



Glynis McKeand
Secretary to the Sheriff Court Rules Council

From The City of Edinburgh Council

Date 5 November 2004

Our Ref CT14985/DR/
JR905

Your Ref

By e.mail to Glynis.McKeand@Scotland.gsi.gov.uk

Dear Madam

**SHERIFF COURT RULES COUNCIL
CONSULTATION PAPER ON EXTENSION OF INFORMATION TECHNOLOGY IN
CIVIL CASES IN THE SHERIFF COURT**

I refer to your letter of 15 September received by the Chief Executive on this matter. I have been asked to respond on behalf of the Council. My colleagues in the Court Section have considered the Consultation Paper and are generally in agreement with the proposals. We do not have comments on all of the questions which you pose, but I am able to respond to certain of the questions. The responses are as undernoted. There is no requirement that you should keep the views expressed in this letter confidential.

Yours faithfully

for Council Solicitor
The City of Edinburgh Council

Undernote referred to:-

1. **Electronic transmission lodging and storage of certain documents**
Electronic transmission would be extremely helpful, would be likely speed up litigation and legal practice, and should reduce costs. There would require to be some method of flagging up urgent Initial Writs, motions etc either on the website or by phone.
2. **Interlocutors to be transmitted electronically to agents**
This is welcomed. Same advantages as number 1.

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3. **Website with positive confirmation of receipt**
We consider that it is essential that there should be positive confirmation of receipt. It will often be important for agents to be able to establish that a particular document was lodged timeously.
4. **Pilot Scheme followed by introduction in all Courts**
We agree that after a short pilot the system should be introduced across the whole of Scotland. It would be unfortunate and confusing if there were, after the initial pilot scheme, different systems in operation in different Courts. A Scotland wide system would also make it easier than it is at present for agents in one area to operate in other areas.
5. **Parallel systems for two years followed by requirement to use electronic system except in exceptional circumstances**
We agree that this is a reasonable way forward. Unless the paper system is phased out after such a period, it is unlikely that the electronic system would be universally adopted.
6. **Removal of need for manual signature**
This seems sensible, provided that some system of electronic signature can be designed.
7. **Parties viewing case on-line**
It is not clear what the benefits of this would be if the parties have all the documentation recorded on their own system.
8. **Virtual Small Claims and Summary Cause Courts**
No clear view on this. Not entirely clear how it would work.
9. **Sheriff Clerk serving Small Claims and Summary Cause Actions**
It is considered that this is a step in the right direction. Presumably this will involve high volumes but no doubt economies of scale will ensue.
10. No comment