



Coronavirus

Guidance in respect of Civil Business

No. 2 of 2020

This guidance sets out the arrangements for the management of civil business in the Sheriffdom of Glasgow & Strathkelvin with immediate effect.

General

- Civil business without witnesses will continue wherever possible. Unless otherwise provided for in this guidance, all hearings where witnesses are required will be adjourned.
- Where parties agree, a hearing may proceed on written submissions or by telephone conferencing.
- The attention of practitioners is drawn to Practice Note No 1 of 2006¹, the provisions of which should be utilised wherever possible.
- Any documents lodged electronically which would normally attract a fee must be accompanied by the account number to which the fee is to be charged.

¹ See http://www.scotcourts.gov.uk/docs/default-source/rules-and-practice/practice-notes/sheriff-court/glasgow-and-strathkelvin/pn01_2006.pdf?sfvrsn=11

Ordinary Proofs

- No ordinary proofs will be assigned for a date prior to August 2020.
- All previously assigned proofs where witnesses are required will be adjourned. Where possible, these will be discharged administratively prior to the calling date.

Debates

- Parties who wish a debate to proceed by way of written submissions or by telephone conferencing should confirm the position to the court as soon as possible.
- Where parties are agreed that a debate should proceed by way of written submissions, they should discuss timescales for submissions and advise the court (when requesting that the debate proceeds by way of written submissions) of either an agreed position or of their respective views thereon.
- Where a debate is to proceed by way of written submissions it will be allocated to a sheriff who will make appropriate orders in respect of written submissions (and, where appropriate, discharge any diet previously assigned).

Ordinary Court

- The ordinary court will continue as programmed until further notice.
- It is expected that this court will be used for only contentious hearings and any other business which requires to call.
- First callings in respect of summary applications will continue to call in the ordinary court.
- Peremptory diets will continue to call in the ordinary court.

- To keep business to a minimum any agreed positions should be intimated by email to the sheriff clerk [glasgow@scotcourts.gov.uk] as soon as possible to enable hearings to be discharged administratively, wherever practicable.

Motions

- Motions will be accepted by email and should be sent to glasgow@scotcourts.gov.uk.
- Should a motion be opposed a hearing will not automatically be assigned. In the first instance, parties will be invited to consider whether the motion is capable of being disposed of by way of written submissions.
- Where a motion is to proceed by way of written submissions it will be allocated to a sheriff who will make appropriate orders.
- If a motion is not to proceed by way of written submissions a hearing will be assigned. Parties should appreciate that the waiting time for an opposed motion hearing may be considerably longer than normal.

Debtors Court

- The debtors / miscellaneous court will continue as programmed until the week commencing 18 May 2020.
- With effect from Friday 22 May 2020, the business which is presently assigned to the debtors / miscellaneous court will be assigned for each Friday the ordinary court sits.

Adults with Incapacity Court

- The AWI court will continue as programmed, sitting in the Glasgow Tribunal Centre until the week commencing 20 April 2020, at which time it will commence sitting in Glasgow Sheriff Court until further notice.

Simple Procedure

- All simple procedure hearings where witnesses are required will be adjourned. Where possible these will be discharged administratively prior to the calling date.
- All simple procedure case management discussions will continue wherever possible.

Heritable Court

- The heritable court will continue as programmed.

Summary Cause

- Summary cause procedural business will continue as programmed.
- All summary cause proofs where witnesses are required will be adjourned.
- No summary cause proofs will be assigned for a date prior to August 2020.
- All previously assigned summary cause proofs where witnesses are required will be adjourned. Where possible, these will be discharged administratively prior to the calling date.

Social Work Referrals

- Procedural courts will continue as programmed, however, no proofs will be assigned for a date prior to August 2020.
- Part heard social work referral proofs will be concluded wherever possible.
- Otherwise, all social work referral proofs where witnesses are required will be adjourned.
- Applications to extend interim compulsory supervision orders will be dealt with administratively if parties are in agreement.

Adoptions & Permanence Orders

- Procedural courts will continue as programmed however no proofs will be assigned for a date prior to August 2020.
- Part heard adoption and permanence order proofs will be concluded, wherever possible.
- Otherwise, all adoption and permanence order proofs where witnesses are required will be adjourned.

Family Proofs

- Other than where the welfare of a child requires a proof to proceed as a matter of urgency, no family proofs will be assigned for a date prior to August 2020.
- Part heard family proofs will be concluded wherever possible.
- Otherwise, all proofs where witnesses are required will be adjourned.

Family Ordinary Court

- The family ordinary court will continue as programmed until further notice.
- It is expected that this court will be used for only contentious hearings and any other business which requires to call in court.
- To keep business to a minimum any agreed positions should be intimated by email to the sheriff clerk [GlasgowFamilyActions@scotcourts.gov.uk] as soon as possible to enable hearings to be discharged administratively, wherever practicable.

Child Welfare Hearings

- Child welfare hearings will continue as programmed until further notice.
- It is expected that only contentious child welfare hearings will call in court.
- To keep business to a minimum any agreed positions should be intimated by email to the sheriff clerk [GlasgowFamilyActions@scotcourts.gov.uk] as soon as possible to enable hearings to be discharged administratively, wherever practicable.

Family Motions

- Motions will be accepted by email and should be sent to GlasgowFamilyActions@scotcourts.gov.uk.
- Should a motion be opposed a hearing will not automatically be assigned. In the first instance, parties will be invited to consider whether the motion could be disposed of by way of written submissions.

- Where a motion is to proceed by way of written submissions it will be allocated to a family sheriff who will make appropriate orders.
- If a motion is not to proceed by way of written submissions a hearing will be assigned. Parties should appreciate that the waiting time for an opposed motion hearing may be considerably longer than normal.

Sheriff Principal C.D.Turnbull

20 March 2020