

| Court | Claim Number | Claimant | Reference | Total Amount of judgment |
|-------------------|---------------------------|-----------------|-------------------------------|--------------------------|
| Instalment number | Date you sent the payment | Amount you sent | Total you have paid up to now | Amount you still owe |
| <i>Example</i> | 01/10/2009 | £25 | £25 | £75 |
| 1 | | | | |
| 2 | | | | |
| 3 | | | | |
| 4 | | | | |
| 5 | | | | |
| 6 | | | | |
| 7 | | | | |
| 8 | | | | |
| 9 | | | | |
| 10 | | | | |
| 11 | | | | |
| 12 | | | | |

Other leaflets in the series:-

For the claimant

- HCG01**—What is a small claim?
- HCG02**—How to make a small claim
- HCG03**—No reply to my claim
- HCG04**—The defendant admits my claim, I claimed a fixed amount
- HCG05**—The defendant admits my claim, I did not claim a fixed amount
- HCG06**—The defendant disputes all or part of my claim
- HCG07**—I am coming to a court hearing, what do I need to know?
- HCG08**—I have a judgment but the defendant has not paid
- HCG09**—How do I apply for execution?
- HCG10**—How do I apply for an attachment of earnings order?
- HCG11**—How do I apply for a charging order?
- HCG12**—How do I apply for an arrestment order?


For the defendant

- HCG13**—A claim has been made against me, what should I do?
- HCG14**—Defending a claim
- HCG15**—Paying my judgment
- HCG16**—I cannot pay my judgment, what can I do?
- HCG17**—I have received a charging order, what is it?
- HCG18**—I am coming to a court hearing, what do I need to know?
- HCG19**—Registered judgments, what does this mean?

www.courts.im

Deemsters Walk, Bucks Road, Douglas
Isle of Man IM1 3AR

Phone: +44 (0) 1624 685265 Fax: +44 (0) 1624 685236
E-mail: court.house@courts.im


ISLE OF MAN
COURTS OF JUSTICE

Paying my judgment
HCG15

Defendant guidance in the Small Claims Procedure

Paying my judgment

www.courts.im

This leaflet will tell you how to pay your judgment and gives you more information about what the judgment means to you.

Who do I pay?

You must pay the claimant. This is the person or organisation that made the claim against you. The claimant may have an advocate or a representative who will deal with your payments.

The name and address for payment is shown clearly on the judgment.

If an order has been made for the judgment to be paid by instalments, ask the claimant or his/her representative about the best way to pay. The claimant may give you a paying-in book or you may be able to set up a standing order to have the money sent to the claimant straight from your bank account.

Remember the court cannot accept your payments.

How do I pay?

Always use a method of payment which gives you proof that you have paid. You can send cheques or postal orders by post. Do not send cash as you will have no proof that you paid. Send your name, address, claim number and the claimant's reference with your payment. The claimant's reference is on the judgment. Keep a copy of any letters you send.

Keep a record of the payments you make. You will need it if you and the claimant disagree about the payments you have made. If you are paying by instalments, you might like to use the sample record sheet at the end of this leaflet.

When do I pay?

The judgment will tell you the date you must pay the claimant by. If you are behind, or late with your payments, even by one day, the claimant can ask the court to take steps to make you pay. This may mean that you have to pay more costs.

Send your payments to the claimant at least four clear working days before the end date. This will allow for any delays.

Will I get credit now?

Most judgments will have been entered on the Register of Judgments and the Register of Judgments, Orders and Fines in England and Wales maintained by Registry Trust Ltd. Banks, building societies and credit companies may search the Register. Your judgment could affect you if you apply for credit or a mortgage.

What if I did not get the claim form?

If you did not reply to the claim form, the claimant will ask for judgment 'by default'. If a judgment is made against you but you did not get the claim form, you can make an application to have the judgment 'set aside'. You can only do this if you do not think that you owe the money. If the judgment is set aside, the Register will be marked accordingly.

If you want to ask for the judgment to be set aside complete form **HCSA** - Application Notice General. On the form say that you did not get the claim form and why you do not think you should pay the judgment. You must provide evidence to support your application. You will have to pay a fee to make the application.

Keep a copy of your application form.

Once the court has read your application form, a private hearing will be arranged for you and the claimant to discuss your application with a judge. The judge will decide whether to cancel the judgment.

If you do not go to the hearing, your request to have the judgment cancelled could be dismissed (rejected). You may have to pay more costs and the claimant may take other steps to get the money you owe.

What if the instalments are not what I offered to pay?

If you are sent a judgment after making an admission, but the instalments are not what you offered when you replied to the claim form, you can apply to the court to ask them to change the instalments. You must say why you want the court to do this.

What will happen if I do nothing?

If you have a court judgment against you, you must do something about it, even if you cannot afford the amount of money you have been told to pay.

Read the leaflet **HCG16**— I cannot pay my judgment – what do I do?

If you do not pay anything, or you do not keep up with the payments, the claimant can ask the court to enforce the judgment (take steps to make you pay). You may have to pay more costs.

Please remember that this and other leaflets can only provide you with a general idea of what is likely to happen. They cannot explain everything about court rules, costs and procedures which may affect different claims in different ways. Court staff can provide you with information, tell you about court forms and procedures, but they cannot give you legal advice or answer questions like "Will I win my case?", "What evidence do I need?" You should seek legal advice from an advocate. A list of Manx advocates is available through the Isle of Man Law Society.