

I, James Alastair Taylor, Sheriff Principal of Glasgow and Strathkelvin, for the purpose of regulating practice in the Sheriff Court at Glasgow in pursuance of the powers conferred under Section 15(2) of the Sheriff Courts (Scotland) Act 1971 and all common law powers enabling in that behalf Order and Direct as follows:-

1. Should all parties to an action be in agreement as to the procedure which should be followed at an options hearing or a continued options hearing they should lodge in process a letter or send an email to the sheriff clerk (glasgow@scotcourts.gov.uk) setting out their proposals for further procedure and, where appropriate, showing cause. If such a communication is received by the sheriff clerk on or before 9.30 am on the working day preceding the date for the options hearing or continued options hearing, the communication will be placed before the sheriff assigned to the next day's ordinary court who may give effect to the proposals without the need for a formal hearing. Should the sheriff wish to be addressed, the parties will be informed by the sheriff clerk no later than 3.00 pm on the working day preceding the hearing.
2. Should parties to an action agree upon settlement terms in advance of a hearing (be that a proof, small claim or summary cause hearing, debate, options or continued options hearing) which terms will not be implemented prior to the hearing, they may lodge a joint motion in process or email the sheriff clerk (glasgow@scotcourts.gov.uk) moving that the hearing be discharged and that no further order be made in the case. Should such a motion or email be lodged or sent, and should the sheriff still wish to be addressed, the parties will be so informed by the sheriff clerk no later than 3.00 pm on the working day preceding the hearing.
3. With effect from Monday, 4 September 2006 there will be no miscellaneous procedure roll for civil business in Glasgow Sheriff Court. If it is intimated to the court at or in advance of a hearing (be that a proof, small claim or summary cause hearing, debate, options or continued options hearing) that settlement terms have been agreed but for whatever reason a final interlocutor cannot be pronounced,

- the court will discharge the hearing and shall pronounce an interlocutor making no further order in the case.
4. If after the closing of the record a party wishes to amend its pleadings, the minute of amendment may take the form of a closed record with the amendment which the party seeks to make indicated by red lining, striking out or some other electronic means. Any answers to a minute of amendment may be presented to the court in the same manner.
 5. If in any action affidavits require to be lodged in process (eg when seeking a power of arrest) such affidavits and the Initial Writ must be lodged in process by 9.30 am on the working day preceding any hearing at which such affidavits will be referred to. Should such affidavits and Initial Writ not be lodged in accordance with this provision, the sheriff will be entitled to adjourn the hearing to a future date.
 6. In all summary applications under the Adults with Incapacity (Scotland) Act 2000:-
 - a) the crave of the writ must specify the current address and date of birth of the adult;
 - b) where application is made for the grant of both welfare and financial powers, these must be grouped separately from each other;
 - c) where application is being made for the appointment of Joint Guardians, the writ must contain averments which satisfy the requirements of Section 62(2) of the Act, or enable the court to be so satisfied, as the case may be;
 - d) the writ must contain details of the names and addresses of all known next of kin of the adult, or, if there are no known next of kin, averments to that effect;
 - e) where application is being made for the grant of financial powers, the writ must contain averments as to the known existence or otherwise of any existing Power of Attorney granted by the adult;

- f) where application is being made for the grant of financial powers, the writ must contain details of the extent and value, if known, of all heritable and moveable property belonging to the adult;
- g) where an application seeks powers in relation to heritable property, a reference to the Land Registry number, failing which a full conveyancing description, must be provided in the crave of the writ;
- h) where interim powers are being sought, the writ must contain averments specifying the reasons therefor;
- i) except in cases where the application seeks the appointment of the Chief Social Worker of a Local Authority, the writ must contain such details as to the character, background, and any relevant financial or investment experience of, any person whose appointment is sought as a guardian, accompanied by such letters of reference as may be thought appropriate, in order that the court can be satisfied as to suitability for appointment;
- j) pleas in law are not necessary;
- k) there must be a schedule itemising the names and designations of all those on whom intimation of the application is sought;
- l) where the court may require the applicant to find caution, steps must be taken in advance of the hearing fixed by the court to make application for such caution and to attempt to secure the processing of any such application, in so far as possible.

JAMES A TAYLOR

Sheriff Principal of Glasgow and Strathkelvin

GLASGOW, 3 July 2006