



GUIDANCE FOR COURT USERS

PROCEEDINGS IN THE SHERIFF COURTS

1. INTRODUCTION

- 1.1 This guidance has been produced by the Sheriffs Principal to achieve a consistency of approach across the sheriff courts wherever possible. Practitioners and litigants should also have regard to guidance issued locally in any sheriffdom.
- 1.2 This guidance supersedes and replaces "*Guidance for Court Users: Sheriff and Justice of the Peace Courts*" issued by the Scottish Courts and Tribunals Service dated 25 April 2022.
- 1.3 Detailed guidance on the management of criminal proceedings is no longer necessary. Where possible, accused persons remanded in custody will appear by remote means at any diet, except a trial diet.
- 1.4 Current arrangements for business in the All Scotland Sheriff Personal Injury Court and the Sheriff Appeal Court will continue to apply.
- 1.5 This guidance will be effective from 27 July 2022. It will be subject to review in the light of anticipated legislative changes which may come into force later this year.

2. CIVIL BUSINESS: MODE OF HEARING

- 2.1 Parties will be expected to address the court on the mode of hearing when inviting the court to fix a diet at which it is proposed evidence will be led. Unless otherwise directed by the court, proofs and other substantive hearings will be conducted in person.

- 2.2 All procedural business and debates will be conducted by electronic means unless otherwise directed by the court.

- 2.3 Paragraph 2.2 does not apply child welfare hearings and to summary cause actions in which recovery of possession of heritable property is sought in terms of the Housing (Scotland) Act 2001. Practitioners and litigants should refer to the terms of the guidance issued by the Sheriffs Principal in relation to such actions: "*Guidance to Court Users: Child Welfare Hearings in the Sheriff Courts*" dated 11 July 2022 and "*Management of Summary Cause Proceedings: Housing (Scotland) Act 2001*" dated 1 July 2022.

The Sheriffs Principal

19 July 2022