

From: McKeand G (Glynis) ✓✓✓✓
Sent: 15 November 2004 16:02
To: 'Alyson Mollison'
Cc: Stewart K (Karen)
Subject: RE: Sheriff Court Rules Council Consultation Paper

Many thanks for your interest and your response. A more formal acknowledgement will follow in due course.

Kind regards,

Glynis McKeand

-----Original Message-----

From: Alyson Mollison [mailto:AMollison@aberdeencity.gov.uk]
Sent: 15 November 2004 15:45
To: McKeand G (Glynis)
Subject: Sheriff Court Rules Council Consultation Paper

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Dear Madam,

Please find undernoted the response of the Court Team, Legal and Democratic Services, Aberdeen City Council to the consultation paper on proposals for further extension of the use of technology in civil cases in the Sheriff Court.

We do not require these views to remain confidential.

Questions Responses

1.1 Yes

1.2 Time saved

1.3 How can the process be accessed? Is there a back up if IT system goes down?

1.4 None

1.5 Are adjustments to be carried out electronically?

2.1 Perhaps. If all interlocutors are transmitted electronically there will be no principal document and no opportunity to obtain a certified copy interlocutor. Without a principal what gets kept? What gets used in the future eg for adoption petitions or for instructing Sheriff Officers?

2.2 Should be quicker

2.3 see 2.1 above

2.4 none

2.5 no

3.1 Yes if it's user friendly

4.1. Yes to ensure consistency across the country

4.2 It has the potential to make lodging the listed documents easier.

4.3 What happens if you are trying to lodge documents on the last day and the system is down or your own office system is down?

5.1 Yes

5.2 A parallel system is essential, though cumbersome, to start with as there are always teething problems with a new system.

5.3 2 years is too long

5.4 6 months to a year

5.5 lodging of writ that could be time barred

5.6 if agents are asked to send documents by e-mail and by paper for 2 years this will create too much work and duplication for too long.

6.1 Yes

6.2 None

6.3 Potential for confusion if there is a parallel paper system for 2 years.

6.4 Is there to be requirement for signature on one system but not on the other?

7.1 Process? Stage reached?

7.2 comply with Data Protection Act

7.3 Not entirely sure this is necessary given agents are transmitting documents to each other and the court. Would solicitors have personal access coeds similar to ASPC to prevent unauthorised access?

8.1 Yes

8.3 site would have to be secure. Depends on the information stored.

8.4 Party litigant may have difficulty gaining IT access or may be IT illiterate

9.3 service outwith control of Pursuers may have problems with reservice within timescales. At present Pursuers can track and trace any RD service and arrange reservice normally long before the Sheriff Clerk's office advise that RD has been ineffective.

Yours faithfully

Alyson K. Mollison

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