

ADGM Court of First Instance – Small Claims Division* Procedural Flow Chart - Claim contested on merits by Defendant**

COMMENCEMENT OF PROCEEDINGS

Claimant must file a claim form in the Small Claims Division (CPR 309, PD 3.1-3.5, Form CFI 2)

SERVICE OF CLAIM FORM

The Registry will serve the claim form on all other parties to the case (CPR 310, PD 3.6)

DEFENCE AND ANY COUNTERCLAIM

Defendant must file a defence, together with any counterclaim, within **7 days** after service of the claim. The parties may agree, or the defendant may request the Court, to extend that time limit by up to 7 days

(CPR 311, PD 3.9, 3.16-3.20, Forms CFI 8 and 9)

REPLY TO A DEFENCE, DEFENCE TO ANY COUNTERCLAIM, AND SUBSEQUENT REPLY

- If invited by the Court to do so, the claimant may file a reply to a defence within 7 days after service of the defence (CPR 45, PD 3.21-3.23, Form CFI 10)
- A party who wishes to defend all or part of any counterclaim must file a defence within 7 days after service of the counterclaim (CPR 311, PD 3.24-3.26, Form CFI 8)
- If invited by the Court to do so, a party may file a reply to a defence to a counterclaim (CPR 45, PD 3.27, Form CFI 10)

COURT-ORDERED MEDIATION

The Court may refer the dispute or any part of the dispute to courtannexed mediation (CPR 306, PD 3.40 and PD 13)

TIMETABLE FOR THE PROCEEDINGS

The parties must comply with any timetable set by the Court for the taking of procedural steps in a case. Any adjustment to the timetable is to be in accordance with the procedure set out in PD 3

(PD 3.32-3.35, Forms CFI 12C, 22 and 36)

PREPARATION FOR HEARING

Not less than **7 days** before the day fixed for the hearing, the parties shall exchange and file:

- written summary of the evidence to be given by each witness (no expert may give evidence at a hearing without the permission of the Court);
- · copies of documents the party will rely upon (unless previously filed); and
- · outline of the legal arguments to be relied on.

(CPR 142(2), PD 3.41-3.44, Form CFI 11)

NO HEARING

The Court may deal with the claim without a hearing (PD 3.46)

HEARING (CPR 8, 173-175, PD 3.45-3.51)

> JUDGMENT (CPR 176-185)