

Coronavirus

Sheriffdom of North Strathclyde Guidance in respect of Civil Business

No. 1 of 2020

This guidance sets out the arrangements for the management of civil business in the Sheriffdom of North Strathclyde with effect from Wednesday 25 March 2020.

General

All hearings where witnesses are required will be adjourned. Where possible these will be discharged administratively prior to the calling date. No new ordinary proofs will be assigned for a date prior to August 2020. The aim is during this period to keep personal attendance at court to the bare minimum.

To that end, on 31 March 2020 all proofs currently fixed for April May and June 2020 will be adjourned *ex proprio motu* to a date to be afterwards assigned. If a party opposes the adjournment and wishes to make representations for a different approach in a particular case they should intimate their written submission to the other party and the court by 30 March. A sheriff will then consider the submission or submissions and make such order as they determine best serves the interests of justice.

Wherever possible ordinary and family civil business without witnesses will continue. Matters calling the ordinary court can be dealt with by agreement and an email confirming any agreed position should be submitted to the court. If matters remain disputed parties are encouraged to agree for the court to determine the matter on written submissions which should be exchanged and then lodged by email at least 48 hours prior to the hearing. Parties should agree timescales for the preparation and exchange of written submissions for debates and advise the court of an agreed position or of their respective views in order and interlocutor may be issued.

The requirement for wet signatures on any document to be lodged is suspended and all documents may be lodged electronically. Where the lodgement of documents will attract a fee the electronic submission must include details of the account number to which the fee is to be charged.

Parties are requested where possible to lodge motions by email. Where parties agree to an opposed motion being dealt with by way of telephone conference or on the basis of written submissions this should be clearly confirmed in the email along with the names and contact details for all participants in the case teleconferencing or with written submissions attached. The clerk will seek to identify a suitable time and day for the motion to be dealt with.

Documents such as affidavits and productions should be lodged with the court by email to the court's generic in-box wherever possible. The limit in size for any document is 20MB.

It is anticipated that simple procedure cases which cannot be resolved will be paused for 6 months. Unless a party intimates to the court that a summary cause or small claims action is of particular urgency, not later than 31 March it will be sisted. New simple procedure and summary cause cases received after today will not be registered until the public health situation is returning to normal.

Essential Urgent Business

Where a party believes they require essential urgent business to be dealt with they should advise the court by email and the request will be placed before a sheriff for consideration.

D L Murray WS
Sheriff Principal
24 March 2020