

Before you begin completing the claim form

- Please read all these guidance notes. The notes follow the order in which information is required on the form.
- This form should not be filled in by hand.
- Copy the completed claim form so that you have one copy for yourself, one copy for the court and one copy for each defendant or interested party. Send or take the forms to the Courts Office with the appropriate fee. The court will tell you how much this is.
- You must file any written evidence to support your claim either in or with the claim form. Your written evidence must be verified by a statement of truth.

All written evidence whether in a witness statement or an affidavit must be typed and a typed copy of any manuscript evidence should also be exhibited to the relevant witness statement, affidavit or other document adducing the same.

Court staff can give information about court procedures, but cannot give legal advice. If you need legal advice, eg. about the likely success of your claim or the evidence you need to prove it, you should contact an advocate.

Time limit for filing a claim

The claim must be filed promptly and in any event no later than 3 months after the grounds to make the claim first arose.

In the box "*Claim for review of decision of*" give the name of the person, organisation, court or tribunal to whose decision the claim relates.

Parties

As the person issuing the claim, you are called the *claimant*; the person you are suing is called the *defendant*. Claimants who are under 18 years old (unless otherwise permitted by the court), and patients within the meaning of the Mental Health Act 1998, must have a litigation friend to issue and conduct court proceedings on their behalf.

Details of decision to be reviewed

Complete the boxes as indicated (continue on prescribed sheet if necessary). If the decision has been notified in writing, a copy of the order or decision letter must be filed with the claim form.

Remedy sought

Complete this section stating what remedy you are seeking, eg. an order quashing the decision to which the claim relates, a declaration or an injunction. A claim for damages may be included. Continue on separate sheet if necessary.

Detailed statement of grounds

The grounds on which you contend the decision should be set aside or varied should

be set out in detail in this section of the form, or in a separate document attached to the form.

Statement of facts relied on

The facts on which you are basing your claim should be set out in this section of the form, or in a separate document attached to the form. It should contain a numbered list of the points that you intend to rely on at the hearing. Refer at each point to any documents you are filing in support of your claim.

Documents accompanying claim form

Do not delay filing the claim form. If you have not been able to obtain any of the documents listed in this section within the time limit referred to above, complete the list as best you can and ensure the claim is filed on time.

Details of the defendant

Give the full name(s) of the defendant(s) and the address(es) to which all documents relating to the claim are to be sent. Include contact information e.g. telephone numbers and any other reference numbers.

Details of interested parties

Where the claim relates to proceedings in a court or tribunal or to a decision, any other parties to those proceedings or who were party to the decision proceedings must be named in the claim form as interested parties. Full details of interested parties must be included in the claim form.

In a claim which does not relate to a decision of a court or tribunal, you should give details of any persons directly affected by the decision you wish to challenge.

Statement of truth

This must be signed by you¹, or by your advocate or your litigation friend, if appropriate.

Address for documents

Insert in this box the address at which you wish to receive documents and payments. The address must be in the Isle of Man. If you are willing to receive documents by fax or e-mail, add details.

Service of claim form

You must take or send to the court 2 copies of the claim form, plus an additional copy for each defendant and interested party to be served. The court will keep one copy, and stamp and return the others to you.

You must then arrange for the coroner to serve a stamped copy of the claim form,

together with form HC3E (acknowledgement of service), on every defendant and interested party. (If a defendant or interested party is represented by an advocate who is authorised to accept service, you may serve the documents by taking or sending them to the advocate's business address.)

The claim form must be served within 7 days after the date of issue.

¹ Where the claimant is a company or other corporation, the statement of truth must be signed by a person holding a senior position in the corporation (as to which, see rule 1.4(3) of the Rules of Court).