



Reopening a claim after going to court for liability

Support Guide

2-13-2023

OFFICIAL
INJURY
CLAIM

Reopening a claim after going to court for liability

Support Guide

When you have chosen to go to court over denied liability the claim will close. However, you can update your claim in the portal with the final decision that was been made on liability. This can be done by either yourself or the compensator. If liability is found in your favour the claim can be reopened and progressed through the portal.

Claim status (this shows what stage your claim is at. Click 'Continue' to open the claim).

My claim		New
Claimant name	Test Test	
Accident date	01 January, 2021	
Portal reference	OIC-12-22-3	
Claim reference	Denied Liability	
Status	Resolved-CourtLiability	
Continue		

Instruction text (this explains your next step in the process).

What you need to do

You have made the decision to go to court due to your disagreement with the liability response made by the compensator. The claim will now be treated as closed as the court decision is dealt with outside of the portal. You can access all documentation via the My documents link below. If the court finds in your favour, either in full or in part, You or the compensator has the ability to reopen the claim and you will be able to continue your claim through the portal.

As the claim will be in a resolved status, you will be unable to select anything in the green instruction text box. To provide the liability decision, you will need to scroll down to the 'My other actions' section underneath the instruction text on the claim overview page. From here, you can select 'Add liability outcome'.

My other actions

The following options are available:

[Add liability outcome](#)

You will then be asked if the court have made a liability decision. If you select 'No' to this, you will be asked if you have reached an out of court decision on liability with the compensator in writing. If you also answer 'No' to this, the claim cannot be reopened as this is not possible without the court deciding, or an agreement being made between the two parties outside of court.

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Add liability outcome

*Note that all fields marked with * are mandatory.*


Has the court made a liability decision? *

Yes No

Have the parties agreed an out of court agreement on liability in writing? *

Yes No

Important information you should be aware of

 You cannot reopen the claim until the court has made a decision or you have agreed liability in an out of court settlement

[Continue](#) [Cancel](#)

If you select 'Yes' to 'Has the court made a liability decision?', you will be prompted to select the decision that has been made from the dropdown box and provide the court claim number for the decision in the box below.

The screenshot shows a form titled "Add liability outcome" within the "OFFICIAL NJURY CLAIM" interface. A yellow horizontal line is positioned above the title. Below the title, a note states: "Note that all fields marked with * are mandatory." The form contains the following elements:

- A question: "Has the court made a liability decision? *". Below it are two radio buttons: "Yes" (which is selected) and "No".
- A label: "Select the court decision on liability *". Below it is a dropdown menu with the text "Select liability decision" and a downward arrow.
- A label: "Provide the court claim number for this decision *". Below it is a large, empty text input field.
- At the bottom, there are two buttons: "Continue" (highlighted in yellow) and "Cancel" (greyed out).

Below are the options available when selecting the court decision on liability.

The screenshot shows a dropdown menu with the following options:

- Select liability decision (highlighted in blue)
- Liability found in full against defendant
- Liability found in part against defendant
- Liability not found against defendant

If you select that liability was found in part against the defendant, you will need to provide the liability percentage that has been found against them.


Select the court decision on liability *

Liability found in part against defendant ▾

Liability percentage found against the defendant? *

 %

When you have selected 'Continue' after indicating that the court have made a decision on liability, you will need to upload the official court order. You will need to answer, 'Yes' to 'Do you have the official court order?' and then click 'Upload official court document' and follow the instructions to upload the document.



Add liability agreement

[◀ Back](#)

*Note that all fields marked with * are mandatory.*

Do you have the official court order? *

Yes
 No

[Upload official court document](#)

Date added	Uploaded By	Category	Document	File
No content available				

Continue
Cancel

In some cases, an agreement may be reached between the claimant and the compensator before the case goes to court. If this is the case, you should select 'No' to 'Has the court made a liability decision?' and 'Yes' to 'Have the parties agreed an out of court agreement on liability in writing?'. You will then need to select the liability outcome from the dropdown box. The options are the same as page 3 of this guide.

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Add liability outcome

Note that all fields marked with * are mandatory.

Has the court made a liability decision? *

Yes No

Have the parties agreed an out of court agreement on liability in writing? *

Yes No

Select the liability outcome *

Select

Continue Cancel

You will need to upload the signed written agreement on liability to continue reopening the claim. You will be asked to do this on the next page. Select 'Add the written agreement on liability' and follow the instructions to upload this document.

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Add liability agreement

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Note that all fields marked with * are mandatory.

[Add the written agreement on liability](#)

Date added	Uploaded By	Category	Document	File
No content available				

Continue Cancel

After an official court order or an agreement on liability in writing has been uploaded, you will need to review the answers you have input on the previous screens. Select 'Change' if you need to make any adjustments to them or select 'Accept and Send' if you are happy the answers are correct.

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Check liability outcome

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▶ Add liability outcome [Change](#)

▶ Add liability agreement [Change](#)

Accept and Send [Cancel](#)

Where liability has been found against the defendant, either in part or full, the claim will reopen, and you will be able to start booking your medical.

What you need to do

A court decision has been made or an out of court agreement reached on liability, you can now continue on your claim through to the medical stage.

Select medical expert

When liability has not been found against the defendant, the claim will close and cannot be reopened.

What you need to do

The court decision, or agreement in writing between all parties, has determined that the defendant is not liable. The claim will now be closed. You may need to seek advice before deciding what to do next.