

Form N149 Allocation questionnaire (small claims track)

A new civil procedure form has been introduced. With effect from 5 December 2005 **Form N149 Allocation Questionnaire (small claims track)** will be used where a claim is identified as a small claim on grounds of value. This will not require any rule change. Some minor changes to Part 26 Practice Direction will be made at the next update to the Civil Procedure Rules.

The introduction of the N149 is the result of a recommendation in the report of the Small Claims Pilot, that the format of the allocation questionnaire and its notes for guidance should be reviewed to determine whether it could provide more help to litigants in person. In particular that consideration should be given to providing more guidance on the information judges might find it useful to have at the allocation stage.

How the N149 works

The rules and procedure relating to the issue of the N149 work in the same way as the 'full' N150 AQ. The only difference is that the new form will be issued where a claim is identified as a small claim on grounds of value. Claims falling outside the monetary scope of the small claims track will continue to be dealt with under the present procedures using the form N150 Allocation Questionnaire. Litigants will, however, continue to be able to say in the N149 if they disagree that the small claims track is not suitable for the claim.

Philosophy

The option of restructuring and reformatting the existing AQ was considered but it was doubted that this would meet the needs of the case. The small claims pilot found that the AQ reduces the number of interim applications and saves the resources they would otherwise consume. Also, while the AQ provided valuable listing information, it provided little other information, save in a minority of cases, which helped the disposal of the hearing itself. The new N149 is more focused. It will help to reduce formality and complexity while continuing to provide case management opportunities. This reflects the intention for small claims to be a straightforward process.