|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | | District Court - Schedule C - Forms in civil proceedings  S.I. No. 17 of 2014  No. 40A.01  Personal injuries summons  *Schedule C O.40A, r.4*  District Court Area of  District No.  Record number:  Between  ........ Claimant  ........ Respondent  PERSONAL INJURIES SUMMONS  Civil Liability and Courts Act 2004, section 10  This personal injuries summons is issued at the request of the claimant(s), who makes a claim in the District Court to recover against the respondent damages not exceeding €15,000.  Particulars of first claimant:  Name   |  |  | | --- | --- | | Address | \*(in the above Court \*(area) and district) | | Occupation | http://www.courts.ie/icons/ecblank.gif | | PPSN | (if none, state “none”) | | \*Solicitor | http://www.courts.ie/icons/ecblank.gif | | Address for service of documents | http://www.courts.ie/icons/ecblank.gif |   [*Repeat particulars for second and any subsequent claimant*]  Particulars of first respondent:   |  |  | | --- | --- | | Name | http://www.courts.ie/icons/ecblank.gif | | Address | \*(in the above Court \*(area) and district) | | Occupation (if known) | http://www.courts.ie/icons/ecblank.gif | | \*Solicitor (if known) | http://www.courts.ie/icons/ecblank.gif | | Address for service of documents (if known) | http://www.courts.ie/icons/ecblank.gif |   [*Repeat particulars for second and any subsequent respondent*]  STATEMENT OF CLAIM  *[A personal injuries summons must contain a statement entitled “Statement of*  *Claim” which must*  *(a) set out, in numbered paragraphs, full and detailed particulars of-*  *(i) the nature of the claim and of each allegation, assertion or plea comprising that claim;*  *(ii) the injuries to the claimant alleged to have been occasioned by the wrong of the respondent;*  *(iii) the acts of the respondent constituting the said wrong and the circumstances relating to the commission of the said wrong;*  *(iv) each instance of negligence by the respondent,*  *(b) contain a schedule of full particulars of all items of special damage in respect of which the claimant is making a claim, and*  *(c) give details of the basis upon which jurisdiction is claimed.*  *The following is a suggested format in which the statement of claim might be presented:*  *1. DESCRIPTION OF PARTIES*  *2. WRONG ALLEGED AGAINST THE RESPONDENT (OR AGAINST EACH RESPONDENT)*  *3. PARTICULARS OF THE ACTS OF THE RESPONDENT (OR OF EACH RESPONDENT) CONSTITUTING THE WRONG AND OF THE CIRCUMSTANCES RELATING TO THE COMMISSION OF THE WRONG*  *(Full particulars should be set out)*  *4. PARTICULARS OF EACH INSTANCE OF NEGLIGENCE BY THE RESPONDENT (OR BY EACH RESPONDENT)*  *(Full particulars should be set out)*  *5. PARTICULARS OF THE INJURIES TO THE CLAIMANT OCCASIONED BY THE WRONG OF THE RESPONDENT (OR OF EACH RESPONDENT)*  *6. RELIEFS CLAIMED*  *7. The bringing of these personal injuries proceedings requires to be authorised in accordance with \*section 14 \*section 17 \*section 32 \*section 36 \*section 49*  *\*rules under section 46(3) of the Personal Injuries Assessment Board Act 2003 and these personal injuries proceedings have been authorised by the Personal*  *\*section 49 \*rules under section 46(3) by authorisation dated the .....day of ......20.... under reference number ........*  Schedule  PARTICULARS OF ITEMS OF SPECIAL DAMAGE  *(Full particulars should be set out. Add additional sheets if necessary)* ]  [*If applicable, insert the particulars required by Order 39, rule 4 (1A)*]  LIST OF CORRESPONDENCE AND OTHER DOCUMENTS ON WHICH THE CLAIMANT WILL RELY AT TRIAL   |  |  |  |  | | --- | --- | --- | --- | | http://www.courts.ie/icons/ecblank.gif | Document | Date | Description | | 1 | *e.g. letter* | *1 September 2013* | *Letter from the claimant to the respondent* | | 2 | http://www.courts.ie/icons/ecblank.gif | http://www.courts.ie/icons/ecblank.gif | http://www.courts.ie/icons/ecblank.gif | | Etc | http://www.courts.ie/icons/ecblank.gif | http://www.courts.ie/icons/ecblank.gif | http://www.courts.ie/icons/ecblank.gif |   (A) IF YOU DISPUTE THE CLAIM and wish to defend the proceedings, then you must give, or send by post, to the claimant or claimant’s solicitor at the address for service mentioned above an appearance and defence in Form 40A.02, Schedule C of the District Court Rules, not later than 28 days after the service on you of this claim notice, and at the same time file a copy of your appearance with the District Court Clerk at the address below.  (B) IF YOU ADMIT THE CLAIM, you should contact the claimant or claimant’s solicitor within 10 days after the service on you of this claim notice to make arrangement to agree payment of the claim and costs, all further proceedings will be stayed, you need not attend court and you will avoid further costs.  IF YOU DO NOT ACT IN ACCORDANCE WITH (A) OR (B) ABOVE you will be held to have admitted the claim and the claimant may apply for judgment to the District Court and if judgment is given, proceed to execution.  Signed:........  \*(Solicitor for) Claimant  To the respondent(s) at the address(es) given above  This personal injuries summons is issued at ........ on the ...... day of ........ 20.... by ........ the District Court Clerk assigned to the above Court area and district  *\*Delete where inapplicable* | |