**ACT OF SEDERUNT (SHERIFF COURT ORDINARY CAUSE RULES) 1993 No.1956 (S.223)**

**SCHEDULE 1**

***Initiation and progress of causes***

**CHAPTER 4A - MODE OF ATTENDANCE AT HEARINGS**

**(Procedural hearings fixed on or after 3 July 2023)**

|  |  |
| --- | --- |
| **4A.1.** | [**Application**](#application) |
| **4A.2.** | [**Mode of attendance at hearings – procedural business**](#modeofattend) |
| **4A.3.** | [**Alternative mode of attendance at hearings**](#alternativemode) |
| **4A.4.** | [**Hybrid hearings**](#hybrid) |
|  |  |

**Application**

**4A.1.** This Chapter is without prejudice to any enactment under which provision has been made regarding the mode of attendance of persons at hearings.

**Mode of attendance at hearings – procedural business**

**4A.2**. (1) Hearings at which only procedural business is to be considered are to be attended by electronic means.

(2) Paragraph (1) does not apply to hearings at which a party is unrepresented or utilising an interpreter.

**Alternative mode of attendance at hearings**

**4A.3.** (1) The sheriff may, at the sheriff’s own instance or on the motion of a party on cause shown:

(a) in relation to hearings to which rule 4A.2(1) applies, order physical attendance at a hearing;

(b) in relation to any other hearings, order attendance at a hearing by electronic means.

(2) The sheriff may revoke an order granted under paragraph (1) or this paragraph and, where the sheriff does so, the sheriff may make such further order as the sheriff thinks fit.

(3) Before the sheriff makes an order under paragraph (1) or (2), the sheriff is to give parties the opportunity to make representations about the mode of attendance.

**Hybrid hearings**

**4A.4**. An order under rule 4A.3(1) or (2) may include provision for a person to attend a hearing:

(a) both physically and by electronic means;

(b) by one mode and another person to attend by the other mode,

and at different times or dates.