for debts of £1,000 - £5,000; or **£120 costs** for debts of £5,000 - £10,000.
3. If you do not agree that you owe the amount you should attend Court on the date given and the Court will then fix a date for a full hearing, at which point the costs increase by a **further £50 minimum fee** and could increase substantially more, depending on the length of the trial and the amount claimed, please contact the Court office for full details of further costs. **Please note, if you are not successful in defending the matter, you may be ordered to pay these extra costs.**

Legal Representation

You are entitled to seek legal advice in respect of this matter. However, under The Court of Alderney Civil Rules, any costs you incur in seeking legal advice may not be claimed from the other party.

If you require any further information concerning this summons, please contact:

The Court Office, Queen Elizabeth II Street, Alderney, GY9 3TB

Telephone: 01481 820050

E-mail: court@alderney.gov.gg

This guidance does not replace formal legal advice