

## SCHEDULE 6

### TABLE OF FEES CHARGEABLE BY SOLICITORS FOR PROCEEDINGS IN THE SHERIFF COURT (EXCEPT SUMMARY CAUSE AND EXECUTRY PROCEEDINGS AND THE PROCEEDINGS LISTED IN SCHEDULE 7)

## CHAPTER III

### CIRCUMSTANCES IN WHICH THE BOARD MAY ALLOW A FEE ADDITIONAL TO THE FEES PRESCRIBED IN CHAPTER II

1. That the assisted person's inadequate knowledge of English required the obtaining of instructions through an interpreter.
2. That the assisted person, although able to attend at the solicitor's office suffered from a significant period of the case from a mental disorder within the meaning of section 1 of the Mental Health (Scotland) Act 1984(1).
3. That the assisted person suffered from a physical disability which necessitated a significantly lengthier process than would normally have been encountered in the taking and obtaining of instructions.
4. That the assisted person was, for a significant period in relation to the overall duration of the case, unable to attend at the solicitor's office by reason of disability, illness or imprisonment.
5. That the nature or circumstances of the case necessitated significant attendance to its progress outwith normal office hours.
6. That the law in relation to the matter at issue was particularly complex and involved an area of law with which a solicitor engaged in general court practice would be unlikely to be familiar.

#### *Note on the application of chapter III*

- (a) Except where an uplift is granted on ground 5 or 6 above, the element of the solicitor's fee subject to an uplift will exclude any amount charged in relation to time spent travelling to, or waiting or appearing at, court.
- (b) Only 1 of paragraphs 2, 3 and 4 may be claimed in any case.

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(1) 1984 c. 36.