



SO3

The Simple Procedure Order of the Sheriff

Response Form received: Decision
without a hearing

This is an Order of the sheriff in a case which you are a party in. You should **read it** and **follow it**.

You should also read Parts 8 and 9 of the Simple Procedure Rules which are about orders of the sheriff.

Sheriff Court

Date of Order

Claimant

Respondent

Case reference number

The respondent has indicated to the court that this claim will be disputed.

The sheriff has considered the Claim Form and the Response Form and has **given the following orders**:-

Settlement and negotiation

The claimant and the respondent are **encouraged** to contact each other to seek to settle the case or to narrow the issues in dispute, **before** the hearing date. If the case is settled before the date on which the sheriff intends to make a decision then the parties must contact the court immediately.

A decision without a hearing

The sheriff considers that the dispute between the parties is capable of being resolved without a hearing. Unless the parties object, the sheriff will make this decision on [date]

Opportunity to object

The parties are being given an opportunity to object to this dispute being resolved without a hearing.

The parties are **ordered** to write to the sheriff by [date] stating whether they are content for a decision to be made without a hearing. If the parties are not content for a decision to be made without a hearing, they must set out the reasons why a hearing will be necessary to resolve this dispute.

Parties should be aware that failing to write to the sheriff may result in the sheriff deciding to resolve this dispute without a hearing.

Clarification

The claimant is **ordered** to write to the court and to the respondent at least **14 days** before the decision date to clarify these issues:

1. [list]

The respondent is **ordered** to write to the court and to the claimant at least 14 days before the decision date to clarify these issues:

1. [list]

Notes of argument

The parties are **ordered** to send the court notes of argument at least 14 days before [date]. These notes should set out any legal points which they wish to make to the sheriff and should comment on any aspect of the evidence which they wish the sheriff to consider.

Documents and other evidence

Documents and other evidence may be lodged by sending copies to the sheriff clerk.

The claimant is **ordered** to lodge the following documents or other evidence at least 14 days before the decision date, as the sheriff considers them necessary to support their claim:

1. [list]

The respondent is **ordered** to lodge the following documents or other evidence at least 14 days before the decision date, as the sheriff considers them necessary to support their response.

The parties should be aware that the sheriff may make a decision in this case on [date] even if they do not follow the orders above.

Signed by:

Sheriff of [sheriffdom] at [sheriff court]
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