



## Coronavirus

### Guidance in respect of Civil Business

#### No. 5 of 2020

This guidance sets out the arrangements for the management of civil business in the Sheriffdom of Glasgow & Strathkelvin with immediate effect.

It supersedes "*Coronavirus – Guidance in respect of Civil Business No. 2 of 2020*" of 20 March 2020.

#### *General*

- Unless otherwise provided for in this guidance, the court will make the orders set out below without the necessity of appearance.
- Where parties agree, a hearing may proceed on written submissions.
- The attention of practitioners is drawn to Practice Note No 1 of 2006<sup>1</sup>, the provisions of which should be utilised wherever possible.
- Any documents lodged electronically which would normally attract a fee must be accompanied by the account number to which the fee is to be charged.

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<sup>1</sup> See [http://www.scotcourts.gov.uk/docs/default-source/rules-and-practice/practice-notes/sheriff-court/glasgow-and-strathkelvin/pn01\\_2006.pdf?sfvrsn=11](http://www.scotcourts.gov.uk/docs/default-source/rules-and-practice/practice-notes/sheriff-court/glasgow-and-strathkelvin/pn01_2006.pdf?sfvrsn=11)

### *Ordinary Proofs*

- No ordinary proofs will be assigned for a date prior to August 2020.
- All previously assigned ordinary proofs will be adjourned to a date to be hereinafter fixed, which will be no earlier than August 2020.

### *Debates*

- Parties who wish a debate to proceed by way of written submissions should confirm the position to the court as soon as possible.
- Where parties are agreed that a debate should proceed by way of written submissions, they should discuss timescales for submissions and advise the court (when requesting that the debate proceeds by way of written submissions) of either an agreed position or of their respective views thereon.
- Where a debate is to proceed by way of written submissions it will be allocated to a sheriff who will make appropriate orders in respect of written submissions (and, where appropriate, discharge any diet previously assigned).

### *Ordinary Court*

- All ordinary court cases will be continued for a period of 8 weeks until further notice.
- First callings in respect of summary applications will be continued for a period of 8 weeks until further notice.
- Peremptory diets will continue to call in the ordinary court. No peremptory diets will be assigned prior to 3 August 2020.
- In the event of parties reaching an agreed position in any case, that should be intimated by email to the sheriff clerk [[glasgow@scotcourts.gov.uk](mailto:glasgow@scotcourts.gov.uk)] as

soon as possible to enable hearings to be discharged administratively and for agreed orders to be made (if the court deems the orders sought as appropriate), wherever practicable.

### *Motions*

- Motions will be accepted by email and should be sent to [glasgow@scotcourts.gov.uk](mailto:glasgow@scotcourts.gov.uk).
- Should a motion be opposed a hearing will not automatically be assigned. In the first instance, parties will be invited to consider whether the motion is capable of being disposed of by way of written submissions.
- Where a motion is to proceed by way of written submissions it will be allocated to a sheriff who will make appropriate orders.
- If a motion is not to proceed by way of written submissions a hearing will be assigned. Parties should appreciate that the waiting time for an opposed motion hearing may be considerably longer than normal.

### *Debtors Court*

- All debtors / miscellaneous court cases will be continued for a period of 8 weeks until further notice.

### *Adults with Incapacity Court*

- The AWI court will continue as programmed, sitting in Glasgow Sheriff Court with immediate effect until further notice.

### *Simple Procedure*

- All simple procedure case management discussions and hearings will be adjourned and the case paused for 4 months from the date of the adjourned hearing.

### *Heritable Court*

- All heritable court cases will be sisted until further notice.

### *Summary Cause*

- All summary cause cases will be sisted until further notice.

### *Social Work Referrals*

- Procedural courts will continue as programmed, however, no proofs will be assigned for a date prior to August 2020.
- The court will give effect to agreements reached by parties in respect of cases assigned to call within the procedural courts without the necessity of appearance. Parties may communicate agreed positions to the court by email to [glasgow@scotcourts.gov.uk](mailto:glasgow@scotcourts.gov.uk).
- All social work referral proofs will be discharged administratively and a new diet fixed for 12 weeks after the date or dates previously assigned.
- Applications to extend interim compulsory supervision orders will be dealt with administratively if parties are in agreement.

### *Adoptions & Permanence Orders*

- All procedural callings of adoption and permanence order cases will be continued for a period of 8 weeks until further notice.
- All adoption and permanence order proofs will be adjourned to a date to be hereinafter fixed, which will be no earlier than August 2020.

### *Family Proofs*

- All family proofs will be adjourned to a date to be hereinafter fixed, which will be no earlier than August 2020.

### *Other Family Cases*

- In all family cases in which a proof has not been assigned, any and all existing hearings will be discharged administratively and the case sisted until further order of court.

### *Family Motions*

- Motions will be accepted by email and should be sent to [GlasgowFamilyActions@scotcourts.gov.uk](mailto:GlasgowFamilyActions@scotcourts.gov.uk).
- Should a motion be opposed a hearing will not automatically be assigned. In the first instance, parties will be invited to consider whether the motion could be disposed of by way of written submissions.
- Where a motion is to proceed by way of written submissions it will be allocated to a family sheriff who will make appropriate orders.

- If a motion is not to proceed by way of written submissions a hearing will be assigned. Parties should appreciate that the waiting time for an opposed motion hearing may be considerably longer than normal.

**Sheriff Principal C.D.Turnbull**

**24 March 2020**