

SCHEDULE 1

The Simple Procedure Rules

PART 21: Glossary

21.1 What is this Part about?

- (1) This Part contains a guide for litigants, lay representatives and courtroom supporters to the meaning of certain legal words and expressions used in these rules.

Word or expression	Meaning
<i>Additional respondent</i>	A person who is not named as a respondent by the claimant in the Claim Form but who enters the case later.
<i>Admitting a claim</i>	Where the respondent accepts the claim made by the claimant, including the things which the claimant wants from the respondent.
<i>Appeal</i>	Asking the Sheriff Appeal Court to reverse or vary the decision of a sheriff on a point of law.
<i>Application</i>	A way for a party to ask the court to do something by sending it and other parties a written application in a special form.
<i>Arrestment on the dependence</i>	An order freezing the respondent's funds or good held by a third party (typically money held in a bank account), in advance of the sheriff making a decision in a case.
<i>Case management discussion</i>	An informal discussion of how a case is progressing, involving the sheriff and the parties.
<i>Cite a witness</i>	Demand that a witness attend a hearing by an officer of court formally serving a Witness Citation Notice.
<i>Claim</i>	The things which the claimant wants from the respondent.
<i>Claimant</i>	The person making a claim.
<i>Courtroom supporter</i>	A person who may accompany a party in court to provide moral support.
<i>Decision</i>	The final order which the sheriff makes about the merits of a case, setting out who has been successful.
<i>Discussion</i>	A discussion of a particular issue (such as an application), involving the sheriff and the parties, which may take place in court.

Status: This is the original version (as it was originally made).

<i>Dismissing a claim</i>	An order by the sheriff ending the case without deciding which party has been successful.
<i>Expenses</i>	The contribution the court can order one party to make towards how much it costs another party to conduct a case.
<i>Formal service</i>	The formal process of sending a copy of a court document to a party or other person.
<i>Hearing</i>	An appearance by both parties in court at which witnesses and evidence can be considered and the sheriff will make a decision.
<i>Last date for a response</i>	The date by which the Respondent must send a Response Form to the court and to the claimant.
<i>Last date for service</i>	The date by which the Claim Form must be formally served on the respondent.
<i>Lay representative</i>	A representative who is not a lawyer.
<i>Legal representative</i>	A representative who is a lawyer.
<i>Lodge</i>	To deposit documents and other evidence to the sheriff clerk before a hearing, for their use at that hearing.
<i>Order</i>	A direction given by the sheriff to the parties telling them what they must do or what will happen next in a case.
<i>Party</i>	A person involved on one side of a simple procedure case – either a claimant or a respondent.
<i>Pause</i>	Temporarily suspend the progress of a case.
<i>Portal on the Scottish Courts and Tribunals Service website</i>	The portal for conducting a simple procedure case at http://www.scotcourts.gov.uk/ .
<i>Principles of simple procedure</i>	The 5 principles listed in rule 1.2.
<i>Provisional order</i>	An order which protects or secures a claimant's position before a hearing, such as freezing a sum of money in the respondent's bank account.
<i>Recall</i>	An order cancelling a decision made by the sheriff.
<i>Representative</i>	A person who assists a party and speaks on their behalf in court, who may be either a legal representative or a lay representative.
<i>Respondent</i>	The person a claim is made against.

<i>Response</i>	The respondent's reasons why the claim should not be successful.
<i>Restart</i>	Resuming the progress of a paused case.
<i>Send</i>	Sending something in a way provided for in Part 6 of the rules.
<i>Sheriff</i>	The judge who will decide a simple procedure case.
<i>Sheriff clerk</i>	A court official who provides administrative support to the sheriff.
<i>Sheriff officer</i>	A court officer who may formally serve court documents.
<i>Simple procedure case</i>	A claim which is registered by the sheriff clerk.
<i>Timetable</i>	The dates by which the first two steps that the parties must take in a simple procedure case are to be completed – the last date for service and the last date for a response.
<i>Time to pay</i>	An order giving the respondent time to pay the claimant in instalments or in a deferred lump sum.
<i>Trading name</i>	A name under which a person, partnership or company carries out its business.