



The Proof

The quarterly newsletter
of the Offices of the Court of Session

September 2008

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The Proof – the changing face

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The Proof is very much my baby. Back in 2005, when I was the person responsible for getting Charter Mark status for the Court of Session, I was asked to write a newsletter in which we communicated news about the area.

We held a competition within the staff of the Offices of Court to name this newsletter. The Proof was born.

My first questions when I write are - who is the audience and what messages am I wanting to communicate? If I am honest I wasn't sure who would read it. I knew we had lots of "procedural" things we could communicate but more than that I wasn't sure - and let's be honest a procedural newsletter might be quite a "dry" read.

I wanted a newsletter that reflected the "personality" of the Court of Session. It had to have a bit of a sense of humour. It had to be honest and open and genuinely seek feedback about how to make it better.

Anyway, 3 years and over a dozen editions have rolled off printers. I have never once struggled to get items to go into The Proof. There is always so much going on and so many things we want you to know. As I write this, I am enjoying the thought that somewhere at sometime, somebody will take time to read this and learn a little about who we are and what we do at the Court of Session.

Continued

The Proof developed from an A4 newsletter where every version was a different colour and was purely printed, through the handbag sized A5 printed version to the A4 more corporately formatted electronic and hard copy marvel it is today.

I know The Proof is read. We have asked questions in customer surveys - over 90% of those surveyed said they read The Proof! I get emails from solicitors who have got my details from its hallowed pages. I have even had requests from solicitors for emailed copies so that it can be sent to offices all over Scotland. I estimate that the readership is something between 500 and 750 people.

However, the times they are a changing!

I am moving off to start a secondment with the Justice Department in the Scottish Government. I am initially going to be away from the Scottish Court Service until the New Year.

Shaeron Clacher will be the Editor and the managers and officers of the Court of Session will be contributing to The Proof over the coming months. Grahame Simpson will be the Office Manager and the main contact point for any feedback and queries about The Proof or the work of the Offices of the Court of Session.

It remains for me to wish Grahame, Shaeron and my colleagues in the Scottish Court Service all the very best over the coming months as they take up the reins and drive customer care and communication forward.

John Curtis

Changes from 1 August 2008

Change to Court Fees

From 1st August 2008 there was an increase in court fees. Details are contained within the Fees Amendment Order number 236. This is available on the Scottish Court Service's website.

Legal Aid / Fee Exemption

For customers who have legal aid granted it is important to lodge both the Legal Aid certificate and the Fee Exemption certificate at the same time and to lodge an abbreviated fee exemption slip for every subsequent feeable transaction thereafter.

Quality Improvement – Civil Records

It has been a while since we have provided an update regarding what is happening with our quality improvement projects. The Service Delivery Team is still here, beavering away in the background looking at what goes wrong and how we might improve the various Supreme Courts systems.

Since the start of the un-starred motions pilot we have been carrying out some projects on a smaller scale. We have looked at, or are in the process of looking at, the mail system in Parliament House, High Court Appeals, Inner House & party litigants, opinions and the disposal of civil and criminal records.

The civil records project is a small part of a larger exercise being carried out by an expert group, chaired by the Lord President, that is looking at all areas of all court records. The expert group required a true picture of the current state of affairs regarding internal record keeping in the High Court of Justiciary and the Court of Session. The information supplied to the expert group will form the basis of any subsequent improvements to the overall records system. We have also taken the opportunity to use the findings to look at ways of improving the process locally.

*Improvements will bring
benefits to us all*

In the case of civil records we have established, in conjunction with the Offices of Court, National Archives of Scotland and the Advocates Library, the problems in the system (the waste) from the time a process is archived in the basement through to its transmission to National Archives. We have also looked at the system of ordering up a process from both the basement and from National Archives.

There are various areas throughout the whole system that can be improved quite easily with a little thought and effort from us and from you. The improvements will bring benefits to us all.

One example of waste, from a customer perspective, is the question of ordering up a process simply to get information from, or get a copy of, an interlocutor. Why waste time ordering it up, waiting for it to arrive and then waiting in the queue to see it, when you could simply ask the counter clerk to look it up on their screen?



Another example is the problem of productions not being uplifted prior to the case going to the basement. Sometimes the Offices of Court have difficulty in persuading customers to uplift their productions and this causes problems for everyone. The processes and productions build up under the counter and there is then the potential for them to get mixed up with each other and lost. Additionally, of course, these processes are no longer in the live system but neither are they in the basement system, so when you come in and ask for them they cannot be traced so easily.

These are just two examples, picked out from all of the waste identified, to highlight the sort of things that hinder the clean flow of work through the system. Suggestions have been made as to how the waste could be removed. Some of the improvements can be put in place right away and some need further discussion, possibly with you, our customers. Whichever is the case, when the improvements are eventually in place we will have a cleaner, leaner system for archiving and ordering up civil processes.

Archives – protecting documents

Following on from our meetings with the National Archives of Scotland we have decided to issue some general guidance about how archived court processes should be handled.

In our day to day, busy court lives we tend to forget that these documents become historic artifacts and a resource for legal scholars, in perpetuity. As such it is important that we treat them with the utmost care.



Here are a few suggestions for how to protect these records:

- Make sure your hands are clean
- Use only pencil when taking notes from the files
- Do not eat, drink or smoke near the files
- Do not add or remove documents from a bundle or file without following laid down procedures for intramitting with the process.
- Do not mark the documents in any way or use tippex on originals.

By following these simple steps the documents will be available in pristine condition for many future generations.

Complaints

We want you to be delighted with all aspects of our service. However we know that from time to time things go wrong and we may not always meet your expectations.

When this happens we want to hear from you. Your complaints will allow us to put things right - for you and for other customers.

The booklet "How to make a complaint" includes lots of useful information including what to expect when you make a complaint. This is available in the department and also on-line at http://www.scotcourts.gov.uk/you_and_us/docs/complaints.pdf

If you have had to make a complaint recently we'd like to hear about your experience.

- Did the process meet your expectation and needs?
- Was your complaint treated seriously?
- How do you think we can improve the process or the complaint handling experience?

If you have feedback to share please send it to Grahame Simpson at

G. Simpson
Court of Session
Level -1
Parliament House
Parliament Square
Edinburgh
EH1 1RQ
gsimpson@scotcourts.gov.uk

Pilot Scheme for Disposal of Motions – Confidential Envelopes

When agents are asked to contact a haver about enrolling a motion to open up a confidential envelope, the letter to the haver usually states information such as the date the motion will be heard before the Court and instructions to contact the Court by 5pm the day before if the havers wish to make representations.

Agents should also include instructions in the letter to the haver to contact the Court Motions Team (CMT) before 5pm the day before. This will ensure the CMT are aware of any oppositions to such motions.

Please provide the date the summons was signetted in your e-mail. This enables the CMT to make sure that the correct date is on the interlocutor.



New Users of the Pilot Scheme - Customer Feedback

Introduction

It is important to evaluate how the CMT introduces the Scheme to new users and its performance - especially when firms have not been involved in its development. To enable the CMT to complete the evaluation, a mini customer satisfaction survey was carried out at the end of May 2008.

Questionnaires were sent to the 3 firms who joined the scheme most recently. Seven responses were received.

Continued

C r u c t r u c t u r e M o t i o n s I n i t i a t i o n s

The Findings

The process

Customers were asked about the redesigned process.

All respondents are satisfied or very satisfied with the scheme. 6 out of 7 respondents are satisfied or very satisfied with the advice and assistance they received both **before** and **after** joining the scheme.

6 out of 7 respondents are satisfied or very satisfied with the redesign procedure for lodging a motion.

While 4 respondents reported that they were very satisfied with receiving interlocutors, 1 failed to respond and 2 reported being very dissatisfied. No complaints or other negative feedback has been received about this aspect of our service.

Contacting us

Customers were asked how effectively they could contact the CMT by e-mail, phone or in person.

Telephone is the most effective means of communicating and in person the least effective.



Customers feel most welcome when they contact us by telephone

Welcome

Customers were asked whether they felt welcomed when they contacted us by e-mail, telephone or in person.

Customers feel most welcome when they contacted us by telephone and least welcome when they dealt with us in person.

The findings - *continued*

Business & Confidence

All respondents either agree or strongly agree the CMT can effectively transact the business they receive, whilst 5 out of 7 respondents either agree or strongly agree CMT effectively seek advice when required.

Conclusion

During this stage the introduction of the Pilot Scheme for Disposal of Motions has been well received overall and is working efficiently with the additional firms. Feedback regarding receiving interlocutors and communicating in person will be looked at in the future by the CMT.

Participating Firms

The participating firms in the Pilot Scheme for the Disposal of Motions are:

Anderson Strathern
Balfour & Manson
Biggart Baillie
Brodies LLP
Digby Brown
McGrigors LLP
Simpson & Marwick
Thompsons.

Five additional firms have recently been invited to participate in the Pilot Scheme. Details of these will be made available in the future.

Communication

Customers were asked to consider the statement "I believe the CMT is good at communicating with its customers".

While 6 out of 7 respondents either agree or strongly agree with this statement when communicating by e-mail or telephone, only 4 out of 7 agree or strongly agree when communicating in person.

*Five additional firms
have been invited to
participate*

Rules of Court update

The Lord President's Office has now started work on the changes required to the Rules of Court to enable the Pilot Scheme for Disposal of Motions to be rolled out to all users of the Offices of the Court of Session.



Queries

Please contact any member of the CMT if you have any queries about the CMT article or any area of the Pilot Scheme for Disposal of Motions.

Depute in Charge Yvonne Anderson

Motion Clerks Susan Brodie
Grahame Simpson

email us at supremecourts.motions@scotcourts.gov.uk

call us on 0131 240 6882

Offices of Court Report – August 2008

Management Information & Workload

	<u>AUG 07</u>	<u>AUG 08</u>
Petitions lodged	258	107
Summonses lodged	270 (179 PI) (73 Ord) (5 Family) (13 Commercial)	301 (198 PI) (88 Ord) (7 Family) (8 Commercial)
Appeals lodged	20	26
Total Actions	548	434

See Appendix A below for trends over 1 year.

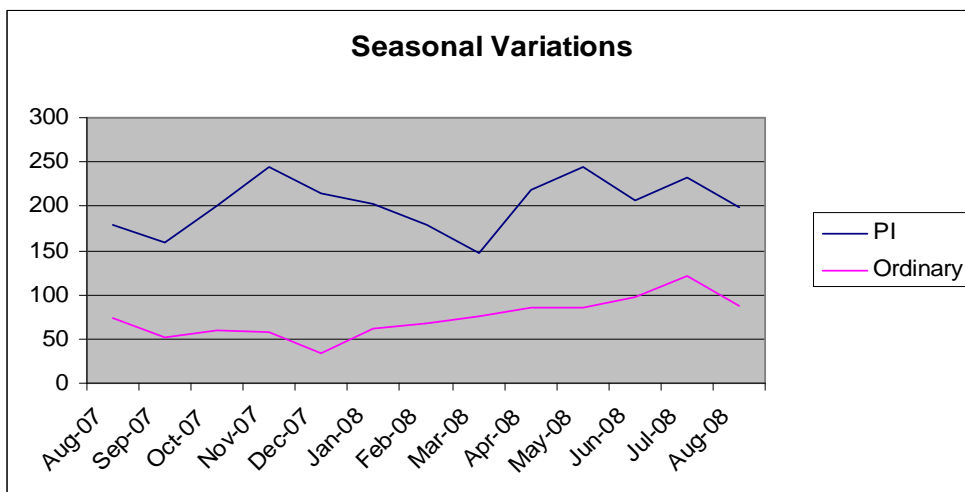
Waiting period (or court service indicator) for PI Proofs stands at 9 months (from date defences lodged). We are currently allocating for 9th June 2009.

Civil Jury Trials now 4 per week. First available date for a Jury Trial is 17th November 2009.

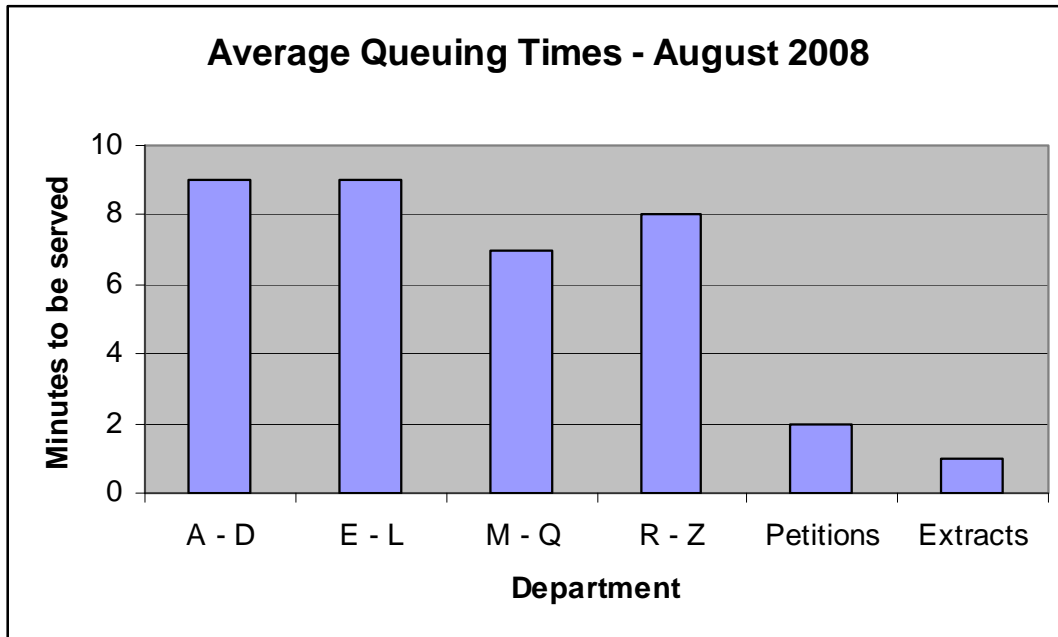
Appendix A -
Trends of Personal Injury and Ordinary Actions Lodged 2007/08

	PI	Ordinary	Family	Appeals	Total (OH)	%PI
Aug-07	179	73	5	20	257	70%
Sep-07	159	51	7	19	217	73%
Oct-07	200	59	8	11	267	75%
Nov-07	245	57	6	16	308	80%
Dec-07	214	34	5	24	253	85%
Jan-08	202	61	4	13	267	76%
Feb-08	178	67	6	12	251	71%
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%
Total	2625	956	69	226	3950	72%

Seasonal Variations



Average queuing times - August 2008



Movers and shakers – staff moves

Welcome to Shaheena Ali and Pamela Jackson who have joined the Offices of the Court of Session as administrative assistants.

John Curtis is away for a few months on secondment to the Scottish Government. The post of Office Manager will be filled temporarily by Grahame Simpson who will also continue to work in the Court Motions Team.

Alastair Marshall is moving to the High Court of Justiciary. Lorraine Alexander will cover this EO post temporarily. Lorna Morgan will cover the E-L counter position.

Chrissie Stark the Extracts Manager has moved into the Keeper's Office and Marion Scott is now the Extracts Manager.

Chris Munn will be moving through to the Petitions department to commence training with a view to taking over in Petitions at the end of the year. Gavin Mcleod will then move to Extracts Dept and Marion Scott will move to the Court Motions Team.

Chris Robertson from Extracts has joined the Procurator Fiscal's Office in Kirkcaldy and his post has been filled by Louise Cranston. Eilidh Barbour is now the R-Z counter assistant.



Telephone contact details

Offices of Court

All numbers should be preceded with (0131) 240

General Dept

Section Manager A-D & E-L 6745
Section Manager M-Q & R-Z 6741

Section A-D 6743
Section E-L 6745
Section M-Q 6741
Section R-Z 6741

Personal Injury Desk 6742

Petitions 6747

Extracts 6748

Sequestrations 6853*

*This number is for all sequestrations initiated by H.M.R.C. (Her Majesty's Revenue and Customs). All other sequestrations should contact the petitions dept.

Depute in Charge 6740

Office Manager 6744

Courts Motion Team 6882

Keeper of the Rolls Office

Keeper of the Rolls 6736

Assistant Keeper 6737

Fixing Desk 6738

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

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

Email

gsimpson@scotcourts.gov.uk