



## **SHERIFFDOM OF LOTHIAN AND BORDERS**

### **PRACTICE NOTE NO 1, 2017**

### **PERSONAL INJURY ACTIONS**

I, MHAIRI MARGARET STEPHEN, QC Sheriff Principal of Lothian and Borders, for the purpose of regulating practice in the All Scotland Personal Injury Court at Edinburgh in pursuance of the powers conferred on me by section 27(2) and Rule 36.G(1B) of the Ordinary Cause Rules of the Courts Reform (Scotland) Act 2014; and all other powers enabling me to do so, Order and Direct as follows:-

#### **Alteration of timetable for procedural steps**

1. This practice note covers all personal injury actions proceeding in the All-Scotland Personal Injury Court at Edinburgh under Chapter 36 of the Ordinary Cause Rules ("OCR") which require an allocation of diets and a timetable under Rule 36.G1.
2. In terms of OCR 36.G1(1B), the periods by reference to which dates are to be fixed for the procedural steps in OCR 36.G1(1A) to take place (as contained in the timetable issued by the sheriff clerk under OCR 36.G1(1)(b)) shall be varied as shown in the right hand column of the Schedule annexed hereto, and the schedule set out in Appendix 3 of the OCR shall be of no effect with regard to the actions concerned.

3. The requirements of this Practice Note shall apply to all actions in which defences (or where there is more than one defender, the first defences) are lodged on or after 29 September 2017.

I APPOINT this Practice Note to be inserted in the Act Book of Edinburgh Sheriff Court and to be posted on the notice boards in said sheriff court for publication to the lieges.

*Mhairi M Stephen*

**Sheriff Principal Mhairi M Stephen QC**  
**Sheriff Principal of Lothian and Borders**

**Edinburgh, 1 September 2017**

**SCHEDULE OF TIMETABLE UNDER PERSONAL INJURIES PROCEDURE**

<b>Steps referred to under rule 36.G1(1A)</b>	<b>Period of time within which action must be carried out*</b>
Pursuer executing a commission for recovery of documents under rule 36.D1 (rule 36.G1(1A)(b))	Not later than 7 days after defences have been lodged
Application for a third party notice under rule 20.1(rule 36.G1(1A)(a))	Not later than 6 weeks after defences have been lodged
Parties adjusting their pleadings (rule 36.G1(1A)(c))	Not later than 12 weeks after defences have been lodged
Pursuer lodging a statement of valuation of claim in process (rule 36.G1(1A)(d))	Not later than 14 weeks after defences have been lodged
Pursuer lodging a record (rule 36.G1(1A)(e))	Not later than 16 weeks after defences have been lodged
Defender (and any third party to the action) lodging a statement of valuation of claim in process (rule 36.G1(1A)(f))	Not later than 18 weeks after defences have been lodged
Parties lodging in process a list of witnesses together with any productions upon which they wish to rely (rule 36.G1(1A)(g))	Not later than 8 weeks before the date assigned for the proof
Pursuer lodging in process the minute of the pre-proof conference (rule 36.G1(1A)(h))	Not later than 21 days before the date assigned for the proof
*NOTE: Where there is more than one defender in an action, references in the above table to defences having been lodged should be read as references to the first lodging of defences.	