

You can make a Small Claims Application on line - click on the 'Small Claims Online' button on the home page of the Courts Service website [www.courts.ie](http://www.courts.ie) OR you can get an application form from the Small Claims Registrar at your local District Court Office OR you download the application form from the 'Small Claims Procedure' section of the website. The fee for making a small claim is €25.

The completed application form along with the €25 fee should be lodged with the Small Claims Registrar. If the claim is against a company you must use the correct registered name of the company. (Details are available on the Companies Registration Office website at [www.cro.ie](http://www.cro.ie) Tel. 01 804 5200)

A copy of your completed application form will be sent by the Registrar to the person/party against whom you are making the claim, called the Respondent. The original application form will be kept in the Registrar's office.

### THE CLAIM IS NOT DISPUTED

The Respondent replies and returns a Notice of Liability form. This form will usually be accompanied by payment of the amount due. If payment is not received the Claimant is entitled to swear an amended form of affidavit and seek summary judgement without the necessity of a court hearing.

The Claimant may swear an affidavit of debt before the Small Claims Registrar (no fee applies), a Commissioner for Oaths or a practicing solicitor (both will charge a fee).

The Respondent will be sent a letter informing him/her of this judgment and giving him/her approx. 4 weeks to pay.

The Respondent fails to reply. This is regarded as an admission of liability.

**Claimant successful.** Respondent notified by post of decision and will be allowed approx. 4 weeks to pay the amount awarded.

If in due course no payment is received a decree will issue.

The decree may be lodged with the Sheriff for enforcement. A fee will be charged by the Sheriff. This fee is recoverable if the Sheriff succeeds in collecting the amount due.

If payment is not forthcoming at this stage the Claimant should seek legal advice about taking enforcement proceedings.

### THE CLAIM IS DISPUTED

The Respondent sends a notice to the Registrar disputing the claim and/or lodging a counterclaim. A copy is sent to the claimant.

The Registrar will try to settle the claim by mediating between both parties.

If no satisfactory agreement is reached, the Registrar will, on request, fix a date, time and a venue for a hearing before a judge of the District Court.

### COURT HEARING

**Claimant unsuccessful.** He/she may appeal to the Circuit court where costs can be awarded against either of the parties.

The Respondent may appeal to the Circuit Court where costs can be awarded against either of the parties.