



S08

The Simple Procedure Order of the Sheriff

Application to Restart

This is an order of the sheriff in a case which you are a party in. You should **read it and follow it**.

You should also read Part 8 of the Simple Procedure Rules, which is about orders of the sheriff.

Sheriff Court:

Date of order:

Claimant:

Respondent:

Case reference number:

The court has received an Application to Restart.

The sheriff has considered the Application and has **given the following orders**:-

[The order below can be used where the sheriff has decided to grant the application, without a discussion in court:]

Restarting Order

The sheriff **orders** the progress of this case to be restarted.

Both parties are **ordered** to attend a discussion at

on at .

Both parties should arrive in good time at the sheriff court building.

[The order below can be used where the sheriff has decided to refuse the application, without a discussion in court:]

Refusing a Restarting Order

The sheriff **has not** ordered the progress of this case to be restarted.

This means that the progress of the case continues to be paused. There are no upcoming hearings or discussions arranged in this case.

[The order below can be used where the sheriff has decided that a discussion in court is necessary to decide the application.]

Discussion in court

The sheriff wants to hear from both parties before deciding whether to restart the progress of this case.

Both parties are **ordered** to attend a discussion at
on at .

Both parties should arrive in good time at the sheriff court building.

At this discussion, the sheriff will expect both parties to be prepared to discuss whether the progress of the case should be restarted. Both parties should be aware that the sheriff may make a decision in their case even where they are not fully prepared to discuss this.

The application may be decided in the absence of a party, if that party fails to attend the discussion.

Signed by:

Sheriff of [sheriffdom] at [sheriff court]