



The Proof

The quarterly newsletter
of the Offices of the Court of Session

March 2009

Court of Session, Parliament House, Parliament Square, Edinburgh, EH1 1RQ
Telephone: 0131 225 2595 - email:officesofcourt@scotcourts.gov.uk

Customer Satisfaction Survey 2008

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Thank you to everyone who took part in the annual Customer Satisfaction Survey.

The survey was open for one month and the response rate was very positive - we received 37 responses. The majority of respondents were court runners - 60% - but we also received feedback from solicitors and party litigants as well as from internal customers.

You have given us things to celebrate - like the highest overall satisfaction rating ever - and have also told us where further work is needed. You'll find full details of the results on the following pages.

Many of you left comments for us. It's not possible for me to respond to every comment here and so I have covered the main points you raised. Opening times was the first subject which attracted a number of comments.

Although the overall satisfaction score for opening times remains high, you suggested that the office should open at 10am rather than 10.30am on Monday mornings. We use this time for our training and - along with fixing times - was agreed following consultation with our customers. There are no plans to change opening hours or fixing times. Having said that, we are committed to making sure that as many staff are available to serve you when the offices open.

Continued

Some of you told us that there are times when you get different answers from different people. This is more likely if, as someone suggested, one clerk served you for all types of business.

The new office structure moves away from a broad and shallow knowledge base and instead will allow us to gain an expert knowledge in a specific area of the work. This will reduce the likelihood of you receiving inconsistent information. It also means that our Monday training time is particularly valuable as we work towards a greater depth of knowledge.

85% of customers agreed that the re-structure would have a positive effect on the service we provide.

Early signs suggest that the new office structure is successful. If you have any more feedback about this over the coming months please get in touch with me.

We also asked whether the service we provide offers you enough choice. Four customers said no but didn't go on to say what further choices they'd like to see. If you have any comments or suggestions please let me know.

*Please let us know
how we can improve the
choices we offer*



39% of customers thought that we could improve our service and offered one or two suggestions on how we could do this.

Someone suggested that we introduce an induction process for new court runners.

We understand that there is a lot for new court users to learn about the Court of Session and the way we work. Although we cannot commit to running induction sessions we are looking at developing a booklet containing useful information for court runners. We'll let you know how this goes.

We also received a suggestion about a technical change to the Rules of Court relating to pre-trial minutes in Personal Injury cases. The suggestion was to relax the requirements for cases to call by order. Any proposed change could be considered by the Personal Injury User Group chaired Lady Dorrian. However, there are no plans at this stage to alter the current position.

Continued

We asked you about the working environment - the accommodation and vending machines. This was the section that scored lowest.

You told us that there isn't enough seating and the office can be noisy. Disability access was also strongly criticised. The re-development of Parliament House is on-going and I have passed your comments on to the re-development team.

I have also passed your feedback to the catering staff who are responsible for the vending machines. More than one customer questioned why this question is included in a court service survey. We won't include this subject in future surveys.

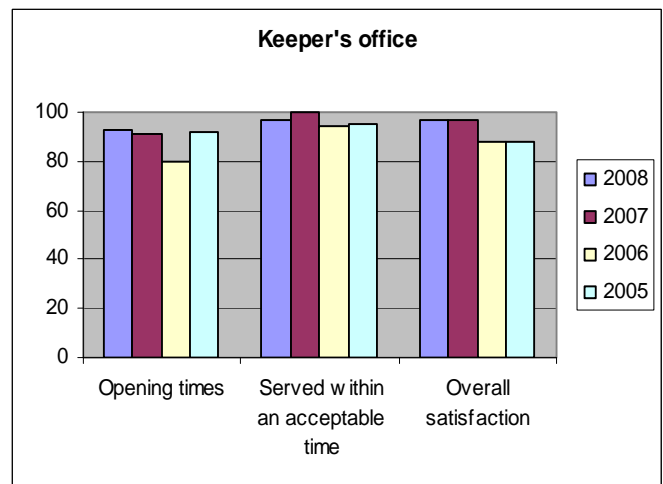
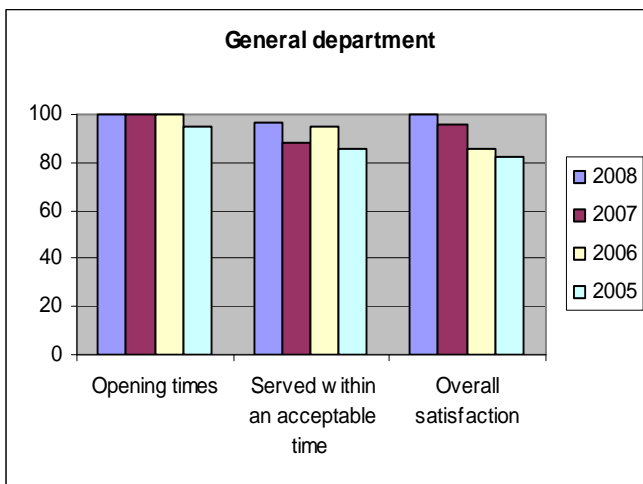


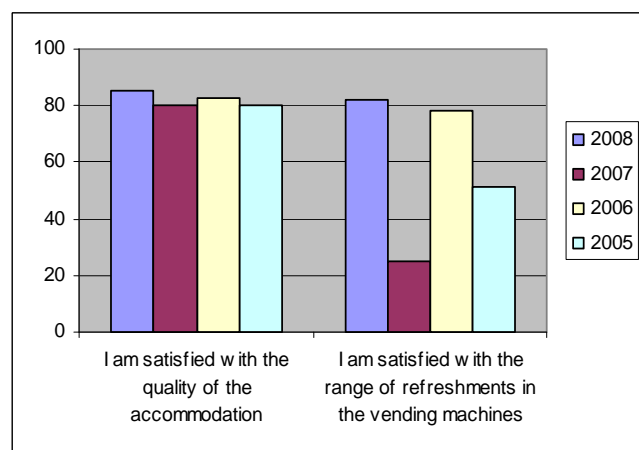
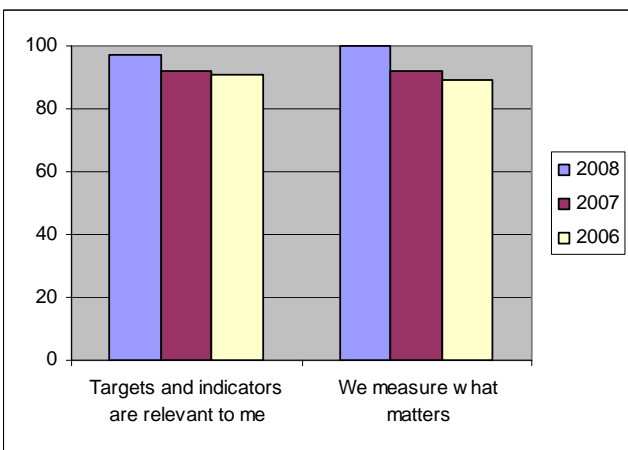
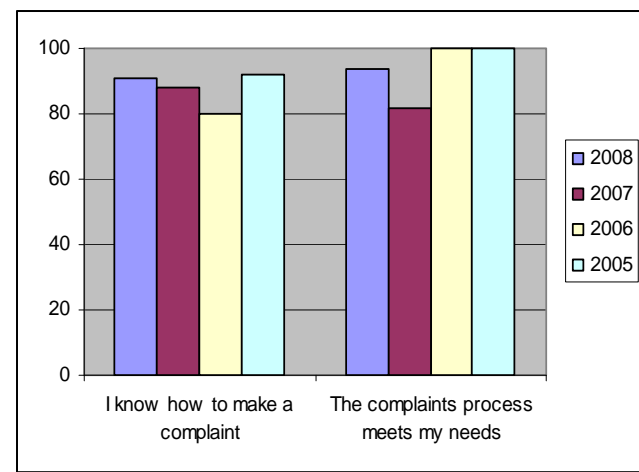
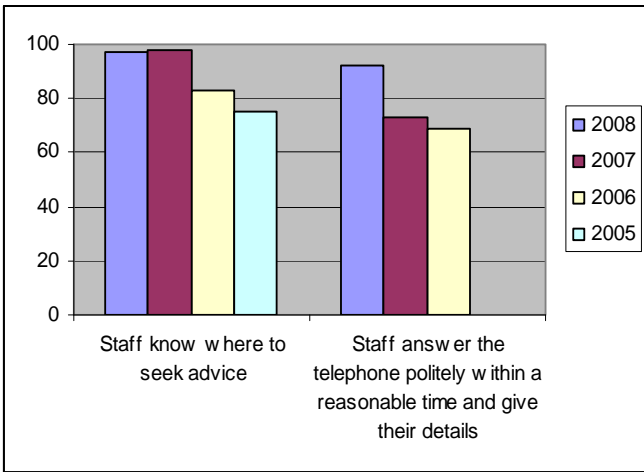
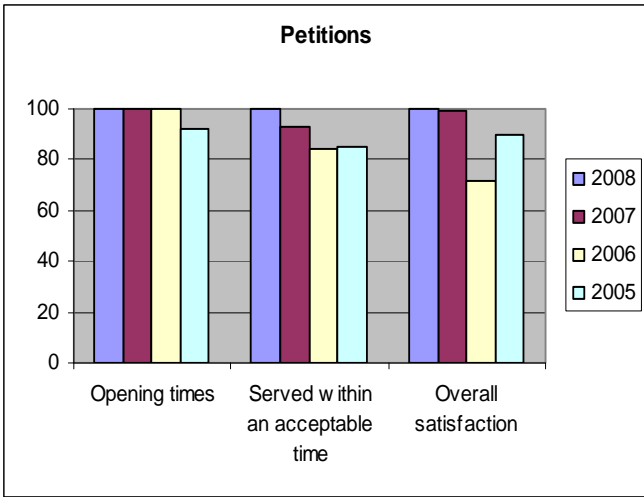
Lastly, we received a comment about our attitude to customers - especially the way we treat trainee court runners. Although this feedback only came from one person, we take it seriously and are concerned and disappointed that we make anyone feel uncomfortable. This will be investigated further by managers.

If you would like any further information about the survey or have any other feedback please get in touch with me.

Thank you once again for taking the time to complete the survey.

Grahame Simpson





Re-structuring of the Offices of Court

The managers in the Offices of Court have been conscious of a need to change the traditional alphabetical split of processes to create sections in the Offices of Court. The main drivers of the thinking behind the change are as follows:

- The Rules of Court are now more complicated than ever and the breadth of knowledge that counter staff are being expected to learn and apply is too wide.
- When the new Chapter 43 procedures were introduced in 2003, we introduced a specialised clerk to support the arrangements for the tracking of cases. This arrangement has worked well. This has often been commended by the Personal Injuries User Group and Lady Paton while she was the Chair of that group. This clerk works across the four sections at the moment and relies on the section clerks to help with the checking of documents.
- The Division Clerks have been working hard to improve the knowledge that the counter clerks have in relation to appeals. This is difficult to sustain because of staff changes - as well as the point made already about over-stretching the technical knowledge of staff. We also have one eye on Lord Penrose's reforms which would, if implemented, create a need to track and proactively monitor appeals. This is much like we currently do for personal injury cases and involves the application of specialised parts of our computer system. This would be easier to achieve with a more concentrated team.
- Having specialised clerks in areas such as petitions and commercial works well.

Continued

*The re-structure was up
and running from
Monday 2 March 2009*

Bearing in mind the above factors, we decided that it would be worthwhile experimenting with a new structure that made the functions of the counter clerks in the Offices of Court more specialised. The four sections have been replaced by three specialised sections. These are:



- An Inner House / Extracts section - [located in the current extracts dept](#) - where the counter clerks work more closely in support of the Division Clerks. This makes it easier for the appeal clerks to become involved in developing the technical knowledge of the counter staff. It also makes it easier to implement Lord Penrose's ideas - if that was the direction in which the Court decided to go. It also makes it easier to introduce, or at least try out, the concept of a dedicated party litigant clerk since the vast majority of our party litigants appear in sheriff court and statutory appeals.
- A section for other business initiated by Summons. This includes in particular Commercial - [located in the General dept](#) - Ordinary and Family actions.
- A Personal Injury section - [located in the general dept](#) - as an expansion of the current arrangements revolving around the specialised personal injuries clerk. The number of personal injury actions being raised is growing - slowly - and it would help to boost the clerking resources working in this area. Our ability to provide a clerk with particular interest in personal injury cases has been an important factor in helping the Court to apply the policy of Chap. 43 in a broadly consistent way. Also, if any recommendations are made by the Civil Courts Review affecting personal injury business in the Court of Session, it should be simpler to effect any change if the relevant area of business is discrete as far as administration is concerned.

We are anxious to ensure that any changes should improve, rather than detract from, the services provided by the Offices to the Court.

With this in mind some consultation has already taken place with our more regular users through the local Customer Liaison Group and our annual Customer Satisfaction Survey.

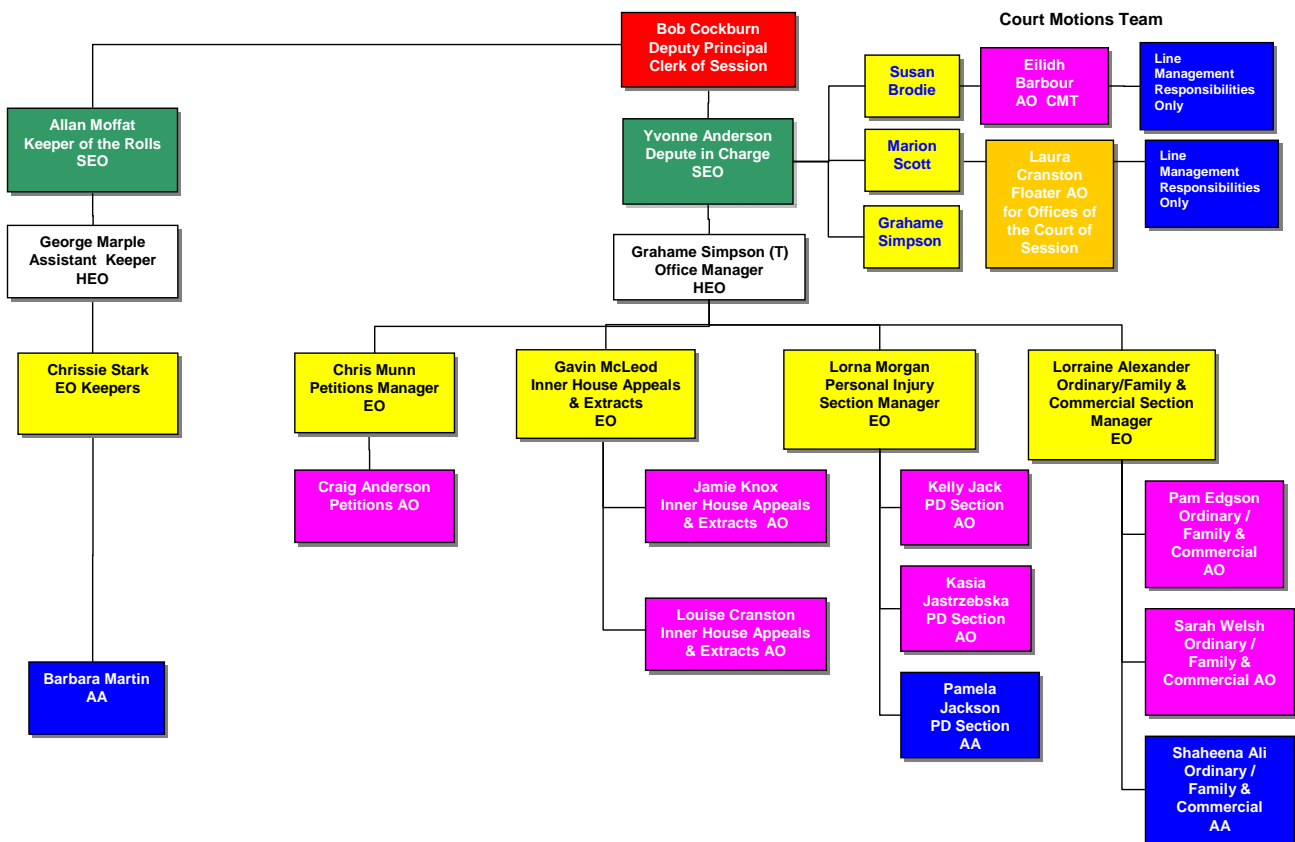
It is our intention that the introduction of specialised counter clerks will speed up transaction times at the counter as well as improving the level of scrutiny applied to documents being lodged and enquiries made.

Hopefully this will also be reflected in the quality of work being submitted to the court through the depute clerks.

We are not proposing any change to the resources in the Offices of Court. The resources will remain the same, but will be deployed in a more specialised way.

Yvonne Anderson
Bob Cockburn

Organisational Chart - March 2009



Parliament House – top car park protocol

When delivering or uplifting **awkward or excessively large** productions by taxi at the Offices of Court please phone in advance to let us know that you are coming and what time to expect you. We'll let security know that you're coming.



The numbers to call are:

☎ Petitions - 2490 6747

☎ Inner House/Extracts - 240 6874

☎ Personal Injury - 240 6878

☎ Ordinary/Family/Commercial - 240 6741

Please have your security pass with you at all times.

Access to the car park will be denied if these procedures are not adhered to.

If you experience any difficulties with this arrangement, please contact Grahame Simpson or Yvonne Anderson on 240 6882 or 240 6740.

Thank you for your co-operation.

Fees Amendment Order 2009

A new Fees Amendment Order 2009 comes into force on 6 April 2009. You can find this in Scottish Statutory Instrument No.88 of 2009.

Agents should note changes to the Fee Exemption Certificate and Minute of Election are contained within this Fees Amendment Order.



Help us to help you



If you have more than 10 cases to be looked out please fax us a list of case names and reference numbers.

You should clearly state the name of your firm and the approximate time you will arrive. Please also state whether you want to look at the process or if you are enrolling a motion.

This will allow us to have the processes ready for you when you are served.

The fax number is 0131 240 6746.

Participating Firms

HBM Sayers joined the Pilot Scheme on 8 December 2008. The participating firms and their generic email addresses are as follows:

Anderson Strathern	motions@andersonstrathern.co.uk
Balfour & Manson	ph@balfour-manson.co.uk
Biggart Baillie	ph@biggartbaillie.co.uk
Brodies	motions@brodies.co.uk
Digby Brown	phteam@digbybrown.co.uk
Drummond Miller	Cosprojectteam@drummond-miller.co.uk
Dundas & Wilson	phclerks@dundas-wilson.com
HBM Sayers	courtrunner@hbmsayers.com
McGrigors	motions@mcgrigors.com
Simpson & Marwick	motions@simpmar.com
Thompsons	motions@thompsons-scotland.co.uk

Invitations and Information Sessions

The recent restructuring of the Offices of the Court of Session effected our resources. This means that we have not invited any additional agents on board the pilot scheme recently or held any further information sessions.

We hope that invitations and information sessions will continue from May 2009. We will let agents know when these are due to take place.



Time

The following table shows the maximum time, minimum time and average time it has taken from a motion being enrolled to firms receiving an interlocutor during the months of November 2008 to February 2009.

This includes interlocutors being sent to a Lord Ordinary in the overnight bag service for signature.

	Nov 08	Dec 08	Jan 09	Feb 09
Maximum	95 hrs	94 hrs	95.35 hrs	146.28hrs
Minimum	20 mins	30 mins	20 mins	1.34 hrs
Average	17.45 hrs	20 hrs	17.35 hrs	18 hrs

Rule of Court – an update

The Lord President's Office is continuing to work on the changes required to the Rules of Court to compliment the Pilot Scheme for Disposal of Motions. This will allow the full roll out to all users of the Offices of the Court of Session.



A meeting on the second draft took place on 18 February 2009 and final adjustments are currently being made. The Final Draft Rules of Court will be sent to selected agents for consultation purposes.

Court Motions Team

The Court Motions Team is expanding. This is due to the increase of volume of workload as more agents participate within the Pilot Scheme for Disposal of Motions.

The team now consists of two full time motion clerks - Marion Scott and Susan Brodie - and Eilidh Barbour as a part time assistant clerk. Linda MacKay has joined the team on a temporary part time basis to coincide with Eilidh's working pattern.

Grahame Simpson is currently covering the duties of office manager in the offices. Grahame is still situated within the Court Motions Team and assists the CMT when he is available.

Queries

If you have any queries about any items within this article or any area of the Pilot Scheme for Disposal of Motions, please contact us. Here's how to get in touch:

Motion Clerks

Susan Brodie
Marion Scott

 Call us on

0131 240 6882

Assistant Clerks

Eilidh Barbour
Linda MacKay

 Call us on

0131 240 6662

 Email us at

supremecourts.motions@scotcourts.gov.uk



Offices of Court Report – February 2009

Management Information & Workload

	<u>Feb 08</u>	<u>Feb 09</u>
Petitions lodged	318 (175 Seq's)	148 (No Seq's)
Summonses lodged	254 (169 PI) (70 Ord) (5 Family) (10 Commercial)	313 (219 PI) (69 Ord) (9 Family) (16 Commercial)
Appeals lodged	11	24
Total Actions	583	485 (difference nos of seq's)

See Appendix A below for trends over 1 year.

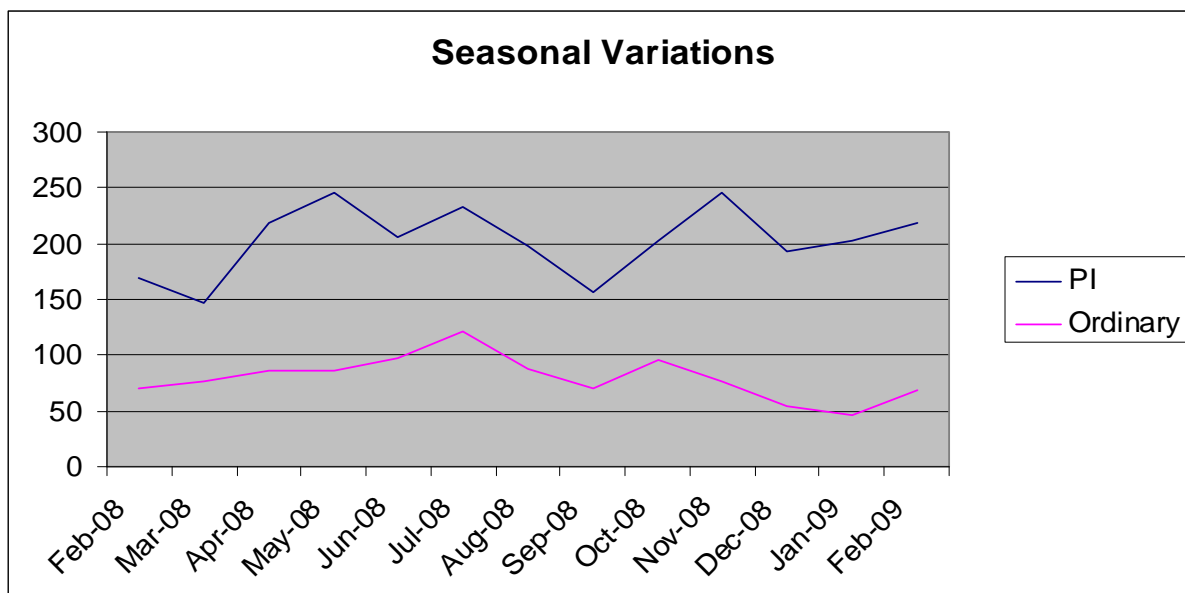
Waiting period (court service indicator) for PI Proofs stands at 10 months (from date defences lodged). We are currently allocating for 19 January 2010.

Civil Jury Trials now 4 per week. First available date for a Jury Trial is June 2010.

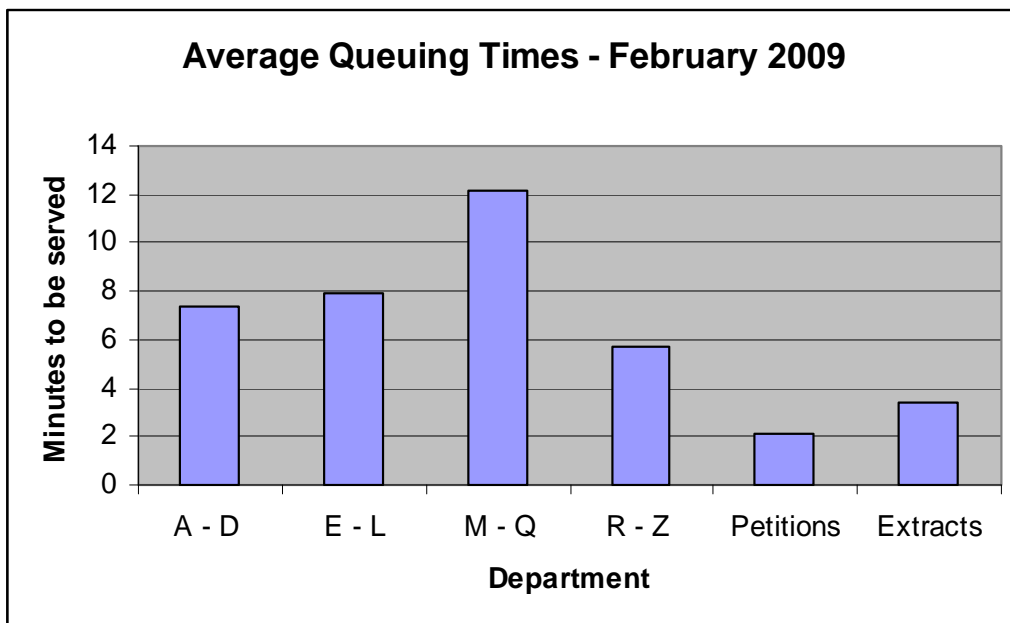
Appendix A -
Trends of Personal Injury, Ordinary & Appeals Lodged 2009/10

	PI	Ordinary	Family	Appeals	Total (OH)	%PI
Feb-08	169	70	5	11	244	69%
Mar-08	147	76	3	11	226	65%
Apr-08	219	86	6	22	311	70%
May-08	245	86	3	20	334	73%
June 08	206	97	8	17	311	66%
July 08	233	121	1	15	355	66%
Aug 08	198	88	7	26	293	68%
Sept 08	157	70	2	24	229	69%
Oct 08	203	95	3	12	301	67%
Nov 08	245	77	6	20	328	75%
Dec 08	193	55	2	16	250	77%
Jan 09	202	47	7	17	256	79%
Feb 09	219	69	9	24	297	74%
Total	2636	1037	62	235	3735	71%

Seasonal Variations



Average queuing times - February 2009



Remember...



...to put your clocks forward at 2am on Sunday 29 March 2009.

Telephone contact details

Offices of the Court of Session

All numbers should be preceded with 0131 240

Personal Injuries Section:

Lorna Morgan	6878
Kelly Jack	6853
Kasia Grzonek-Jastrzebska	6667
Pamela Jackson	6742

Ordinary, Family and Commercial Section:

Lorraine Alexander	6741
Sarah Welsh	6879
Pam Edgson	6880
Shaheena Ali	6669

Inner House and Extracts Department:

Gavin McLeod	6874
Louise Cranston	6748
Jamie Knox	6748

AO Section Floater

Laura Cranston	6745
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Petitions Department:

Chris Munn	6747
Craig Anderson	6747

Court Motions Team:

Susan Brodie	6882
Marion Scott	6882
Grahame Simpson	6882
Eilidh Barbour	6662

Office Manager for the Offices of the Court of Session:

Grahame Simpson	6744
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Depute in Charge of the Offices of the Court of Session:

Yvonne Anderson	6740
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What do you think?

The Offices of the Court of Session continually seek to improve the service and choice for its customers and partners. In order to improve the quality of information we provide about our performance we would like to offer you the opportunity to comment on the content of this document. Please read the following questions and pass your views and comments to us by fax, email or letter using the details given below:

1. How well did you understand the contents of this report?
2. How well does this information meet your needs?
3. Did it cover aspects which you are interested in or you feel are relevant?
4. What other relevant issues or information do you feel you should be included or covered in the next quarter's issue?

Send your views to:

Letter

G. Simpson
Court of Session
Level -1
Parliament House
Parliament Square
Edinburgh
EH1 1RQ

Email

gsimpson@scotcourts.gov.uk

Fax

0131 240 6755

Telephone

0131 240 6882