

# HIGH COURT OF JUSTICIARY

## PRACTICE NOTE

No. 2 of 2011

### **Procedural Hearings: written case and argument**

1. The purpose of this practice note is to inform practitioners that where a written case and argument is lodged in terms of rule 15.15A(4) the court will, ordinarily, fix a procedural hearing in terms of rule 15.5A.
2. At the procedural hearing, for the purposes of determining whether parties are ready to proceed to a hearing of the appeal, the court shall check whether the written case and argument has been lodged in accordance with rules 15.15A(5) and 15.15A(6).
3. The court will, ordinarily, fix the date and time for the hearing of the appeal at the procedural hearing; however, if the time estimated by the appellant for the hearing of the appeal in terms of rule 15.15A(5)(b) is longer than two hours then the appellant will be asked to explain why this is the case before doing so.
4. The court will, ordinarily, proceed as mentioned in paragraph 3 notwithstanding that some of the appellant's preparations may be outstanding. The court does so in the knowledge that the appeal hearing is likely to be fixed in the region of 3 months from the date of the procedural hearing and that this period ought to be sufficient for preparations to be completed.

*A. C. HAMILTON*

Lord Justice General

Edinburgh

21<sup>st</sup> December 2011