

Coronavirus Contingency Arrangements in the Civil Sheriff Appeal Court (Parliament House) as at 27 April 2020

The contingency arrangements for civil proceedings within the Sheriff Appeal Court have been updated following the stringent restrictions put in place by the United Kingdom and Scottish Governments. This guidance supersedes the previous document published on 25 March 2020 and will be monitored and reviewed regularly.

[1] Part 1 of Schedule 4 to the Coronavirus (Scotland) Act 2020 enables the use of electronic signatures and electronic transmission of court documents. Where a document requires to be signed, electronic signature will be accepted by the Court in accordance with Schedule 4. Part 1 of Schedule 4 also suspends the requirement for physical attendance at court unless the Court directs otherwise. Under these provisions all civil hearings in the Sheriff Appeal Court will be conducted remotely until further notice.

[2] All current and new documents, including **all** new notes of appeal should be lodged by e-mail to SAC.civil@scotcourts.gov.uk. The document will be deemed to have been lodged with the Court on the date when the e-mail with the document is received at this e-mail address. This email inbox will be monitored during working hours. Urgent matters will be prioritised. Due to reduced staff resource non-urgent matters will take longer than usual to be progressed.

[3] All new notes of appeal will be acknowledged and passed to the procedural Appeal Sheriff for consideration of an order for intimation and answers. Once answers have been received the matter will be reconsidered by the procedural Appeal Sheriff in relation to further procedure.

[4] With effect from week commencing 11 May 2020 the Sheriff Appeal Court will schedule procedural business. The preferred approach to conducting procedural business will be by way of written submissions. Where required, procedural hearings may be conducted by telephone conference.

[5] In all cases parties will be contacted by a member of the Sheriff Appeal Court staff to confirm the manner in which hearings will be conducted and make the necessary arrangements. All remote hearing access codes will be provided to parties by a member of SAC staff.

[6] Any party attending a court hearing remotely is expected to maintain equivalent standards of behaviour as if they were attending the Court physically. Parties must ensure a quiet and secure space for their participation in the remote hearing. As with other court hearings, the recording of a court hearing conducted remotely is not permitted without the consent of the Court.

[7] Where hard copy papers have already been lodged in cases which are scheduled to be heard parties are likely to be required to provide electronic copies of those documents. A member of SAC staff will advise where electronic documents are required.

[8] Motions and Opposition to Motions in terms of both Chapter 13 and 14 of the Sheriff Appeal Court Rules 2015 should be e-mailed to SACmotions@scotcourts.gov.uk.

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