



SHERIFFDOM OF TAYSIDE CENTRAL AND FIFE
COVID 19 CONTINGENCY ARRANGEMENTS
IN RESPECT OF CASES INVOLVING
ADULTS WITH INCAPACITY

1. Given the current situation with the Covid 19 pandemic it is proposed that cases in the Sheriffdom involving adults with incapacity will be dealt with utilising the general approach set out in paragraph 3 below, subject to any relevant provisions of the Tayside Central and Fife Practice Note (No. 1 of 2018) in respect of Applications under the Adults with Incapacity (Scotland) Act 2000), and the Tayside Central and Fife Guidance for Civil Business No. 1 of 2020 dated 24 March 2020.

2. Dundee Sheriff Court will deal with applications which would otherwise call in Perth Sheriff Court and Forfar Sheriff Court. Falkirk Sheriff Court will deal with applications which would otherwise call in Alloa Sheriff Court, Dunfermline Sheriff Court, Kirkcaldy Sheriff Court and Stirling Sheriff Court. References to the sheriff clerk below mean the sheriff clerk in either Dundee or Falkirk as appropriate. Applications falling into the category set out in paragraph 3 below should be sent to dundee@scotcourts.gov.uk or falkirk@scotcourts.gov.uk as appropriate.

3. (a) The courts will accept for warranting only those applications in which interim orders are sought as an emergency. The application must contain specific averments outlining the reasons for seeking interim orders and be accompanied by supporting written submissions. The sheriff may (i) order intimation of the

application prior to determination of the interim orders sought and (ii) require the lodging of such additional material as he considers is essential.

(b) If the sheriff considers the application may proceed by way of written submissions, the sheriff will make appropriate orders. If the sheriff considers it essential to hear the parties or their agents or both rather than utilising written submissions, or if the application is opposed, the court on its own motion will continue consideration to a hearing at a later date which will take place by way of conference call. Parties and agents are NOT required to attend the court building.

(c) The sheriff will thereafter determine whether and if so what further procedure is required.

4. The above sets out the general approach of the court (which will be kept under review). These procedures will be implemented subject to resources being available. Parties should, however, be mindful that the sheriff clerk's office is under extreme pressure with very few staff available to support court procedures. Please only contact the sheriff clerk's office in cases of exceptional urgency unless you are proceeding as advised in this guidance.

Sheriff Principal M W Lewis

27 March 2020