

SCHEDULE 2

Paragraph 2(2)

Forms

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**PART 2**

2A. Lay Representation Form

**PART 3**

3A. Claim Form

3B. Further Claimant Form

3C. Further Respondent Form

3D. Timetable

3E. Change of Timetable Application

**PART 4**

4A. Response Form

**PART 5**

5A. Time to Pay Application

5B. Time to Pay Notice

**PART 6**

6A. Notice of Claim

6B. Service by Advertisement Application

6C. Confirmation of Formal Service

**PART 7**

7A. Application for a Decision

**PART 8**

8A. Order of the Sheriff

**PART 9**

9A. Application to Pause

9B. Application to Restart

9C. Additional Respondent Application

9D. Application to Amend

9E. Abandonment Notice

9F. Application to Represent

9G. Incidental Orders Application

**PART 10**

10A. List of Evidence Form

10B. Recovery of Documents Application

**Status:** This is the original version (as it was originally made).

10C. Application to Open Confidential Document

10D. Special Recovery of Documents Application

**PART 11**

11A. List of Witnesses Form

11B. Witness Citation Notice

11C. Child Witness Notice

11D. Vulnerable Witness Application

11E. Special Measures Review Application

**PART 13**

13A. Decision Form

13B. Application to Recall

**PART 15**

15A. Charge to Pay

15B. Alternative Decision Application

**PART 16**

16A. Appeal Form

16B. Appeal Report

**PART 17**

17A. CJEU Reference Form

17B. Application to Intervene

17C. Invitation to Intervene

17D. Application to Change a Damages Management Order

17E. Application for Instructions about a Damages Management Order

17F. Application for a Child's Property Administration Order

**PART 19**

19A. Translation Certificate

19B. Method of Service Abroad Certificate

**PART 20**

20A. Provisional Orders Application

20B. Provisional Orders Hearing Notice

20C. Provisional Orders Reconsideration Application

20D. Arrestment Notice

20E. Confirmation of Formal Service of Arrestment Notice

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FORM 2A

# The Simple Procedure Lay Representation Form

This is the Lay Representation Form. You must complete it if you are acting as a lay representative in a simple procedure case.

Before completing this form, you should read Part 2 of the Simple Procedure Rules, which is about lay representation.

If you are representing a party throughout a simple procedure case, you must complete this form and send it to the court with the Claim Form or the Response Form.

Otherwise, if you are representing a person only during a particular discussion or hearing in a simple procedure case, you must complete this form and give it to the sheriff clerk in person at court.

If you are representing an individual, you must complete Parts A to C. If you are representing a company, limited liability partnership, partnership or unincorporated association, you must also complete Part D.

## A. ABOUT THE CASE

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Sheriff Court

Claimant

Respondent

Case reference number (if known)

## B. ABOUT YOU

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### B1. What is your full name?


Name

Middle name

Surname

### B2. Are you from an advice or advocacy organisation?

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 A lay representative may be a family member or friend, may be someone from an advice or advocacy organisation, or may be someone else.

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

Yes

No

**B3. If you have answered 'Yes', which organisation are you from?**

Name of organisation

**B4. Are you representing a non-natural person?**

**(i)** A non-natural person is a company, limited liability partnership, partnership or unincorporated association.

**(i)** If you are representing a non-natural person, then as well as completing part C, you must also complete part D.

Yes

No

**C. DECLARATIONS**

**(i)** To comply with simple procedure rules, and so that the sheriff can decide if you are a suitable person to act as a lay representative, you must complete this section.

**(i)** Tick the box next to each declaration that applies to you and complete any sections that apply to you.

I am authorised by the person to conduct these proceedings.

I am not receiving and will not receive from the person I represent any remuneration, whether directly or indirectly, for acting as a lay representative.

I accept that documents and information are provided to me by the parties on a confidential basis and I undertake to keep them confidential.

I have not been declared a vexatious litigant under the Vexatious Litigants (Scotland) Act 1898.

I was declared a vexatious litigant on:

[date]

I have no financial interest in the outcome of this case.

I have the following financial interest in the outcome of this case:

[explain]

**D. ADDITIONAL DECLARATIONS: REPRESENTING A NON-NATURAL PERSON**

**(i)** If you selected 'Yes' at B4, you must complete this Part, so that the sheriff can decide if you are a suitable person to act as a lay representative.

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

① Tick the box next to each declaration that applies to you and complete any sections that apply to you.

- The relevant position I hold with the non-natural person is:**

(director / secretary of the company, a member of the limited liability partnership or partnership, or a member or office holder of the association)
--
  
- My responsibilities do not consist wholly or mainly of conducting legal proceedings on behalf of the non-natural person or another person.
  
- I do not have a personal interest in the subject matter of the proceedings.

Signature

Date

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



FORM 3A  
**The Simple Procedure  
Claim Form**

The Simple Procedure is a speedy, inexpensive and informal court procedure for settling or determining disputes with a value of **£5,000 or less**.

The Simple Procedure Rules should be read alongside this form. They can be found on the Scottish Courts and Tribunals Service website. Please **read the whole Claim Form** before beginning to complete it. There are guidance notes above each section of the form.

To make a claim using the Simple Procedure, you must **complete this Claim Form** and send it to the sheriff court to register your case. You should either complete the form yourself or, if you have someone assisting or representing you, you should complete the form with them.

**A. ABOUT YOU**

① Set out information about you, so that the court knows who you are and how to contact you.

A1. Are you an individual, a company or an organisation?

- An individual (including a sole trader) (please fill out A2)
- A company or organisation (please fill out A3)

A2. What is your full name?

Name	<input type="text"/>
Middle name	<input type="text"/>
Surname	<input type="text"/>
Trading name or representative capacity (if any)	<input type="text"/>

A3. What is the name of the company or organisation?

Name	<input type="text"/>
Company type	<input type="text"/>
Company registration number (if limited company or LLP)	<input type="text"/>
Trading name (if any)	<input type="text"/>

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

**A4. What are your contact details?**

Address

City

Postcode

Email address

**A5. How would you prefer the court and the responding party to contact you?**

By post

Email

**B. ABOUT YOUR REPRESENTATION**

**i** Set out information about how you will be represented.

**B1. How will you be represented during this case?**

I will represent myself

I will be represented by a solicitor

I will be represented by a non-solicitor (e.g. a family member, friend, or someone from an advice or advocacy organisation)

**B2. Who is your representative?**

**i** If a family member or friend, please give their full name. If someone from an advice or advocacy organisation, please also give the name of that organisation.

Name

Surname

Organisation / firm name

**B3. What is the address of your representative?**

**i** If your representative works for a solicitors' firm or an advocacy organisation, please give the address of that firm or organisation.

Address

City

Postcode

Email address

**B4. Would you like us to contact you through your representative?**

**i** If you select 'yes', then the court will send orders and information in this case to your representative.

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

Yes

No

**B5. How would your representative prefer the court to contact them?**

By post

Online

**C. ABOUT THE RESPONDENT(S)**

**i** The person who you are making the claim against is called the respondent. In this part, you must fill in information about that person so that the court knows who they are and how to contact them.

**i** If there are more than two respondents, you must select 'more than two respondents' at C1 and complete a Further Respondent Form for each further respondent.

**C1. Is there one respondent, two respondents or more than two respondents?**

One respondent

Two respondents

More than two respondents

**C2. Is the first respondent an individual, a company or an organisation?**

An individual (including a sole trader) (please complete C3)

A company or organisation (please complete C4)

**C3. What is the first respondent's full name?**

**i** If the respondent is an individual trading under a name, please also give that name.

Name

Middle name

Surname

Trading name (if any)

**C4. What is the first respondent's company name or organisation name?**

**i** If the respondent is a company (which might be indicated by 'Limited', 'Ltd' or 'plc' after its name), please give the full name of that company and the company registration number.

**i** You can check the name of a company on the Companies House website.

Name

Company type

Company registration number (if limited company or LLP)



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

Trading name (if any)

**C5. What are the first respondent's contact details?**

Address

City

Postcode

Email address

**C6. Is the second respondent an individual, a company or an organisation?**

An individual (including a sole trader) (please complete C7)

A company or organisation (please complete C8)

**C7. What is the second respondent's full name?**

**i** If the respondent is an individual trading under a name, please also give that name.

Name

Middle name

Surname

Trading name (if any)

**C8. What is the second respondent's company name or organisation name?**

**i** If the respondent is a company (which might be indicated by 'Limited', 'Ltd' or 'pic' after its name), please give the full name of that company and the company registration number.

**i** You can check the name of a company on the Companies House website.

Name

Company type

Company registration number (if limited company or LLP)

Trading name (if any)

**C9. What are the second respondent's contact details?**

Address

City

Postcode

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

Email address

**C10. Would you like the court to formally serve this Claim Form on your behalf?**

**i** The court cannot formally serve this Claim Form on your behalf if you are a company or if you are represented by a solicitor. You will have to arrange formal service yourself.

Yes

No

**D. ABOUT YOUR CLAIM**

**i** In this part, you must fill in information about the claim you are making against the respondent.

**D1. What is the background to your claim?**

**i** In this section, you should briefly describe the essential facts about the story behind your claim. You do not need to set out every detail of the story. You should focus on the parts which are important for you to establish your claim.

**i** You should include:

- key dates,
- if there was an agreement, what you agreed to do and what the respondent agreed to do,
- when you became aware of the problem or dispute,
- whether any payments have been made so far, and if so what,
- whether any services have been provided so far, and if so what.

**i** If this is insufficient space to describe the essential factual background, you may use another sheet of paper, which must be headed 'D1' and must be attached to the Claim Form.

**D2. Where did this take place?**

**i** You should set out where the events described above took place. If any part happened online, please state this.

**i** This is so that the court and the respondent can make sure that this is the right court to hear this claim.

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

Address

City

Postcode

Details

**D3. Does this claim relate to a consumer credit agreement?**

You should select 'Yes' if the claim is about an agreement between you and the respondent in which you provided the respondent with credit of any amount.

Yes (please complete D4)

No

**D4. What are the details of the consumer credit agreement?**

Set out the following information:

- the date of the agreement and its reference number
- the name and address of any person who acted as guarantor
- the details of the agreed repayment arrangements
- the unpaid balance or amount of arrears.

**D5. If your claim is successful, what do you want from the respondent?**

You should select the option(s) that best describes the type of order you would like the court to make if your claim is successful. You can ask for more than one type of order to be made in a claim.

You can also ask for alternative orders. For example, you could ask for the respondent to be ordered to repair something of yours or, failing that, to give you money to buy a new item.

You should set out the detail of what you would like the court to order next to each option that you select.

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

**I want the respondent to be ordered by the court to pay me a sum of money:**

I want the court to order the respondent to pay me the sum of £\_\_\_\_.\_\_\_\_.

I want the court to order the respondent to pay me interest on that sum at the rate of \_\_% annually from the last date for service.

- ① You should provide a breakdown to explain the sum of money you are claiming
- ① You should also set out the date from which you would like the court to order interest to run from and the rate of interest you would like the court to order.

**I want the respondent to be ordered by the court to deliver something to me:**

I want the court to order the respondent to deliver to me the following items.

1. [list]

Alternatively, if the respondent does not deliver [that item / those items], I want the court to order the respondent to pay me the sum of £\_\_\_\_.\_\_\_\_ with interest on that sum at the rate of \_\_% annually from the last date for service.

- ① Set out the item(s) you want to be delivered to you.
- ① You may want to set out an alternative claim for payment of a sum of money in case the respondent does not deliver the items to you.

**I want the respondent to be ordered by the court to do something for me:**

I want the court to order the respondent to do the following:

1. [list]

Alternatively, if the respondent does not do that, I want the court to order the respondent to pay me the sum of £\_\_\_\_.\_\_\_\_ with interest on that sum at the rate of \_\_% annually from the last date for service.

- ① Set out exactly what you want the respondent to be ordered to do.
- ① You may want to set out an alternative claim for payment of a sum of money in case the respondent does not do what the court has ordered.

**D6. If your claim is successful, would you like the court to order the respondent to pay you a sum of money for the expenses of the claim?**

- ① If your claim is successful, the court can order the respondent to pay you a sum of money to compensate you for the expense of making this claim.

Yes

No

**D7. Why should your claim be successful?**

**i** **i** You should set out briefly the reasons why your claim should be successful, and the court should make the orders which you have asked for, for example:

- "The respondent breached a contract with me by not completing work satisfactorily"
- "The respondent caused damage or financial loss to me by breaking something belonging to me"
- "The respondent have kept something belonging to me without the right to do."

**D8. What steps have you taken, if any, to try to settle the dispute with the respondent?**

**i** It is an important principle of simple procedure that parties should be encouraged to settle their disputes by negotiation, where possible.

**i** You should set out any steps you have taken, if any, to try to settle the dispute with the respondent.

**i** The court will use this information to assess whether more negotiation would help you and the respondent settle your dispute.

**E. WITNESSES, DOCUMENTS AND EVIDENCE**

**E1. Set out in a numbered list any witnesses you might to bring to a hearing to support your claim, their name and address, and what their relationship to the claim is.**

**i** You should list any witnesses you think you might bring to a hearing. You do not need to list yourself or the respondent.

**i** You should provide the full name and address of any witnesses.

**i** Your claim may require no witnesses other than you and the respondent. You do not need to bring a witness if the evidence which they might give can be shown in some other way, e.g. by photographs.

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

- ① You should describe the relationship of each witness to the claim. For example, you might indicate that a witness:
  - was the person with whom you made an agreement
  - was present when damage took place
  - inspected some work which you consider to have not been completed satisfactorily.
- ① If the court orders a hearing, Part 11 of the Simple Procedure Rules tells you what you need to do to arrange the attendance of your witnesses.

1. [ Name ] [ Address ] [ Relationship to the claim ]
2. [ Name ] [ Address ] [ Relationship to the claim ]
3. [ Name ] [ Address ] [ Relationship to the claim ]
[...]

**E2. Set out in a numbered list any documents you might bring to court to support your claim.**

- ① You should list any documents you think you might bring to a hearing. This includes photographs and other printed material which may be kept in a file.
- ① When preparing these documents for a hearing, it is useful if they are indexed with numbers.
- ① If the court orders a hearing, Part 10 of the Simple Procedure Rules tells you what you need to do to lodge documents.

1.
2.
3.
4.
5.
[...]

**E3. Set out any other pieces of evidence you intend to bring to a hearing to support your claim.**

- ① You should list any other evidence you think you might bring to a hearing.
- ① This includes objects, but not printed material.

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

- ① For example, if the claim was about damage caused to an item of clothing, you might list the item of clothing. You do not need to bring a piece of evidence if the important point can be shown in some other way, e.g. by photographs.
- ① If the court orders a hearing, Part 10 of the Simple Procedure Rules tells you what you need to do to lodge evidence.

1. 2. 3. 4. 5. [...]
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**PLEASE CHECK THIS FORM BEFORE SENDING IT.**

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



FORM 3B

## The Simple Procedure Further Claimant Form

To make a claim for more than one claimant, you must complete a Further Claimant Form for each extra claimant after the claimant you named in the Claim Form and send it to the sheriff court along with the Claim Form.

### A. ABOUT THE FIRST CLAIMANT

① Fill in information about the claimant named on the Claim Form, so that the court knows who you are and how to contact you.

#### A1. Are you an individual, a company or an organisation?

- An individual (including a sole trader) (please fill out A2)
- A company or organisation (please fill out A3)

#### A2. What is your full name?

Name	<input type="text"/>
Middle name	<input type="text"/>
Surname	<input type="text"/>
Trading name or representative capacity (if any)	<input type="text"/>

#### A3. What is the name of the company or organisation?

Name	<input type="text"/>
Company type	<input type="text"/>
Company registration number (if limited company or LLP)	<input type="text"/>
Trading name (if any)	<input type="text"/>

#### A4. What is your address?

Address	<input type="text"/>
City	<input type="text"/>
Postcode	<input type="text"/>



Email address

**C. ABOUT THE FURTHER CLAIMANT**

---

**C1. Is the further claimant an individual, a company or an organisation?**

---

- An individual (including a sole trader) (please complete C2)
- A company or organisation (please complete C3)

**C2. What is the further claimant's full name?**

---

- i** If the further claimant is an individual trading under a business name, please also give that name.

Name

Middle name

Surname

Trading name (if any)

**C3. What is the further claimant's company name or organisation name?**

---

- i** If the further claimant is a company (which might be indicated by 'Limited', 'Ltd' or 'plc' after its name), please give the full name of that company and the company registration number.
- i** You can check the name of a company on the Companies House website.

Name

Company type

Company registration number (if limited company or LLP)

Trading name (if any)

**C5. What are the further claimant's contact details?**

---

Address

City

Postcode

Email address

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



FORM 3C  
**The Simple Procedure  
Further Respondent Form**

To make a claim against more than two respondents, you must complete a Further Respondent Form for each extra respondent after the two respondents you named in the Claim Form and send it to the sheriff court along with the Claim Form.

**A. ABOUT THE FIRST CLAIMANT**

ⓘ Fill in information about the claimant named on the Claim Form, so that the court knows who you are and how to contact you.

A1. Are you an individual, a company or an organisation?

- An individual (including a sole trader) (please fill out A2)
- A company or organisation (please fill out A3)

A2. What is your full name?

Name	<input type="text"/>
Middle name	<input type="text"/>
Surname	<input type="text"/>
Trading name or representative capacity (if any)	<input type="text"/>

A3. What is the name of the company or organisation?

Name	<input type="text"/>
Company type	<input type="text"/>
Company registration number (if limited company or LLP)	<input type="text"/>
Trading name (if any)	<input type="text"/>

A4. What is your address?

Address	<input type="text"/>
City	<input type="text"/>
Postcode	<input type="text"/>

Email address

**C. ABOUT THE FURTHER RESPONDENT**

**C1. What is the first respondent's full name or company name?**

- ① You must fill in information about the first respondent you named in part C of the Claim Form so that the court knows which claim this relates to.

**C2. What is the second respondent's full name or company name?**

- ① You must fill in information about the second respondent you named in part C of the Claim Form so that the court knows which claim this relates to.

**C3. Is the further respondent an individual, a company or an organisation?**

- An individual (including a sole trader) (please complete C3)
- A company or organisation (please complete C4)

**C4. What is the further respondent's full name?**

- ① If the further respondent is an individual trading under a business name, please also give that name.

Name

Middle name

Surname

Trading name (if any)

**C5. What is the further respondent's company name or organisation name?**

- ① If the further respondent is a company (which might be indicated by 'Limited', 'Ltd' or 'plc' after its name), please give the full name of that company and the company registration number.

- ① You can check the name of a company on the Companies House website.

Name

Company type

Company registration number (if limited company or LLP)

Trading name (if any)

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

**C6. What are the further respondent's contact details?**

Address

City

Postcode

Email address



FORM 3D  
**The Simple Procedure  
Timetable**

Your claim has been registered.

This is the timetable for your case. It sets out the two important dates by which certain things must be done in this simple procedure case

**A. ABOUT THE CASE**

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Sheriff Court

Claimant

Respondent

Case reference number

**B. LAST DATE FOR SERVICE**

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① The last date for service is the date by which the Claim Form must be formally served on the respondent.

① Part 6 of the Simple Procedure Rules is about how formal service can be arranged.

Last date for service:

**C. LAST DATE FOR A RESPONSE**

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① The last date for a response is the date by which the respondent must send a Response Form to the court and to the claimant.

① Part 7 of the Simple Procedure Rules is about what happens if the respondent sends the court a Response Form and what can happen if they don't.

Last date for a response:

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



FORM 3E

## The Simple Procedure Change of Timetable Application

This is a Change of Timetable Application. You can use this Application to ask to change the timetable in a simple procedure case, including:

- changing the last date for service, or
- changing the last date for a response.

Before completing this form, you should read rule 3.13 of the Simple Procedure Rules, which is about how to apply for a change of timetable.

### A. ABOUT THE CASE

Sheriff Court	<input type="text"/>
Claimant	<input type="text"/>
Respondent	<input type="text"/>
Case reference number	<input type="text"/>

### B. ABOUT YOU

B1. What is your full name?

Name	<input type="text"/>
Middle name	<input type="text"/>
Surname	<input type="text"/>
Trading name or representative capacity (if any)	<input type="text"/>

B2. Which party in this case are you?

- Claimant
- Respondent

### C. THE APPLICATION

C1. Why does the timetable for this case need to be changed?

**C1. Why does the timetable for this case need to be changed?**

- ① Set out why the original timetable for this case can no longer be complied with (e.g. because of difficulties with service).

**C2. What new timetable would allow this case to progress?**

- ① Set out your suggestion for new dates which would allow this case to progress (e.g. how long do you think it will take you to formally serve something?).

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



FORM 4A  
The Simple Procedure  
Response Form

The Simple Procedure is a speedy, inexpensive and informal court procedure for settling or determining disputes with a value of **£5,000 or less**.

A claim has been raised against you under the Simple Procedure. You have been provided with a copy of the Claim Form which sets out the claim made against you.

The Simple Procedure Rules should be read alongside this form. They can be found on the Scottish Courts and Tribunals Service website. Please **read the whole Response Form** before beginning to complete it. There are guidance notes for each part of the form.

Please note that if you **do nothing**, the court will almost certainly, if appropriate, award the claim to the claimant and order you to make a payment, including interest and expenses.

**A. ABOUT YOU**

① Set out information about you, so that the court knows who you are and how to contact you.

A1. Are you an individual, a company or an organisation?

An individual (including a sole trader) (please fill out A2)

A company or organisation (please fill out A3)

A2. What is your full name?

Name

Middle name

Surname

Trading name or representative capacity (if any)

A3. What is the name of the company or organisation?

Name

Company type

Company registration number (if limited company or LLP)



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

Trading name (if any)

**A4. What are your contact details?**

Address

City

Postcode

Email address

**A5. How would you prefer the court and the responding party to contact you?**

By post

Email

**B. ABOUT YOUR REPRESENTATION**

 Set out information about how you will be represented.


**B1. How will you be represented during this case?**

I will represent myself

I will be represented by a solicitor

I will be represented by a non-solicitor (e.g. a family member, friend, or someone from an advice or advocacy organisation)

**B2. Who is your representative?**


 If a family member or friend, give their full name. If someone from an advice or advocacy organisation, also give the name of that organisation.

Name

Surname

Organisation / firm name

**B3. What are the contact details of your representative?**

 If your representative works for a solicitors' firm or an advice or advocacy organisation, give the address of that firm or organisation.

Address

City

Postcode

Email address

**B4. Would you like us to contact you through your representative?**

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

**i** If you select 'yes', then the court will send orders and information in this case to your representative.

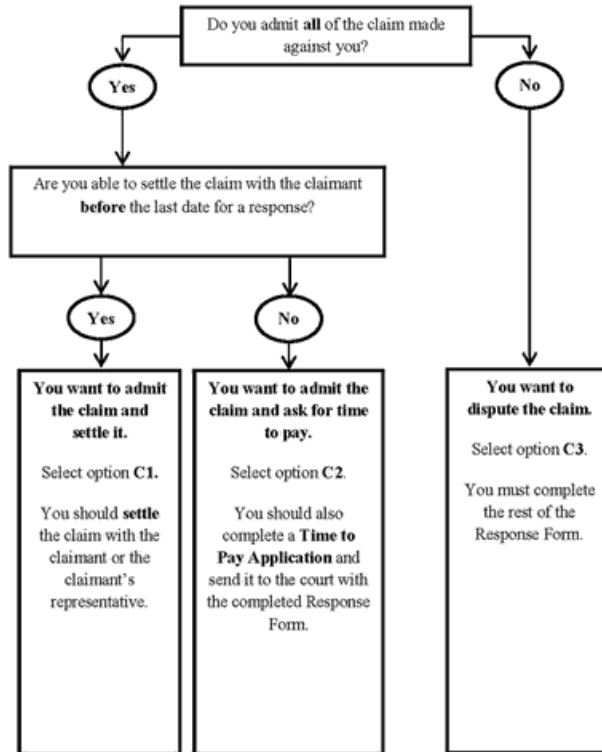
- Yes
- No

**B5. How would your representative prefer the court to contact them?**

- By post
- Email

**C. YOUR RESPONSE TO THE CLAIM**

**i** You should decide now how you intend to respond to this claim. There are three options. Please mark the box next to the option you choose and follow those instructions.



- C1. I want to admit the claim and settle it before the last date for a response.

**i** You should select this option if you accept that the claim against you is correct and you are able to settle it with the claimant now.

**i** You do not need to complete Parts D and E.

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

① You should send this Response Form to the court and to the claimant. You should settle the claim with the claimant or the claimant's representative by the last date for a response.

**C2. I want to admit the claim and apply for time to pay.**

① You should select this option if you accept that the claim against you is correct but you want to be given time to pay a payment, or time to make payments in instalments.

① You do not need to complete Parts D and E.

① You should also complete a Time to Pay Application and send it with this completed Response Form to the court and to the claimant by the last date for a response.

**C3. I want to dispute the claim.**

① You should select this option if you do not accept that the claim against you is correct, and you want to:

- argue that the court does not have jurisdiction,
- dispute the entire claim, or
- dispute the amount that is being claimed.

① You should complete this Response Form and send it to the court and to the claimant by the last date for a response. You will be sent written orders by the court telling you how to proceed.

**D. ABOUT YOUR RESPONSE**

---

**D1. What is the background to this claim?**

---

① In this part, you should set out the essential factual background to the claim. The claimant has set out their understanding in section D1 of the Claim Form. In particular, you should set out anything in section D1 of the Claim Form which you disagree with.

① For example, you should include:

- key dates
- if there was an agreement, what was agreed
- when you became aware of the problem or dispute
- whether any payments have been made so far, and if so what
- whether any services have been provided so far, and if so what.

① If this is insufficient space to describe the essential factual background, you may use another sheet of paper, which must be headed 'D1' and must be attached to the Response Form.

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

**D2. Why should the claim not be successful?**

- ① You should set out briefly the reasons why the claim made against you should not be successful, and the court should not make the orders which the claimant has asked for in section D3 of the Claim Form.
- ① For example, reasons might include:
  - that you did not breach a contract with the claimant (e.g. work was completed satisfactorily)
  - that you did not cause the claimant damage or financial loss
  - that you have the right to keep something belonging to the claimant (e.g. because a repair has not been paid for).
- ① If this is insufficient space set out these reasons, you may use another sheet of paper, which must be headed 'D2' and must be attached to the Response Form.

**D3. Are there any additional respondents you think should be responding to this claim?**

- ① You should complete this section if you think that:
  - you have a right of contribution, relief or indemnity against someone who is already a respondent

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

- someone else should be made a respondent in this claim, as they are solely, jointly, or jointly and severally liable with you for the claim made against you
- someone else should be made a respondent in this claim as they are liable to you for the claim made against you.

**(i)** If you complete this section then the court may order you to formally serve the Claim Form and the Response Form on any additional respondents.

**Yes (please complete D4)**

**No**

**D4. Which additional respondents do you think should be responding to this claim?**

**(i)** Set out below the full names and addresses of any additional respondents you think should be responding to the claim made against you.

**(i)** Set out the reasons why each person should be an additional respondent to the claim made against you.

1. [ Name ] [ Address ] [ Reasons why this person should be an additional respondent ]
2. [ Name ] [ Address ] [ Reasons why this person should be an additional respondent ] [...]

**D5. What steps have you taken, if any, to try to settle the dispute with the claimant?**

**(i)** It is an important principle of simple procedure that parties should be encouraged to settle their disputes by negotiation, where possible.

**(i)** The court will use this information to assess whether more negotiation would help you and the responding party settle your dispute.

--

**E. WITNESSES, DOCUMENTS AND EVIDENCE**

**E1. Set out in a numbered list any witnesses you might to bring to a hearing to support your response, their name and address, and what their relationship to the claim or response is.**

**(i)** You should list any witnesses you think you might bring to a hearing. You do not need to list yourself or the claimant.

**(i)** You should provide the full name and address of any witnesses.

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

- ① Your claim may require no witnesses other than you and the claimant. You do not need to bring a witness if the evidence which they might give can be shown in some other way, e.g. by photographs.
- ① You should describe the relationship of each witness to the claim or response. For example, you might indicate that a witness:
  - was the person with whom you made an agreement,
  - was present when the alleged damage took place,
  - inspected some work which you consider to have been completed satisfactorily.
- ① If the court orders a hearing, Part 11 of the Simple Procedure Rules tells you what you need to do to arrange the attendance of your witnesses.

1. [ Name ] [ Address ] [ Relationship to the claim or response ]
2. [ Name ] [ Address ] [ Relationship to the claim or response ]
3. [ Name ] [ Address ] [ Relationship to the claim or response ]
[...]

**E2. Set out in a numbered list any documents you might bring to court to support your response.**

- ① You should list any documents you think you might bring to a hearing. This includes photographs and other printed material which may be kept in a file.
- ① When preparing these documents for a hearing, it is useful if they are indexed with numbers.
- ① If the court orders a hearing, Part 10 of the Simple Procedure Rules tells you what you need to do to lodge documents before that hearing.

1.
2.
3.
4.
5.
[...]

**E3. Set out any other pieces of evidence you intend to bring to a hearing to support your response.**

- ① You should list any other evidence you think you might bring to a hearing.
- ① This includes objects, but not printed material. For example, if the claim was about damage caused to an item of clothing, you might list the item of clothing. You do not

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

need to bring a piece of evidence if the important point can be shown in some other way, e.g. by photographs.

- ① If the court orders a hearing, Part 10 of the Simple Procedure Rules tells you what you need to do to lodge other evidence before that hearing.

1.
2.
3.
4.
5.
[...]

**PLEASE CHECK THIS FORM BEFORE SENDING IT.**

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



FORM 5A

## The Simple Procedure Time to Pay Application

This is a Time to Pay Application. It is used to ask the sheriff to make an order giving the respondent time to pay (where such an order is available).

**You can only apply for time to pay where you admit the claim made against you by the claimant.**

The respondent may ask for time to pay by completing this application and either:

- (a) sending it to court with the completed Response Form, or
- (b) bringing it to court at a discussion in court, case management discussion or a hearing.

Before completing this form, you should read Part 5 of the Simple Procedure Rules, which is about asking for time to pay.

There are two situations in which the court can make a time to pay order: under the Debtors (Scotland) Act 1987 and under the Consumer Credit Act 1974.

### **Time to pay under the Debtors (Scotland) Act 1987**

The Debtors (Scotland) Act 1987 gives you the right to apply to the court for time to pay. This is an order which allows you to pay any sum which the court orders you to pay either in instalments or by deferred lump sum. A "deferred lump sum" means that you will be ordered by the court to pay the whole amount at one time within a period which the court will specify.

If the court makes an order, it may also recall or restrict any arrestment made on your property by the pursuer in connection with the action or debt (for example, your bank account may have been frozen).

If an order is made, a copy of the Decision Form will be sent to you by the pursuer telling you when payment should start or when it is you have to pay the lump sum.

If an order is not made, and an order for immediate payment is made against you, a Charge may be served on you if you do not pay.

Under the 1987 Act, the court is required to make an order if satisfied that it is reasonable in the circumstances to do so, and having regard in particular to the following matters:



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

- The nature of and reasons for the debt in relation to which decree is granted
- Any action taken by the creditor to assist the debtor in paying the debt
- The debtor's financial position
- The reasonableness of any proposal by the debtor to pay that debt
- The reasonableness of any refusal or objection by the creditor to any proposal or offer by the debtor to pay the debt.

**Time to pay under the Consumer Credit Act 1974**

The Consumer Credit Act 1974 allows you to apply to the court for an order asking the court to give you more time to pay a loan agreement. This order can only be applied for where the claim is about a credit agreement regulated by the Consumer Credit Act. The court has power to make an order in respect of a regulated agreement to reschedule payment of the sum owed. This means that an order can change:

- the amount you have to pay each month
- how long the loan will last
- in some cases, the interest rate payable

A time order can also stop the creditor taking away any item bought by you on hire purchase or conditional sale under the regulated agreement, so long as you continue to pay the instalments agreed.

**A. ABOUT YOU**

---

**A1. What is your full name?**

Name	<input type="text"/>
Middle name	<input type="text"/>
Surname	<input type="text"/>
Trading name or representative capacity (if any)	<input type="text"/>
Date of application	<input type="text"/>

**B. ABOUT YOUR APPLICATION**

---

 Set out how you think that you are able to pay the claimant the sum of money which you owe.

**B1. I admit the claim and would like to apply to pay the sum of money as follows:**

By instalments of:  per

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

- In one lump sum  weeks / months  from today.  
within:

**B2. How did you get into this debt?**

- Set out the reasons for you getting into this debt.

**B3. Why should the court give you time to pay?**

- Set out the reasons why the court should give you time to pay.

**B4. Why is the payment offer you have made reasonable?**

- Set out any information which explains why the offer you have made is a reasonable one (i.e. why you can afford that offer but not a higher one).

**B5. Are you apply to have an arrestment recalled or restricted?**

- When making an order the court may recall or restrict an arrestment (i.e. unfreeze your bank account if it has been frozen).

Yes (explain below)

No

- Set out the details of the arrestment, including the date on which it occurred.

**C. ABOUT YOUR FINANCES**

- To help the court decide whether to make an order and what that order should be, please provide some details of your financial situation.

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

**C1. What is your employment situation?**

- Employed
- Self-employed
- Unemployed

**C2. What are your outgoings?**

**i** Set out any regular payments you have to make and whether these are made weekly, fortnightly or monthly.

Rent or mortgage	£	each	week / fortnight / month
Council tax	£	each	week / fortnight / month
Utilities (gas, electricity, etc)	£	each	week / fortnight / month
Food	£	each	week / fortnight / month
Loans and credit agreements	£	each	week / fortnight / month
Phone	£	each	week / fortnight / month
Other	£	each	week / fortnight / month
Total	£	each	week / fortnight / month

**C3. What income do you receive?**

**i** Set out any regular income you receive and whether you get this weekly, fortnightly or monthly.

Wages or pension	£	each	week / fortnight / month
Benefits	£	each	week / fortnight / month
Tax credits	£	each	week / fortnight / month
Other	£	each	week / fortnight / month
Total	£	each	week / fortnight / month


**C4. Does anyone rely on your income?**


**i** Set out how many people (if any) rely on your income and who they are (e.g. spouse / civil partner / children).

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



**C5. Do you have any capital?**

 Set out any capital which you hold. For example, money in savings accounts, shares, investments or houses owned.





FORM 5B

## The Simple Procedure Time to Pay Notice

The respondent has admitted the claim you made against them and applied to the court for time to pay the sum of money which you claimed.

A copy of the Time to Pay Application is attached.

Before completing this form, you should read Part 5 of the Simple Procedure Rules, which is about asking for time to pay.

You must send this Time to Pay Notice back to the court within 14 days of the date above or else the court will dismiss your claim.

### A. ABOUT THE CASE

Sheriff Court	<input type="text"/>
Name of claimant	<input type="text"/>
Name of respondent	<input type="text"/>
Case reference number	<input type="text"/>
Date of notice	<input type="text"/>

### B. ABOUT YOU

① This is so that the court knows who you are.

#### B1. What is your full name?

Name	<input type="text"/>
Middle name	<input type="text"/>
Surname	<input type="text"/>
Trading name or representative capacity (if any)	<input type="text"/>

### C. YOUR RESPONSE

① This will assist the court in deciding whether or not to grant the respondent time to pay.

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

**B1. How do you respond to the Time to Pay Application?**

---

**Set out whether you are content or not for the court to give the respondent time to pay the sum of money in your claim.**

**I am content with the proposal for time to pay.**

**I am not content with the proposal for time to pay.**



FORM 6A

## The Simple Procedure Notice of Claim

The Simple Procedure is a speedy, inexpensive and informal court procedure for settling or determining disputes with a value of **£5,000 or less**.

You have been **formally served** with a simple procedure claim.

### **What is this envelope?**

You have received this envelope because a claim is being made against you in court. The claim is being made under the Simple Procedure. The Simple Procedure is a speedy, inexpensive and informal court procedure for settling or determining disputes with a value of £5,000 or less. The Simple Procedure Rules are available on the Scottish Courts and Tribunals Service website.

In the Simple Procedure, the person who is making a claim against you is known as the claimant. You, the person the claim is being made against, are known as the respondent.

This envelope should contain:

- this Notice of Claim,
- a Timetable,
- a completed Claim Form,
- if you are able to apply to the court for time to pay, a Time to Pay Application,
- a blank Response Form.

### **What should you do next?**

You should read the completed Claim Form carefully, because it sets out the claim being made against you, including the identity of the claimant, what the claimant says happened and what the claimant wants from you if their claim is successful in court.

You should read the Timetable carefully. This sets out what the last date for a response is. This is the date by which, if you want to dispute the claim, you must send a completed Response Form to the court and to the claimant. If you do not do this, the court will almost certainly, if appropriate, award the claim to the claimant and order you to make a payment, including interest and expenses.

### **What help is available?**

If you are not sure what to do next, you can contact the office of the sheriff clerk at the sheriff court.

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

If you need help to decide how to respond to the claim, how to complete the Response Form or help by representing you in court at a hearing, you should contact a solicitor, the Citizens Advice Bureau or another advocacy or assistance organisation.





FORM 6B

## The Simple Procedure Service by Advertisement Application

This is a Service by Advertisement Application. You should complete this application if, after taking all reasonable steps to find out the respondent's address, you do not know what the respondent's address is.

If you complete this application and send it to court with the Claim Form, then the court may order the details of the claim to be publicised by advertisement on the Scottish Courts and Tribunals Service website.

Before completing this form, you should read rule 6.11 of the Simple Procedure Rules, which is about service by advertisement.

### A. ABOUT YOU

 Fill in information about you, so that the court knows who you are and how to contact you.

A1. Are you an individual, a company or an organisation?

- An individual (including a sole trader) (please fill out A2)
- A company or organisation (please fill out A3)

A2. What is your full name?

Name	<input type="text"/>
Middle name	<input type="text"/>
Surname	<input type="text"/>
Trading name or representative capacity (if any)	<input type="text"/>

A3. What is the name of the company or organisation?

Name	<input type="text"/>
Company type	<input type="text"/>
Company registration number (if limited company or LLP)	<input type="text"/>
Trading name (if any)	<input type="text"/>

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

**A4. What are your contact details?**

Address

City

Postcode

Email address

**B. SERVICE BY ADVERTISEMENT**

**C1. What steps have you taken to find out the respondent's address?**

- i** The court will only grant this application if you have taken all reasonable steps to find out the respondent's address.



FORM 6C

## The Simple Procedure Confirmation of Formal Service

This is a Confirmation of Formal Service. It is used to inform the court when and how something has been formally served.

It must be completed and sent to the court whenever you are required to formally serve something on someone under the rules.

### A. ABOUT THE CASE

Sheriff Court

Claimant

Representative

Case reference number

### B. ABOUT YOU

B1. What is your full name?

Name

Middle name

Surname

Firm or organisation

B2. What is your profession?

Sheriff officer

Sheriff clerk

Solicitor

### C. ABOUT FORMAL SERVICE

C1. Who did you formally serve something on?

 You must identify the person who you were required to serve something on.

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

**C2. How did you formally serve it?**

ⓘ You must describe the method of formal service used.

- By a next-day postal service which records delivery
- Delivering it personally
- Leaving it in the hands of a resident or employee
- Depositing it in a home or place of business by letter box or other lawful way
- Leaving it at a home or place of business in a way likely to come to the person's attention
- Other

ⓘ If you have selected 'Other' or need to give more details about the manner of formal service, please set this out below.

**C3. When did you formally serve it?**

ⓘ You must identify when service was performed.



FORM 7A

## The Simple Procedure Application for a Decision

This is an Application for a Decision. You can use this Application in two situations:

- to ask the court to make the orders which you asked for in your Claim Form if the responding party has not returned a Response Form to the court by the last date for a response, or
- to ask the court to dismiss a claim or make a decision awarding you some or all of your claim if the claim has been settled before the last date for a response.

Before completing this form, you should read rules 7.2 to 7.4 of the Simple Procedure Rules, which are about applying for a decision.

### A. ABOUT THE CASE

---

Sheriff Court

Claimant

Representative

Case reference number

### B. ABOUT YOU

---

B1. What is your full name?

Name

Middle name

Surname

Trading name or  
representative capacity (if  
any)

### C. ABOUT THE CASE

---

① Set out what has happened that entitles you to make this Application.

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

- No Response Form has been sent to the court by the last date for a response.
- The respondent has admitted the claim and wants to settle it by the last date for a response.

**D. ABOUT THE DECISION**

---

 You must set out which orders you would like the sheriff to make.

- I would like the sheriff to dismiss the claim.
- I would like the sheriff to make all of the orders I asked for in the Claim Form.
- I would like the sheriff to make the following orders I asked for in the Claim Form:



FORM 8A

## The Simple Procedure Order of the Sheriff

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 Part 8 of the Simple Procedure Rules, which is about orders of the sheriff.

<b>Sheriff Court:</b>	<input type="text"/>
<b>Date of order:</b>	<input type="text"/>
<b>Claimant:</b>	<input type="text"/>
<b>Respondent:</b>	<input type="text"/>
<b>Court ref no:</b>	<input type="text"/>

---

[Text of order]

<b>Signed by:</b>	<input type="text" value="Sheriff of [sheriffdom] at [sheriff court]"/>
-------------------	---

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



FORM 9A

# The Simple Procedure Application to Pause

Before completing this form, you should read rule 9.2 of the Simple Procedure Rules, which is about applying to have a case paused.

**If you are applying to have the case paused:**

This is an Application to Pause.

If the court grants this application then any hearings arranged in this case will be cancelled and the case will not progress until it is restarted.

You must send fill in parts A, B and C of this application and send it to the court and to the other party in this case. So if you are the claimant, it must be sent to respondents. If you are a respondent it must be sent to the claimant.

**If you have been sent this application:**

This is an Application to Pause.

If the court grants this application then any hearings arranged in this case will be cancelled and the case will not progress until it is restarted.

You have received this application because someone has applied to have a simple procedure case you are involved in paused.

You must fill in part D of this application ('the reply') and return it to the court within 10 days of it being sent to you. The court will then do one of three things: pause the case, refuse to pause the case, or order a discussion in court.

**A. ABOUT THE CASE**

Sheriff Court	<input type="text"/>
Claimant	<input type="text"/>
Respondent	<input type="text"/>
Case reference number	<input type="text"/>

**B. ABOUT YOU**

B1. What is your full name?

Name	<input type="text"/>
Middle name	<input type="text"/>



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

Surname

Trading name or  
representative capacity (if  
any)

**B2. Which party in this case are you?**

Claimant

Respondent

**C. THE APPLICATION**

**(i)** If you are the party replying to this application, do not fill in this part. You should fill in part D.

**C1. Why should this case be paused?**

**(i)** The party making the application must set out why the court should pause the case.

**C2. When was this application sent to the court?**

**(i)** Set out the date on which the application was sent to the court (i.e. the date on which the email was sent, or the date on which the application was posted).

**(i)** Any reply to this application must be sent to the court within 10 days of this application being sent.

**D. THE REPLY**

**(i)** If you are the party making this application, do not fill in this part. You should fill in parts A, B and C.

**D1. What is your full name?**

Name

Middle name

Surname

Trading name or  
representative capacity (if  
any)

**D2. Should this case be paused?**

Yes

No

**D3. If you answered 'no', why should this case not be paused?**

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

- ① If the party replying to the application objects to the case being paused, they should set out why the court should not pause the case.



FORM 9B

## The Simple Procedure Application to Restart

Before completing this form, you should read rule 9.4 of the Simple Procedure Rules, which is about applying to have a paused case restarted.

**If you are applying to have the case restarted:**

This is an Application to Restart.

If the court grants this application then the progress of this case will resume and a hearing may be arranged.

You must fill in parts A, B and C of this application and send it to the court and to the other party in this case. So if you are the claimant, it must be sent to the responding party. If you are the responding party it must be sent to the claimant.

**If you have been sent this application:**

This is an Application to Restart.

If the court grants this application then the progress of this case will resume and a hearing may be arranged.

You have received this application because someone has applied to have a simple procedure case you are involved in restarted.

You must fill in part D of this application ('the reply') and return it to the court. The court will then do one of three things: restart the case, refuse to restart the case, or order a discussion in court.

**A. ABOUT THE CASE**

Sheriff Court	<input type="text"/>
Claimant	<input type="text"/>
Respondent	<input type="text"/>
Case reference number	<input type="text"/>

**B. ABOUT YOU**

B1. What is your full name?

Name	<input type="text"/>
Middle name	<input type="text"/>
Surname	<input type="text"/>

B2. Which party in this case are you?

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

- Claimant
- Respondent

**C. THE APPLICATION**

---

**i** If you are the party replying to this application, do not fill in this part. You should fill in part D.

**C1. Why should this case be restarted?**

---

**i** The party making the application must set out why the court should restart the case.

**C2. When was this application sent to the court?**

---

**i** Set out the date on which the application was sent to the court (i.e. the date on which the email was sent, or the date on which the application was posted).

**i** Any reply to this application must be sent to the court within 10 days of this application being sent.

**D. THE REPLY**

---

**i** If you are the party making this application, do not fill in this part. You should fill in parts A, B and C.

**D1. What is your full name?**

---

Name

Middle name

Surname

Trading name or representative capacity (if any)

**D2. Should this case be restarted?**

---

- Yes
- No

**D3. If you answered 'no', why should this case not be restarted?**

---

**i** If the party replying to the application objects to the case being restarted, they should set out why the court should not restart the case.



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



FORM 9C

# The Simple Procedure Additional Respondent Application

Before completing this form, you should read rule 9.6 of the Simple Procedure Rules, which is about applying to be an additional respondent.

This is an Additional Respondent Application. If the court grants this application then the person making it will become a respondent in this simple procedure case. The court cannot refuse this application without ordering a discussion in court.

A draft Response Form must be attached to this application.

## A. ABOUT THE CASE

Sheriff Court	<input type="text"/>
Claimant	<input type="text"/>
Respondent	<input type="text"/>
Case reference number	<input type="text"/>


## B. ABOUT YOU

B1. What is your full name?

Name	<input type="text"/>
Middle name	<input type="text"/>
Surname	<input type="text"/>

## C. THE APPLICATION

C1. What is your interest in becoming a respondent?

 You must set out what your interest in this simple procedure case is and why the court should allow you to participate in it as a respondent.



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



FORM 9D

# The Simple Procedure Application to Amend

Before completing this form, you should read rule 9.7 of the Simple Procedure Rules, which is about applying to amend a Claim Form or Response Form.

**If you are applying to have a Form amended:**

This is an Application to Amend.

If the court grants this application then it will make the amendments you have asked for.

You must fill in parts A, B and C of this application and send it to the court and to the other party in this case. So if you are the claimant, it must be sent to the respondent. If you are the respondent it must be sent to the claimant.

**If you have been sent this application:**

This is an Application to Amend.

If the court grants this application then it will make the amendments which have been asked for.

You have received this application because someone has applied to have a Form amended in a simple procedure case you are involved in.

You must fill in part D of this application ('the reply') and return it to the court within 10 days of it being sent to you. The court will then do one of three things: allow the amendment, refuse the amendment, or order a discussion in court.

**A. ABOUT THE CASE**

---

Sheriff Court

Claimant

Representative

Case reference number

**B. ABOUT YOU**

---

B1. What is your full name?

Name

Middle name



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

Surname

Trading name or  
representative capacity (if  
any)

**B2. Which party in this case are you?**

Claimant

Respondent

**C. THE APPLICATION**

**(i)** If you are the party replying to this application, do not fill in this part. You should fill in part D.

**C1. What amendments should be made?**

**(i)** The party making the application must set out the amendments they want to be made to the Claim Form or Response Form.

**(i)** It might be best to do this as a track-changes version of the original text, attached to this application.

**C2. Why should these amendments be made?**

**(i)** Set out why the court should allow these amendments to be made?

**C3. When was this application sent to the court?**

**(i)** Set out the date on which the application was sent to the court (i.e. the date on which the email was sent, or the date on which the application was posted).

**(i)** Any reply to this application must be sent to the court within 10 days of this application being sent.

**D. THE REPLY**

**(i)** If you are the party making this application, do not fill in this part. You should fill in parts A, B and C.

**D1. What is your full name?**

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

Name

Middle name

Surname

Trading name or  
representative capacity (if  
any)

**D2. Should these amendments be allowed?**

---

Yes

No

**D3. If you answered 'no', why should these amendments not be allowed?**

---

 If the party replying to the application objects to these amendments, they should set out why.



FORM 9E

## The Simple Procedure Abandonment Notice

Before completing this form, you should read rule 9.8 of the Simple Procedure Rules, which is about applying to abandon a case.

**If you are abandoning your claim:**

This is an Abandonment Notice.

You must fill in this Notice and send it to the court and the respondent.

You will be sent written orders.

**If you have been sent this notice:**

This is an Abandonment Notice.

You have been sent it because the claimant has abandoned a claim made against you.

You will be sent further written orders.

**A. ABOUT THE CASE**

Sheriff Court

Claimant

Respondent

Case reference number

**B. ABOUT YOU**

B1. What is your full name?

Name

Middle name

Surname

**C. ABANDONMENT**

C1. Which respondent are you abandoning your claim against?

Name of respondent

You must check the box below to confirm that you are abandoning your claim against this respondent and that you are aware that this will normally mean that you are ordered to pay that respondent a sum of expenses.

I am abandoning my claim against this respondent.

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



FORM 9F

# The Simple Procedure Application to Represent

Before completing this form, you should read rule 9.9 of the Simple Procedure Rules, which is about applying to represent a deceased or incapacitated party.

**If you are applying to represent a party:**

This is an Application to Represent.

If the court grants this application then you will be allowed to represent a deceased or legally incapacitated party in this simple procedure case.

You must send fill in parts A, B and C of this application and send it to the court and to the other party in this case. So if you are the claimant, it must be sent to the respondent. If you are the respondent it must be sent to the claimant.

**If you have been sent this application:**

This is an Application to Represent.

If the court grants this application then it will allow someone to represent a deceased or legally incapacitated party in this simple procedure case.

You have received this application because someone has applied to represent a dead or legally incapacitated party in a simple procedure case you are involved in.

You must fill in part D of this application ('the reply') and return it to the court within 10 days of it being sent to you. The court will then do one of three things: allow that person to represent the party, not allow that person to represent that party, or order a discussion in court.

**A. ABOUT THE CASE**

Sheriff Court

Claimant

Respondent

Case reference number

**B. ABOUT YOU**

B1. What is your full name?

Name

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

Middle name

Surname

Trading name or representative capacity (if any)

**B2. Which party in this case would you like to represent?**

Name

Middle name

Surname

Trading name (if any)

**B3. Which party in this case is that person?**

Claimant

Respondent

**C. THE APPLICATION**

**i** If you are the party replying to this application, do not fill in this part. You should fill in part D.

**C1. Why should the court let you represent that person in this case?**

**i** Set out what has happened to the party in this simple procedure case, and why you represent that person or that person's estate.

**i** If you have any documents (e.g. a death certificate) which might help the court make a decision in this application, you should send them to the court with this application.

**C2. When was this application sent to the court?**

**i** Set out the date on which the application was sent to the court (i.e. the date on which the email was sent, or the date on which the application was posted).

**i** Any reply to this application must be sent to the court within 10 days of this application being sent.

**D. THE REPLY**

**i** If you are the party making this application, do not fill in this part. You should fill in parts A, B and C.

**D1. What is your full name?**

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

Name

Middle name

Surname

Trading name or  
representative capacity (if  
any)

**D2. Should this person be allowed to represent this party?**


---

Yes

No

**D3. If you answered 'no', why should this person not be allowed to represent this party?**

---

 If the party replying to the application objects, they should set out why the court should not allow this person to represent this party.



FORM 9G

# The Simple Procedure Incidental Orders Application

Before completing this form, you should read rule 9.10 of the Simple Procedure Rules, which is about applying for the sheriff to make incidental orders.

**If you are applying for the sheriff to make orders:**

This is an Incidental Orders Application.

You can use this Application to ask the sheriff to make any orders that are not specifically provided for by the Simple Procedure Rules.

**If you have been sent this application:**

This is an Incidental Orders Application.

If the court grants this application then it will make the orders which have been asked for below.

You must fill in part D of this application ('the reply') and return it to court within 10 days of it being sent to you. The court will then either grant the application and send written orders to the parties, or make no orders.

**A. ABOUT THE CASE**

---

Sheriff Court	<input type="text"/>
Claimant	<input type="text"/>
Respondent	<input type="text"/>
Case reference number	<input type="text"/>

**B. ABOUT YOU**

B1. What is your full name?

---

Name	<input type="text"/>
Middle name	<input type="text"/>
Surname	<input type="text"/>

B2. Which party in this case are you?

---

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

- Claimant
- Respondent

**C. THE APPLICATION**

---

**i** If you are the party replying to this application, do not fill in this part. You should fill in part D.

**C1. What orders would you like the court to make?**

---

**i** The party making the application must set out the terms of the orders the court is being asked to make.

**C2. Why should the court make these orders?**

---

**i** The party making the application must set out why the court should make the orders asked for.

**When was this application sent to the court?**

---

**i** Set out the date on which the application was sent to the court (i.e. the date on which the email was sent, or the date on which the application was posted).

**i** Any reply to this application must be sent to the court within 10 days of this application being sent.

**D. THE REPLY**

---

**i** If you are the party making this application, do not fill in this part. You should fill in parts A, B and C.

**D1. What is your full name?**

---

Name	<input type="text"/>
Middle name	<input type="text"/>
Surname	<input type="text"/>
Trading name or representative capacity (if any)	<input type="text"/>

**D2. Should the court make these orders?**

---



Yes

No

**D3. If you answered 'no', why should the court not make these orders?**

 If the party replying to the application objects to proposed orders, they should set out why the court should not make these orders.

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



FORM 10A

## The Simple Procedure List of Evidence Form

Before completing this form, you should read Part 10 of the Simple Procedure Rules, which is about documents and other evidence.

This is the List of Evidence Form. Parties must send a copy to each other and to the court at least 14 days before the hearing.

All documents and other evidence must be lodged with the court by sending them to the sheriff clerk at least 14 days before the hearing. If you think that there will be practical difficulties involved with sending evidence to the court (e.g. because of size, or because something might go off) you must contact the sheriff clerk before sending that evidence to be lodged.

### A. ABOUT THE CASE

Sheriff Court

Claimant

Respondent

Case reference number

### B. ABOUT YOU

B1. What is your full name?

Name

Middle name

Surname

Trading name or  
representative capacity (if  
any)

B2. Which party in this case are you?

Claimant

Respondent

### C. LIST OF EVIDENCE

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

- ① Set out all evidence or other documents you are lodging with the court.
- ① Set out a brief description of each item of evidence and explain its relationship to the case. This means the reason why you think this item of evidence is necessary for the court to make a decision in this case.
- ① It is useful to the court if documents and other evidence being lodged can be numbered using the numbers (C1, C2, etc) below. If bigger documents do not already have page numbers, then adding page numbers can help the court read and understand these documents.
- ① If you think that you need more than 10 items of evidence, please fill out a further List of Evidence Form and attach it to this one.

**C1. Item of evidence**

---

Brief description of document or other evidence	<input type="text"/>
Relationship to the case	<input type="text"/>

**C2. Item of evidence**

---

Brief description of document or other evidence	<input type="text"/>
Relationship to the case	<input type="text"/>

**C3. Item of evidence**

---

Brief description of document or other evidence	<input type="text"/>
Relationship to the case	<input type="text"/>

**C4. Item of evidence**

---

Brief description of document or other evidence	<input type="text"/>
Relationship to the case	<input type="text"/>

**C5. Item of evidence**

---

Brief description of document or other evidence	<input type="text"/>
Relationship to the case	<input type="text"/>

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

--

**C6. Item of evidence**

Brief description of document or other evidence	
---	--

Relationship to the case	
--------------------------	--

**C7. Item of evidence**

Brief description of document or other evidence	
---	--

Relationship to the case	
--------------------------	--

**C8. Item of evidence**

Brief description of document or other evidence	
---	--

Relationship to the case	
--------------------------	--

**C9. Item of evidence**

Brief description of document or other evidence	
---	--

Relationship to the case	
--------------------------	--

**C10. Item of evidence**

Brief description of document or other evidence	
---	--

Relationship to the case	
--------------------------	--



FORM 10B

# The Simple Procedure Recovery of Documents Application

**If you are applying for the sheriff to make orders:**

This is a Recovery of Documents Application.

If you do not possess a document that you want to lodge with the court, you can use this Application to ask the court for an order to recover documents.

That order tells the person who has the document to send it to the court.

**If you have been sent this Application:**

This is a Recovery of Documents Application.

If the court grants this application then it will make the orders which have been asked for below.

You must fill in part D of this application ('the reply') and return it to court within 10 days of it being sent to you.

The court will then either grant the application and send an order to recover documents to the parties, refuse the application and make no orders, or order you to appear at a discussion in court where the sheriff will consider whether to make an order.

## A. ABOUT THE CASE

Sheriff Court

Claimant

Respondent

Case reference number

## B. ABOUT YOU

B1. What is your full name?

Name

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

Middle name

Surname

**B2. Which party in this case are you?**

Claimant

Respondent

**C. THE APPLICATION**

**i** If you are the party replying to this application, do not fill in this part. You should fill in part D.

**C1. What documents would you like to recover?**

**i** The party making the application must identify every document that the party wants to recover. Use a new line for each document.

**C2. Who has these documents?**

**i** The party making the application must set out who possesses each of the documents.

**C3. Why should the court make an order to recover these documents?**

**i** The party making the application must set out why the court should make an order for recovery of these documents.

**C4. When was this application sent to the court?**

**i** Set out the date on which the application was sent to the court (i.e. the date on which the email was sent, or the date on which the application was posted).

**i** Any reply to this application must be sent to the court within 10 days of this application being sent.

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

**D. THE REPLY**

---

**i** If you are the party making this application, do not fill in this part. You should fill in parts A, B and C.

**D1. What is your full name?**

---

Name	<input type="text"/>
Middle name	<input type="text"/>
Surname	<input type="text"/>
Trading name or representative capacity (if any)	<input type="text"/>

**D2. Should the court make an order to recover these documents?**

---

- Yes
- No

**D3. If you answered 'no', why should the court not make an order to recover these documents?**

---

**i** If the party replying to the application objects to the proposed order, they should set out why the court should not make an order to recover these documents.

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



FORM 10C

# The Simple Procedure Application to Open Confidential Document

**If you are applying for the sheriff to make orders:**

This is an Application to Open Confidential Document.

It is used where someone has claimed that documents are confidential in response to an order to recover documents or a special order to recover documents. That person has given the documents to the court in a sealed envelope.

You can use this Application to ask the court to open the sealed envelope so that the documents can be used in your simple procedure case.

**If you have been sent this Application:**

This is an Application to Open Confidential Document.

If the court grants this application then it will make the orders which have been asked for below.

You must fill in part D of this application ('the reply') and return it to court within 10 days of it being sent to you.

The court will then either grant the application and allow the sealed envelope containing the confidential document to be opened, refuse the application and make no orders, or order you to appear at a discussion in court where the sheriff will consider whether to make an order.

## A. ABOUT THE CASE

Sheriff Court

Claimant

Respondent

Case reference number

## B. ABOUT YOU

B1. What is your full name?

Name

Middle name



Surname

**B2. What is your role in this case?**

- Claimant
- Respondent

**C. THE APPLICATION**

*i* If you are replying to this application, do not fill in this part. You should fill in part D.

**C1. Which sealed envelope would you like to open?**

*i* The party making the application must identify which sealed envelope they wish to have opened.

[Include the date on which the envelope was sent the court and who sent it]

**C3. Why should the court make an order allowing this sealed envelope to be opened?**

*i* The party making the application must set out why the court should make an order allowing the sealed envelope to be opened.

[Give reasons why the envelope should be opened]

**C4. When was this application sent to the court?**

*i* Set out the date on which the application was sent to the court (i.e. the date on which the email was sent, or the date on which the application was posted).

*i* Any reply to this application must be sent to the court within 10 days of this application being sent.

**D. THE REPLY**

*i* If you are the party making this application, do not fill in this part. You should fill in parts A, B and C.

**D1. What is your full name?**

Name

Middle name

Surname

Trading name or representative capacity (if any)

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

D2. What is your role in this case?

- 
- Claimant
  - Respondent
  - The person who claimed that the document is confidential

D3. Should the court make an order allowing the sealed envelope to be opened?

- 
- Yes
  - No

D3. If you answered 'no', why should the court not make an order allowing the sealed envelope to be opened?

- 
- If the party replying to the application objects to the proposed order, they should set out why the court should not make an order allowing the sealed envelope to be opened.



FORM 10D

# The Simple Procedure Special Recovery of Documents Application

**If you are applying for the sheriff to make orders:**

This is a Special Recovery of Documents Application.

You can use this Application to ask the court for a special order to recover documents. The court will only grant the Application if it has already made an order to recover documents but that has been unsuccessful.

The special order appoints someone to recover the documents on behalf of the court. The person appointed is normally a solicitor.

**If you have been sent this Application:**

This is a Special Recovery of Documents Application.

If the court grants this application then it will make the orders which have been asked for below.

You must fill in part D of this application ('the reply') and return it to court within 10 days of it being sent to you.

The court will then either grant the application and send a special order to recover documents to the parties, refuse the application and make no orders, or order you to appear at a discussion in court where the sheriff will consider whether to make an order.

## A. ABOUT THE CASE

Sheriff Court

Claimant

Respondent

Case reference number

## B. ABOUT YOU

B1. What is your full name?

Name

Middle name

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

Surname

**B2. Which party in this case are you?**

- Claimant
- Respondent

**C. THE APPLICATION**

**(i)** If you are the party replying to this application, do not fill in this part. You should fill in part D.

**C1. When did the court make an order to recover documents?**

**(i)** Set out the date of the court's order.

**C2. When did you serve the order to recover documents on the person who possesses the documents?**

**(i)** Set out the date of formal service on that person.

**C3. Why was the order to recover documents unsuccessful?**

**(i)** Tick the appropriate box.

- The person who possesses the documents did not reply to the order.
- The person who possesses the documents sent some documents to the court, but these are not all of the documents I want to recover.
- I am not satisfied with the explanation given by the person who possesses the documents for not producing them to the court. These are my reasons:

**C4. Who do you want the court to appoint as the commissioner?**

- (i)** The commissioner is the person appointed by the court to carry out the recovery under a special order to recover documents.
- (i)** The commissioner is usually a solicitor, but the court may appoint any suitable person.
- (i)** The court may decide not to appoint the person you propose, and appoint someone else instead.

Name

Middle name

Surname

Profession

**C4. When was this application sent to the court?**

- ① Set out the date on which the application was sent to the court (i.e. the date on which the email was sent, or the date on which the application was posted).
- ① Any reply to this application must be sent to the court within 10 days of this application being sent.

**D. THE REPLY**

- ① If you are the party making this application, do not fill in this part. You should fill in parts A, B and C.

**D1. What is your full name?**

Name	<input type="text"/>
Middle name	<input type="text"/>
Surname	<input type="text"/>
Trading name or representative capacity (if any)	<input type="text"/>

**D2. Should the court make a special order to recover these documents?**

- Yes
- Yes, but I object to the appointment of the proposed commissioner
- No

**D3. If you answered 'yes, but I object to the appointment of the proposed commissioner', why should the court not appoint that person as commissioner?**

- ① If the party replying to the application objects to the proposed order, they should set out why the court should not appoint that person as commissioner.

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

**D3. If you answered 'no', why should the court not make a special order to recover these documents?**

---

① If the party replying to the application objects to the proposed order, they should set out why the court should not make a special order to recover these documents.



FORM 11A

## The Simple Procedure List of Witnesses Form

Before completing this form, you should read Part 11 of the Simple Procedure Rules, which is about witnesses.

This is the List of Witnesses Form. Parties must send a copy to each other and to the court at least 14 days before the hearing.

### A. ABOUT THE CASE

Sheriff Court

Claimant

Respondent

Case reference number

### B. ABOUT YOU

B1. What is your full name?

Name

Middle name

Surname

Trading name or  
representative capacity (if  
any)

B2. Which party in this case are you?

Claimant

Respondent

### C. LIST OF WITNESSES

① Set out any witnesses you want to appear at the hearing. You do not need to list yourself or the other party.

① You may need to cite witnesses using the Witness Citation Form, but you should only cite a witness if you cannot otherwise arrange for that witness to appear at the hearing.

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

① Set out the name and address of each witness and explain their relationship to the case. This means the reason why you think this witness's evidence is necessary for the court to make a decision in this case.

① If you think that you need more than 4 witnesses, please fill out a further List of Witnesses Form and attach it to this one.

**C1. Witness**

Name of witness

Address of witness

Relationship of the witness to the case

**C2. Witness**

Name of witness

Address of witness

Relationship of the witness to the case

**C3. Witness**

Name of witness

Address of witness

Relationship of the witness to the case



**C4. Witness**

Name of witness

Address of witness

Relationship of the witness  
to the case

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



FORM 11B

# The Simple Procedure Witness Citation Notice

You have been cited as a witness in a case in the sheriff court. The details of the case and the date on which you should come to court are below, at Part B.

**It is very important that you attend court and you should note that failure to do so may result in a warrant being granted for your arrest.**

You may claim back money which you have had to spend and any earnings you have lost within certain specified limits, because you have to come to court on the above date. These may be paid to you if you claim within specified time limits. Claims should be made to the person who has asked you to attend court. Proof of any loss of earnings should be given to that person.

If you wish your travelling expenses to be paid before you go to court, you should apply for payment to the person who has asked you to attend court (listed below at C2).

If you:

- would like to know more about being a witness
- are a child under the age of 18
- think you may be a vulnerable witness within the meaning of section 11(1) of the Vulnerable Witnesses (Scotland) Act 2004 (that is someone the court considers may be less able to give their evidence due to mental disorder or fear or distress connected to giving your evidence at the court hearing).

you should contact the person who cited you (listed below at C2) for further information.

If you are a vulnerable witness (including a child under the age of 18) then you should be able to use a special measure (such measures include use of a screen, a live TV link or a supporter, or a commissioner) to help you give evidence.

## A. ABOUT THE CASE

Sheriff Court	<input type="text"/>
Claimant	<input type="text"/>
Respondent	<input type="text"/>
Case reference number	<input type="text"/>

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

**B. WHEN AND WHERE YOU MUST COME TO COURT**

 You must come to the court listed below on the date listed below.


The Sheriff Court you must come to is:

Address

Postcode

You must come to the Sheriff Court on this date:

**C. ABOUT THIS CITATION**

 This part contains information about the party who has cited you as a witness.

**C1. Who formally served this Witness Citation Notice?**

Name

Middle name

Surname

Firm or organisation

Solicitor or sheriff officer

**C2. Who is citing you as a witness?**

 If the person who cited you is represented by a solicitor, they should list the solicitor's details here. If they do not, they should list their own details.

Name

Address

Postcode

Firm or organisation

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



FORM 11C

# The Simple Procedure Child Witness Notice

This is a Child Witness Notice.

It is used to tell the court that a witness who is to give evidence in the simple procedure case is a child witness (someone who is under 18 when the simple procedure case begins).

It asks the sheriff to authorise the use of special measures to take the child witness's evidence, or to decide that the child witness is to give evidence without any special measures.

## A. ABOUT THE CASE

Sheriff Court

Claimant

Respondent

Case reference number

## B. ABOUT YOU

B1. What is your full name?

Name

Middle name

Surname

B2. What is your role in this case?

Claimant

Respondent

## C. THE NOTICE

C1. What is the full name of the child witness?

Name

Middle name

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

Surname

**C2. What is the child witness's date of birth?**

Date of birth

**C3. If the child witness is over 18 when this Notice is completed, was the child witness under 18 when the simple procedure case began?**

- Yes
- No

**C3. What order should the court make about the child witness?**

- The court should authorise the use of the special measure(s) mentioned in part D
  - You should also complete parts D and E.
- The court should order that the child witness is to give evidence without the benefit of any special measure
  - You should also complete part E.

**C4. Why should the court make this order?**

- You should set out the reasons why the court should make this order.

**C5. When was this Notice sent to the court?**

- Set out the date on which the notice was sent to the court (i.e. the date on which the email was sent, or the date on which the notice was posted).

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

**D. THE SPECIAL MEASURES**

---

- ① The special measures that the court may make are listed in rule 11.6 of the Simple Procedure Rules.

**D1. What special measures would be most appropriate for taking the evidence of this child witness?**

---

- ① You may select as many special measures as you think are appropriate.
- allowing the child witness to give evidence before an independent person**
- ① This means that the child witness would give evidence before an independent person appointed by the court, rather than coming to court to give evidence.
- allowing the child witness to give evidence by live television link**
- allowing the child witness to use a screen while giving evidence**
- allowing the child witness to be supported by someone while giving evidence**

**D2. Why do you think the special measures you have selected would be most appropriate for taking the evidence of this child witness?**

**E. VIEWS OF THE CHILD WITNESS AND PARENT**

---

- ① In completing this Notice, you must take into account the views of the child witness (if the child witness is of sufficient age and maturity to form a view) and the child witness's parent.
- ① The parent of a child witness is any person who has parental responsibilities within the meaning of section 1(3) of the Children (Scotland) Act 1995.
- ① Section 15(3)(a) of the Vulnerable Witnesses (Scotland) Act 2004 says that a child witness is presumed to be of sufficient age and maturity to form a view if aged 12 or older.
- ① Section 15(3)(b) says that if the views of the child witness and the views of the witness's parent are inconsistent, the views of the witness are to be given greater weight.

**E1. Has the child witness expressed a view about how they should give evidence?**

---

- Yes**
- ① If the answer is 'yes', complete E3.
- No**
- ① If the answer is 'no', complete E2.

**E2. Why has the child witness not expressed a view about how they should give evidence?**

---

① Set out why no view has been expressed. For example:

- the child witness may not be of sufficient age or maturity to do so
- the child witness may not wish to do so

**E3. What are the views of the child witness?**

---

① Set out the views of the child witness. In particular, set out:

- whether the child witness wishes to use a special measure to give evidence
- the special measure that the child considers most appropriate
- whether the child witness wishes to give evidence without the benefit of any special measures

**E4. What are the views of the child witness's parent?**

---

① Set out the views of the child witness's parent. In particular, set out:

- whether the parent considers that the child witness should use a special measure to give evidence
- the special measure that the parent considers most appropriate
- whether the parent considers that the child witness should give evidence without the benefit of any special measures

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



FORM 11D  
**The Simple Procedure  
Vulnerable Witness  
Application**

This is a Vulnerable Witness Application.

It is used to ask the court to decide if a witness who is to give evidence in the simple procedure case is a vulnerable witness.

If the sheriff agrees that the witness is a vulnerable witness, it also asks the sheriff to authorise the use of special measures to take the vulnerable witness's evidence.

**A. ABOUT THE CASE**

---

Sheriff Court

Claimant

Respondent

Case reference number

**B. ABOUT YOU**

---

B1. What is your full name?

Name

Middle name

Surname

B2. What is your role in this case?

Claimant

Respondent

**C. THE APPLICATION**

---

C1. What is the full name of the witness?

Name

Middle name



Surname

**C2. Why do you think that the witness is a vulnerable witness?**

- You should set out the reasons why you think the witness is a vulnerable witness.
- The matters that the court must take into account in deciding whether the witness is a vulnerable witness are set out in section 11(2) of the Vulnerable Witnesses (Scotland) Act 2004.

**C3. When was this Application sent to the court?**

- Set out the date on which the Application was sent to the court (i.e. the date on which the email was sent, or the date on which the notice was posted).

**D. THE SPECIAL MEASURES**

- The special measures that the court may make are listed in rule 11.6 of the Simple Procedure Rules.

**D1. What special measures would be most appropriate for taking the evidence of the witness?**

- You may select as many special measures as you think are appropriate.
- allowing the witness to give evidence before an independent person
  - This means that the witness would give evidence before an independent person appointed by the court, rather than coming to court to give evidence.
- allowing the witness to give evidence by live television link
- allowing the witness to use a screen while giving evidence
- allowing the witness to be supported by someone while giving evidence

**D2. Why do you think the special measures you have selected would be most appropriate for taking the evidence of the witness?**

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

**E. VIEWS OF THE WITNESS**

---

① In completing this Application, you must take into account the views of the witness.

**E1. Has the witness expressed a view about how they should give evidence?**

---

Yes

① If the answer is 'yes', complete E3.

No

① If the answer is 'no', complete E2.

**E2. Why has the witness not expressed a view about how they should give evidence?**

---

① Set out why no view has been expressed. For example, the witness may not wish to do so.

**E3. What are the views of the witness?**

---

① Set out the views of the witness. In particular, set out:

- whether the witness wishes to use a special measure to give evidence
- the special measure that the witness considers most appropriate



FORM 11E  
**The Simple Procedure  
Special Measures Review  
Application**

This is a Special Measures Review Application.

It is used where the court has decided that a child witness or a vulnerable witness should use a special measure to give evidence.

Its purpose is to ask the court to change the arrangements that have been made for the witness to give evidence.

**A. ABOUT THE CASE**

Sheriff Court

Claimant

Respondent

Case reference number

**B. ABOUT YOU**

B1. What is your full name?

Name

Middle name

Surname

B2. What is your role in this case?

Claimant

Respondent

**C. ABOUT THE WITNESS**

C1. What is the full name of the witness?

Name

Middle name

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

Surname

**C2. Is the witness a child witness or a vulnerable witness?**

- Child witness
- Vulnerable witness

**C3. What special measures has the court authorised to be used in taking the evidence of the witness?**

- i** Select as many special measures as the court has authorised.
- allowing the witness to give evidence before an independent person
- allowing the witness to give evidence by live television link
- allowing the witness to use a screen while giving evidence
- allowing the witness to be supported by someone while giving evidence

**D. THE APPLICATION**

**D1. How should the court change the current arrangements?**

- i** Set out the changes you want the court to make.
- i** The court may:
  - vary a special measure
  - add a new special measure
  - substitute a new special measure for an existing one
  - delete a special measure
  - revoke the order authorising the use of special measures entirely

**D2. Why do you think the proposed changes would be most appropriate for taking the evidence of the witness?**

**D3. When was this Application sent to the court?**

- ① Set out the date on which the Application was sent to the court (i.e. the date on which the email was sent, or the date on which the notice was posted).

**E. VIEWS OF THE WITNESS**

- ① In completing this Application, you must take into account the views of the witness.
- ① You only need to complete E4 if the witness is a child witness.
- The parent of a child witness is any person who has parental responsibilities within the meaning of section 1(3) of the Children (Scotland) Act 1995.
  - Section 15(3)(a) of the Vulnerable Witnesses (Scotland) Act 2004 says that a child witness is presumed to be of sufficient age and maturity to form a view if aged 12 or older.
  - Section 15(3)(b) says that if the views of the child witness and the views of the witness's parent are inconsistent, the views of the witness are to be given greater weight.

**E1. Has the witness expressed a view about the proposed changes to how they should give evidence?**

Yes

- ① If the answer is 'yes', complete E3.

No

- ① If the answer is 'no', complete E2.

**E2. Why has the witness not expressed a view about the proposed changes to how they should give evidence?**

- ① Set out why no view has been expressed. For example:
- a child witness may not be of sufficient age or maturity to do so
  - the witness may not wish to do so

**E3. What are the views of the witness?**

- ① Set out the views of the witness. In particular, set out whether the witness agrees with the proposed changes.

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

**E4. If the witness is a child witness, what are the views of the child witness's parent?**

---

- ① Set out the views of the child witness's parent. In particular, set out whether the parent agrees with the proposed changes.



FORM 13A  
**The Simple Procedure  
Decision Form**

This is the Decision Form. It contains the terms of the decision that the sheriff has made at the end of the simple procedure case. Part 13 of the Simple Procedure Rules is about the decision of the sheriff.

This Decision Form can be used to enforce the decision made by the sheriff. Part 15 of the Simple Procedure Rules is about how to enforce this decision.

**THIS EXTRACT DECREE IS WARRANT FOR ALL LAWFUL EXECUTION THEREON.**

Execution of this decree is not lawful:

- within 28 days from the date the Decision Form was sent
- where the decision is being appealed
- where the decision has been recalled.

**A. ABOUT THE CASE**

Sheriff Court	<input type="text"/>
Claimant	<input type="text"/>
Address	<input type="text"/>
City	<input type="text"/>
Postcode	<input type="text"/>
Respondent	<input type="text"/>
Address	<input type="text"/>
City	<input type="text"/>
Postcode	<input type="text"/>
Case reference number	<input type="text"/>

**B. THE DECISION OF THE SHERIFF**

① This part sets out the orders which the sheriff has made when deciding the case.

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

**C. EXPENSES**

---

① This part sets out any orders which the sheriff has made about the expenses of the case.

**D. SIGNATURE**

---

Signature of sheriff clerk

Date sent





FORM 13B

## The Simple Procedure Application to Recall

Before completing this form, you should read rules 13.5 to 13.7 of the Simple Procedure Rules, which are about recalling a decision.

**If you are applying to have a decision recalled:**

This is an Application to Recall.

You can use this Application to ask the sheriff to recall a decision made because of your failure to attend a hearing or take a step in simple procedure.

If the sheriff made a decision because you did not send a Response Form to court before the last date for a response, you must also include a completed Response Form with this application.

**If you have been sent this application:**

This is an Application to Recall.

If the court grants this application then a decision made in this case may be recalled.

You have received this application because someone has applied to have a decision in a simple procedure case you are involved in recalled.

You must fill in part D of this application ('the reply') and return it to the court within 10 days of it being sent to you. The court will then do one of three things: recall the case, refuse to recall the case, or order a discussion in court.

### A. ABOUT THE CASE

---

Sheriff Court

Claimant

Respondent

Case reference number

### B. ABOUT YOU

---

B1. What is your full name?

Name

Middle name

Surname

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

Trading name or representative capacity (if any)

**B2. Which party in this case are you?**

- Claimant
- Respondent

**C. THE APPLICATION**

**(i)** If you are the party replying to this application, do not fill in this part. You should fill in part D.

**C1. Why should this case be recalled?**

**(i)** The party making the application must set out why the court should recall the case.

**C2. When was this application sent to the court?**

**(i)** Set out the date on which the application was sent to the court (i.e. the date on which the email was sent, or the date on which the application was posted).

**(i)** Any reply to this application must be sent to the court within 10 days of this application being sent.

**D. THE REPLY**

**(i)** If you are the party making this application, do not fill in this part. You should fill in parts A, B and C.

**D1. What is your full name?**

Name

Middle name

Surname

Trading name or representative capacity (if any)

**D2. Should this case be recalled?**

- Yes
- No

**D3. If you answered 'no', why should this case not be recalled?**

**(i)** If the party replying to the application objects to the case being recalled, they should set out why the court should not recall the case.



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



FORM 15A  
**The Simple Procedure  
Charge to Pay**

This is a Charge to Pay. The purpose of this Charge to Pay is to give you one last chance to comply with a decision made in a simple procedure case.

**A. ABOUT THE CASE**

Sheriff Court

Claimant

Respondent

Case reference number

**B. ABOUT THE CHARGE**

Name of sheriff officer

Address

Witness

Method of formal service

**C. ABOUT THE DECISION**

- ① This Part contains information about the decision which the court made.
- ① You must comply with this decision the period set out below or there may be enforcement action taken against you and your property.
- ① If you do not comply with this decision, you may have your bank accounts frozen or earnings arrested. If you have debts amounting to over £3,000, you may be sequestrated (made bankrupt).
- ① Note that interest will continue to run on any sum set out below until you pay this sum.

Date of decision

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

Details of decision

The sum now due to the claimant is:
Principal Sum
Interest to date
Expenses
TOTAL
Less paid
Agent's fee
Expenses of sheriff officer
TOTAL SUM NOW DUE

**D. THE CHARGE**

YOU ARE CHARGED TO COMPLY WITH THIS DECISION WITHIN

**IF YOU ARE NOT SURE WHAT TO DO ABOUT THIS CHARGE YOU SHOULD CONSULT  
A SOLICITOR, CITIZENS ADVICE BUREAU OR OTHER LOCAL ADVICE AGENCY  
IMMEDIATELY**

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



FORM 15B  
**The Simple Procedure  
Alternative Decision  
Application**

Before completing this form, you should read rule 15.5 of the Simple Procedure Rules, which is about applying to ask the court to make an alternative decision.

**If you are applying for an alternative order:**

This is an Alternative Decision Application. It can be used when the sheriff made a decision ordering the respondent to deliver something to the claimant or do something for the claimant. If the court alternatively ordered the respondent to pay the claimant a sum of money, then this application can be used to ask the court to make that order.

You must send fill in parts A, B and C of this application and send it to the court and to the other party in this case. So if you are the claimant, it must be sent to the respondent. If you are the respondent it must be sent to the claimant.

**A. ABOUT THE CASE**

---

Sheriff Court	<input type="text"/>
Claimant	<input type="text"/>
Respondent	<input type="text"/>
Case reference number	<input type="text"/>
Date of Decision Form	<input type="text"/>

**B. ABOUT YOU**

B1. What is your full name?

---

Name	<input type="text"/>
Middle name	<input type="text"/>
Surname	<input type="text"/>
Trading name or representative capacity (if any)	<input type="text"/>

B2. Which party in this case are you?

---

Claimant

Respondent

**C. THE APPLICATION**

---

**C1. What alternative order should be made?**

---

**i** The party making the application must set out which alternative order for payment from the Decision Form the court is being asked to make.

**C2. Why should this alternative order be made?**

---

**i** The party making the application must set out why the court should make that alternative order for payment

**C3. When was this application sent to the court?**

---

**i** Set out the date on which the application was sent to the court (i.e. the date on which the email was sent, or the date on which the application was posted).

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



FORM 16A  
**The Simple Procedure  
Appeal Form**

Before completing this form, you should read Part 16 of the Simple Procedure Rules, which is about appeals.

This is an Appeal Form. You can use this to appeal the decision made by the sheriff at the end of a simple procedure case. You may only do this within 28 days from the Decision Form being sent.

**A. ABOUT THE CASE**

---

Sheriff Court	<input type="text"/>
Claimant	<input type="text"/>
Respondent	<input type="text"/>
Case reference number	<input type="text"/>
Date of Decision Form	<input type="text"/>

**B. ABOUT YOU**

---

B1. What is your full name?


Name	<input type="text"/>
Middle name	<input type="text"/>
Surname	<input type="text"/>
Trading name or representative capacity (if any)	<input type="text"/>

B2. Which party in the simple procedure case were you?

- Claimant
- Respondent

**C. GROUNDS OF APPEAL**

---

 Set out the legal points which you want the Sheriff Appeal Court to consider in this appeal.



- ① These must be points of law. You cannot appeal simply because you disagree with a matter of fact which the sheriff made a decision on.

I appeal to the Sheriff Appeal Court on the following points of law:

- 1.
- 2.
- [...]

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



FORM 16B  
**The Simple Procedure  
Appeal Report**

This is an Appeal Report. It sets out the legal questions which the Sheriff Appeal Court will answer in this appeal.

**A. ABOUT THE CASE**

---

Sheriff Court

Claimant

Respondent

Case reference number

Date of Decision Form

Date of appeal

**B. ABOUT THE DECISION**

---

① Set out the factual and legal basis for the decision which you came to in this case.

**C. QUESTIONS FOR THE SHERIFF APPEAL COURT**

---

① Set out the legal questions for the Sheriff Appeal Court to answer in this appeal.

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

Signature

Sheriff of [sheriffdom] at [sheriff court]

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



FORM 17A  
The Simple Procedure  
CJEU Reference Form

Before completing this form, you should read rule 17.3 of the Simple Procedure Rules, which is about references to the CJEU.

This is the form of reference for a preliminary ruling of the Court of Justice of the European Union.

**A. ABOUT THE CASE**

Sheriff Court	<input type="text"/>
Claimant	<input type="text"/>
Respondent	<input type="text"/>
Case reference number	<input type="text"/>
Date of reference	<input type="text"/>

**B. THE REFERENCE**

- ① Set out a clear and succinct statement of the case giving rise to the request for a ruling of the CJEU in order to enable the court to consider and understand the issues of EU law raised and to enable governments of Member States and other interested parties to submit observations.

Include:

- particulars of the parties
- the history of the dispute
- the relevant facts as agreed by the parties or found by the court or (failing such agreement or finding) the contentions of the parties
- the nature of the issues of law and fact between the parties
- the Scots law, so far as relevant
- the Treaty provisions, or other acts, instruments or rules of EU law concerned
- an explanation of why the reference is being made.

**C. THE QUESTIONS**

C1. The preliminary ruling of the CJEU is accordingly requested on the following questions:

- ① Set out the question(s) on which a ruling is sought, identifying the Treaty provisions, or other acts, instruments or rules of EU law concerned.



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



FORM 17B

## The Simple Procedure Application to Intervene

Before completing this form, you should read rules 17.4 and 17.5 of the Simple Procedure Rules, which are about interventions by the CEHR and SCHR.

This application is used by the Commission for Equality and Human Rights and the Scottish Commission for Human Rights to apply to be allowed to intervene in a simple procedure case.

### A. ABOUT THE CASE

---

Sheriff Court

Claimant

Respondent

Case reference number

Date of application

### B. ABOUT THE INTERVENER

---

B1. Who is the proposed intervener in this case?

- The Commission for Equality and Human Rights
- The Scottish Commission for Human Rights

### C. ABOUT THE INTERVENTION

---

C1. Why is the Commission proposing to intervene?

-  Set out the Commission's reasons for believing that the simple procedure case is relevant to a matter in connection with which the Commission has a function.

**C2. What issue does the Commission want to address?**

---

- ① Set out the issue in the simple procedure case which the Commission wants to address.

**C3. What intervention does the Commission want to make?**

---

- ① Set out the propositions to be advanced by the Commission and the Commission's reasons for believing that they would assist the court.

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



FORM 17C

## The Simple Procedure Invitation to Intervene

This Invitation to Intervene is used by the sheriff to invite the Commission for Equality and Human Rights or the Scottish Human Rights Commission to intervene in a simple procedure case.

### A. ABOUT THE CASE

Sheriff Court	<input type="text"/>
Claimant	<input type="text"/>
Respondent	<input type="text"/>
Case reference number	<input type="text"/>
Date of invitation	<input type="text"/>

### B. ABOUT THE INVITATION

B1. Who is the sheriff inviting to intervene?

- The Commission for Equality and Human Rights
- The Scottish Commission for Human Rights

### C. THE INVITATION

C1. What is the simple procedure case about?

- ① Set out briefly the facts, procedural history and issues in the simple procedure case.

C2. What is the sheriff inviting the Commission to address in an intervention?

- ① Set out the issue(s) in the simple procedure case on which the court would like a submission.





FORM 17D

# The Simple Procedure Application to Change a Damages Management Order

**If you are applying for the sheriff to make orders:**

This is an Application to Change a Damages Management Order.

It is used where the court has made a damages management order (which is about how a sum of money awarded as damages is to be paid to and managed for a person under a legal disability), but you want the court to change the order.

You must fill in parts A, B and C of this application and send it to the court. If you are one of the parties, you must send a copy to the other party in this case. If you are an interested person, you must send a copy to every party.

**If you have been sent this Application:**

This is an Application to Change a Damages Management Order.

If the court grants this application, the damages management order will be changed as proposed in the application.

You have received the application because you are one of the parties in the case.

You must fill in part D of this application ('the reply') and return it to the court within 10 days of it being sent to you.

The court will then either grant the application and send written orders to the parties and the interested person, refuse the application and make no orders, or order you to appear at a discussion in court where the sheriff will consider whether to make any orders.

**A. ABOUT THE CASE**

Sheriff Court	<input type="text"/>
Claimant	<input type="text"/>
Respondent	<input type="text"/>
Case reference number	<input type="text"/>

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

**B. ABOUT YOU**

---

**B1. What is your full name?**

Name

Middle name

Surname

**B2. Which is your role in this case?**

---

- Claimant
- Respondent
- Interested person

**B3. If you are an interested person, what is your interest in this case?**

---

- ① Explain why you have an interest in this case. For example:
  - the damages management order might tell you to do certain things
  - you might be responsible for looking after the person to whom the damages have been awarded.

**C. THE APPLICATION**

---

- ① If you are replying to this application, do not fill in this part. You should fill in part D.

**C1. How should the court change the damages management order?**

---

- ① Set out the changes you want the court to make. For example, you could ask the court to:
  - appoint someone else to manage the money
  - order the money to be paid directly to the person under legal disability.

**C3. Why should the court change the damages management order?**

- (i)** Set out why the court should change the damages management order.

**C4. When was this application sent to the court?**

- (i)** Set out the date on which the application was sent to the court (i.e. the date on which the email was sent, or the date on which the application was posted).
- (i)** Any reply to this application must be sent to the court within 10 days of this application being sent.

**D. THE REPLY**

- (i)** If you are the person making this application, do not fill in this part. You should fill in parts A, B and C.

**D1. What is your full name?**

Name	<input type="text"/>
Middle name	<input type="text"/>
Surname	<input type="text"/>
Trading name or representative capacity (if any)	<input type="text"/>

**D2. Should the court change the damages management order?**

- Yes
- No

**D3. If you answered 'no', why should the court not change the damages management order?**

- (i)** If you object to the proposed order, you should set out why the court should not change the damages management order.

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



FORM 17E

# The Simple Procedure Application for Instructions about a Damages Management Order

**If you are applying for the sheriff to make orders:**

This is an Application for Instructions about a Damages Management Order.

It is used where the court has made a damages management order (which is about how a sum of money awarded as damages is to be paid to and managed for a person under a legal disability) and you want the court to tell the person appointed to manage the money how to go about doing that.

You must fill in parts A, B and C of this application and send it to the court. If you are one of the parties, you must send a copy to the other party in this case. If you are an interested person, you must send a copy to every party.

**If you have been sent this Application:**

This is an Application for Instructions about a Damages Management Order.

If the court grants this application, the court will give instructions about how to manage the money to the person appointed to manage it.

You have received the application because you are one of the parties in the case or because you are the guardian appointed to manage the money.

You must fill in part D of this application ('the reply') and return it to the court within 10 days of it being sent to you.

The court will then either grant the application and send written instructions to the parties, the interested person and the sheriff clerk or guardian, refuse the application and make no orders, or order you to appear at a discussion in court where the sheriff will consider whether to give .

## A. ABOUT THE CASE

Sheriff Court	<input type="text"/>
Claimant	<input type="text"/>
Respondent	<input type="text"/>
Case reference number	<input type="text"/>

---

**B. ABOUT YOU**

**B1. What is your full name?**

Name

Middle name

Surname

**B2. Which is your role in this case?**

- Claimant
- Respondent
- Interested person

**B3. If you are an interested person, what is your interest in this case?**

- ① Explain why you have an interest in this case. For example:
  - the damages management order might tell you to do certain things
  - you might be responsible for looking after the person to whom the damages have been awarded.

---

**C. THE APPLICATION**

- ① If you are replying to this application, do not fill in this part. You should fill in part D.

**C1. What instructions about the damages management order should the court give?**

- ① Set out the proposed instructions you want the court to give. For example, you could ask the court to give instructions about how the money is to be spent or invested.

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

**C3. Why should the court give instructions about the damages management order?**

- Set out why the court should give the proposed instructions.

**C4. When was this application sent to the court?**

- Set out the date on which the application was sent to the court (i.e. the date on which the email was sent, or the date on which the application was posted).
- Any reply to this application must be sent to the court within 10 days of this application being sent.

**D. THE REPLY**

- If you are the person making this application, do not fill in this part. You should fill in parts A, B and C.

**D1. What is your full name?**

Name	<input type="text"/>
Middle name	<input type="text"/>
Surname	<input type="text"/>
Trading name or representative capacity (if any)	<input type="text"/>

**D2. Should the court give instructions about the damages management order?**

- Yes
- No

**D3. If you answered 'no', why should the court not give instructions about the damages management order?**

- If you object to the proposed instructions, you should set out why the court should not give them.



FORM 17F

# The Simple Procedure Application for a Child's Property Administration Order

**If you are applying for the sheriff to make orders:**

This is an Application for a Child's Property Administration Order.

It is used where the court has made an order under section 13 of the Children (Scotland) Act 1995 (section 13 is about the payment and management of money to (or for the benefit of) a child).

You must fill in parts A, B and C of this application and send it to the court. If you are one of the parties, you must send a copy to the other party in this case. If you are an interested person, you must send a copy to every party.

**If you have been sent this Application:**

This is an Application for a Child's Property Administration Order.

If the court grants this application, it will make the proposed order which regulates how the child's property is to be administered.

You have received the application because you are one of the parties in the case.

You must fill in part D of this application ('the reply') and return it to the court within 10 days of it being sent to you.

The court will then either grant the application and send written orders to the parties and the interested person, refuse the application and make no orders, or order you to appear at a discussion in court where the sheriff will consider whether to make any orders.

**A. ABOUT THE CASE**

Sheriff Court	<input type="text"/>
Claimant	<input type="text"/>
Respondent	<input type="text"/>
Case reference number	<input type="text"/>

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

**B. ABOUT YOU**

---

**B1. What is your full name?**

Name

Middle name

Surname

**B2. Which is your role in this case?**

---

- Claimant
- Respondent
- Interested person

**B3. If you are an interested person, what is your interest in this case?**

---

- Explain why you have an interest in this case: see section 11(3) of the Children (Scotland) Act 1995.

**C. THE APPLICATION**

---

- If you are replying to this application, do not fill in this part. You should fill in part D.

**C1. What order should the court make about administering the child's property?**

---

- Set out the things you want the Child's Property Administration Order to contain.

**C3. Why should the court make the Child's Property Administration Order?**

---

- Set out why the court should make the proposed order.



**C4. When was this application sent to the court?**

- ① Set out the date on which the application was sent to the court (i.e. the date on which the email was sent, or the date on which the application was posted).
- ① Any reply to this application must be sent to the court within 10 days of this application being sent.

**D. THE REPLY**

- ① If you are the person making this application, do not fill in this part. You should fill in parts A, B and C.

**D1. What is your full name?**

Name	<input type="text"/>
Middle name	<input type="text"/>
Surname	<input type="text"/>
Trading name or representative capacity (if any)	<input type="text"/>

**D2. Should the court make the proposed Child's Property Administration Order?**

- Yes
- No

**D3. If you answered 'no', why should the court not make the Child's Property Administration Order?**

- ① If you object to the proposed order, you should set out why the court should not make it.

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



FORM 19A

## The Simple Procedure Translation Certificate

Before completing this form, you should read Part 19 of the Simple Procedure Rules, which is about international service.

This is a Translation Certificate. It is used to confirm to the court that a document which is formally served in a foreign country has been correctly translated into an official language of the foreign country. It is completed by the translator.

It must be sent to the court at the same time as the Confirmation of Service Notice (or the certificate given by the person who served the document abroad).

### A. ABOUT THE CASE

Sheriff Court

Claimant

Respondent

Case reference number

### B. ABOUT YOU

B1. What is your full name?

Name

Middle name

Surname

Trading name or  
representative capacity (if  
any)

B2. What is your address?

Address

Town

Postcode

B3. What are your professional qualifications?

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

① Fill in information about your qualifications as a translator.

**C. DECLARATION**

---

① You must certify that your translation is a correct translation of the Form or Notice.

I certify that the translation of the Form or Notice is a correct translation.

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



FORM 19B  
**The Simple Procedure  
Method of Service Abroad  
Certificate**

Before completing this form, you should read Part 19 of the Simple Procedure Rules, which is about international service.

This is a Method of Service Abroad Certificate. It is used to tell the court about the way a document has been served in a foreign country. It is only used if no other method of service is available. It must be completed by a person who practises (or has practised) law in that country, or by a representative of that country's government.

**A. ABOUT THE CASE**

---

Sheriff Court

Claimant

Respondent

Case reference number

**B. ABOUT YOU**

---

B1. What is your full name?

Name

Middle name

Surname

B2. What is your address?

Address

Town

Postcode

B3. What is your qualification to provide this certificate?

---

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

- I practice law in: [country where Form or Notice served]
- I practised law in: [country where Form or Notice served]
- between these dates: [dates when in practice]
- I am a representative of the government of: [country where Form or Notice served]

**C. ABOUT THE FORMAL SERVICE**

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**C1. Who was the document served on?**

---

*i* You must identify the person on whom it was served.

**C2. Who served it?**

---

*i* You must give the following information about the person who served it:

- the person's full name
- the person's address
- the capacity in which the person served the Form or Notice

**C3. How was it served?**

---

*i* You must describe the method of service used.

**D. DECLARATION**

---

*i* You must certify that the method of service used is in accordance with the law of the country where the document has been served.

- I certify that the method by which the document was served is in accordance with the law of the country where it was served.

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



FORM 20A

# The Simple Procedure Provisional Orders Application

**If you are applying for the sheriff to make orders:**

**If you have been sent this Application:**

This is a Provisional Orders Application.

This is a Provisional Orders Application.

You can use this Application to ask the court to make orders that will protect your position until the sheriff makes a final decision in this case.

The claimant has asked the court to make orders to protect the claimant's position until the sheriff makes a final decision in this case.

If you are asking the court to make a provisional order **without a provisional orders hearing**, you do not have to send the Application to anyone except the court.

The sheriff must hear from the claimant, the respondent and any interested person at a provisional orders hearing before deciding whether to make the provisional orders.

Otherwise, you have to send a copy of the Application to the respondent and every interested person as well as sending it to the court.

## A. ABOUT THE CASE

Sheriff Court

Claimant

Respondent

Case reference number

## B. ABOUT THE CLAIMANT

B1. What is your full name?

Name

Middle name

Surname

Trading name or  
representative capacity (if  
any)

**C. THE APPLICATION**

---

- ① You should complete this Part, Part D and Part F.
- ① Only complete Part E if you are asking for an arrestment on the dependence.

**C1. What type of provisional order would you like the court to make?**

---

- an arrestment on the dependence under section 15A(1) of the Debtors (Scotland) Act 1987**
  - ① This is an order freezing the respondent's goods or money held by a third party.
- an inhibition on the dependence under section 15A(1) of the Debtors (Scotland) Act 1987**
  - ① This is an order preventing the respondent from selling their home or other land, or taking out a secured loan.
- an interim attachment under section 9A(1) of the Debt Arrangement and Attachment (Scotland) Act 2002**
  - ① This is an order preventing the respondent from selling or removing their goods.

**C2. Why should the court make this provisional order?**

---

- ① The court will have to be satisfied about certain matters before it makes the order. The matters that are considered depend on the type of order and on whether you are asking the court to make the order without holding a provisional orders hearing or not.
  - If you are asking for arrestment or inhibition on the dependence and you want the court to make a decision about the application without a hearing, see section 15E(2) of the Debtors (Scotland) Act 1987.
  - If you are asking for arrestment or inhibition on the dependence and you want the court to make a decision about the application at a hearing, see section 15F(3) of the Debtors (Scotland) Act 1987.
  - If you are asking for an interim attachment and you want the court to make a decision without a hearing, see section 9D(2) of the Debt Arrangement and Attachment (Scotland) Act 2002.
  - If you are asking for an interim attachment and you want the court to make a decision at a hearing, see section 9E(3) of the Debt Arrangement and Attachment (Scotland) Act 2002.

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

**D. HOW THE APPLICATION SHOULD BE DEALT WITH**

---

**D1. How do you want the court to deal with your Application?**

---

I want the court to consider whether to grant the Application without holding a hearing

*i* Please complete D2.

I want the court to hold a hearing before deciding whether to grant the Application

**D2. If the court refuses to grant the Application without holding a hearing, what should happen to the Application?**

---

*i* You can decide to go ahead with a hearing where the sheriff will decide whether to grant the Application after hearing from you, the respondent and any interested person. If you do not want a hearing, the Application will be refused.

I want the court to arrange a hearing

I do not want the court to arrange a hearing

**E. ARRESTMENT ON THE DEPENDENCE: INFORMATION ABOUT THIRD PARTY**

---

*i* You should only complete this part of the Application if you are asking for an arrestment on the dependence.

*i* The third party is the person who holds goods or money that belongs to the respondent.

**E1. Is the third party an individual, a company or an organisation?**

---

An individual (including a sole trader)

*i* Please complete E2.

A company or organisation

*i* Please complete E3.

**E2. What is the third party's full name?**

---

*i* If the third party is an individual trading under a business name, please also give that name.

Name

Middle name

Surname

Trading name (if any)

**E3. What is the third party's company name or organisation name?**

---

*i* If the third party is a company (which might be indicated by 'Limited', 'Ltd' or 'plc' after its name), please give the full name of that company and the company registration number.

*i* You can check the name of a company on the Companies House website.



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

Name

Company type

Company registration number (if limited company or LLP)

Trading name (if any)

**E4. What are the third party's contact details?**

Address

City

Postcode

Email address

**F. INTERESTED PERSONS**

- ① This Part tells the court about any person who has an interest in the Application.
- ① You do not need to include details for:
- the respondent
  - anyone whose details you have given in Part E.

**F1. Does any person have an interest in the Application?**

- Yes
- No

**F2. Is the interested person an individual, a company or an organisation?**

- An individual (including a sole trader)
- ① Please complete F3.
- A company or organisation

① Please complete F4.

**F3. What is the interested person's full name?**

- ① If the interested person is an individual trading under a business name, please also give that name.

Name

Middle name

Surname

Trading name (if any)

**F4. What is the interested person's company name or organisation name?**

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

① If the interested person is a company (which might be indicated by 'Limited', 'Ltd' or 'plc' after its name), please give the full name of that company and the company registration number.

① You can check the name of a company on the Companies House website.

Name	<input type="text"/>
Company type	<input type="text"/>
Company registration number (if limited company or LLP)	<input type="text"/>
Trading name (if any)	<input type="text"/>

**F5. What are the interested person's contact details?**

---

Address	<input type="text"/>
City	<input type="text"/>
Postcode	<input type="text"/>
Email address	<input type="text"/>



FORM 20B

## The Simple Procedure Provisional Orders Hearing Notice

The claimant has asked the court to make orders to protect the claimant's position until the sheriff makes a final decision in this case.

The sheriff has arranged a hearing about that application. The sheriff has also ordered the claimant to tell you about the date, time and place where the hearing will be held so that you can make your views known to the sheriff.

### A. ABOUT THE CASE

Sheriff Court	<input type="text"/>
Claimant	<input type="text"/>
Respondent	<input type="text"/>
Case reference number	<input type="text"/>

### B. ABOUT THE RECIPIENT

#### B1. Who is this Notice being sent to?

Name	<input type="text"/>
Middle name	<input type="text"/>
Surname	<input type="text"/>
Trading name or representative capacity (if any)	<input type="text"/>

#### B2. What is that person's role in this case?

- Respondent
- Interested person

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

**C. ABOUT THE HEARING**

---

**C1. What type of hearing has the sheriff arranged?**

---

A provisional orders hearing

*i* This is a hearing under section 15F of the Debtors (Scotland) Act 1987 or section 9E of the Debt Arrangement and Attachment (Scotland) Act 2002.

A provisional orders review hearing

*i* This is a hearing under section 15K of the Debtors (Scotland) Act 1987 or section 9M of the Debt Arrangement and Attachment (Scotland) Act 2002.

**C2. When will the hearing take place?**

---

Date of hearing

Time of hearing

**C3. Where will the hearing take place?**

---

Place of hearing



FORM 20C

# The Simple Procedure Provisional Orders Reconsideration Application

**If you are applying for the sheriff to reconsider a provisional order:**

This is a Provisional Orders Reconsideration Application.

You can use this Application to ask the court to reconsider a provisional order.

If you are the respondent, you have to send the Application to the court, the claimant and any interested person.

If you are an interested person, you have to send the Application to the court, the claimant, the respondent and any other interested person.

The court will then arrange a provisional orders review hearing. At the hearing, the sheriff must give anyone who was sent the Application an opportunity to be heard before deciding whether to make an order reconsidering the provisional order.

**If you have been sent this Application:**

This is a Provisional Orders Reconsideration Application.

The respondent or an interested person has asked the court to reconsider a provisional order.

The court will arrange a provisional orders review hearing. At the hearing, you will have an opportunity to be heard before the sheriff decides whether to make an order reconsidering the provisional order.

**A. ABOUT THE CASE**

Sheriff Court	<input type="text"/>
Claimant	<input type="text"/>
Respondent	<input type="text"/>
Case reference number	<input type="text"/>

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

**B. ABOUT YOU**

---

**B1. What is your full name?**

Name

Middle name

Surname

**B2. What is your role in this case?**

- Respondent
- Interested party

**C. THE APPLICATION**

---

**C1. What type of provisional order would you like the court to reconsider?**

- an arrestment on the dependence under section 15A(1) of the Debtors (Scotland) Act 1987
  - This is an order freezing the respondent's goods or money held by a third party.
- an inhibition on the dependence under section 15A(1) of the Debtors (Scotland) Act 1987
  - This is an order preventing the respondent from selling their home or other land, or taking out a secured loan.
- an interim attachment under section 9A(1) of the Debt Arrangement and Attachment (Scotland) Act 2002
  - This is an order preventing the respondent from selling or removing their goods.

**C2. When was the provisional order made?**

- Set out the date on which the court made the provisional order?

**C3. What do you want the court to do with the provisional order?**

---

- ① Set out the way in which you want the court to reconsider the provisional order.
  - If the order was made under section 15A(1) of the Debtors (Scotland) Act 1987, section 15K of that Act sets out what the court can do on reconsidering it.
  - If the order was made under section 9A(1) of the Debt Arrangement and Attachment (Scotland) Act 2002, section 9M of that Act sets out what the court can do on reconsidering it.

**C4. Why should the court reconsider the provisional order?**

---

- ① You must set out why the court should reconsider the provisional order.

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



FORM 20D

## The Simple Procedure Arrestment Notice

This is an Arrestment Notice. It is used when the court makes a provisional order and the provisional order is an arrestment on the dependence.

The purpose of the Arrestment Notice is to inform the third party who holds the respondent's goods or money that they have been frozen by the court. It is formally served on that person by a sheriff officer.

### A. ABOUT THE CASE

Sheriff Court	<input type="text"/>
Claimant	<input type="text"/>
Respondent	<input type="text"/>
Case reference number	<input type="text"/>

### B. ABOUT THE THIRD PARTY

B1. Is the third party an individual, a company or an organisation?

An individual (including a sole trader)

① Please complete B2.

A company or organisation

① Please complete B3.

B2. What is the third party's full name?

① If the third party is an individual trading under a business name, please also give that name.

Name	<input type="text"/>
Middle name	<input type="text"/>
Surname	<input type="text"/>
Trading name (if any)	<input type="text"/>



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

**B3. What is the third party's company name or organisation name?**

- ① If the third party is a company (which might be indicated by 'Limited', 'Ltd' or 'plc' after its name), please give the full name of that company and the company registration number.
- ① You can check the name of a company on the Companies House website.

Name	<input type="text"/>
Company type	<input type="text"/>
Company registration number (if limited company or LLP)	<input type="text"/>
Trading name (if any)	<input type="text"/>

**B4. What are the third party's contact details?**

Address	<input type="text"/>
City	<input type="text"/>
Postcode	<input type="text"/>
Email address	<input type="text"/>

**C. PROTECTED MINIMUM BALANCE**

- ① Section 73F of the Debtors (Scotland) Act 1987 prevents the arrestment of money held by a bank or other financial institution below a certain minimum balance if various conditions are met.
- ① This Part of the Form identifies whether the Protected Minimum Balance applies to this arrestment.

**C1. Is the respondent an individual?**

Yes

- ① Please complete C2.

No

- ① The Protected Minimum Balance does not apply. Go to Part D.

**C2. Is the third party a bank or other financial institution?**

- ① See section 73F(5) of the Debtors (Scotland) Act 1987 for a definition of bank or other financial institution.

Yes

- ① Please complete C3.

No

- ① The Protected Minimum Balance does not apply. Go to Part D.

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

**C3. Is the bank account one to which section 73F of the Debtors (Scotland) Act 1987 applies?**

See section 73F(2).

Yes

The Protected Minimum Balance applies. Please complete C4.

No

The Protected Minimum Balance does not apply. Go to Part D.

**C4. If it applies, what is the Protected Minimum Balance?**

Insert the Protected Minimum Balance, which is calculated in accordance with section 73F(4).

Protected Minimum Balance, if applicable.

**D. ABOUT THE ARRESTMENT ON THE DEPENDENCE**

Date of order for arrestment on the dependence

Name of sheriff officer

Address

Witness

Method of formal service

Date of formal service

**IN HER MAJESTY'S NAME AND AUTHORITY AND IN NAME AND AUTHORITY OF THE SHERIFF, the sheriff officer arrests in your hands:**

- any moveable property that belongs to the respondent, and
- the following sum of money, more or less, that is due by you to the respondent or to another person on behalf of the respondent

Sum arrested

The sum arrested, in excess of the Protected Minimum Balance where applicable.

**D. DUTIES OF THE THIRD PARTY**

**D1. Compliance with the arrestment**

You must retain anything that has been arrested in your hands under arrestment until one of the following things happens:

- the court makes an order transferring them to the claimant, or
  - the court makes another order telling you what to do with them.
- ① You should take legal advice before you hand over any goods to the respondent or pay any money to the respondent or someone else on behalf of the respondent.

#### D2. Duty of disclosure

---

- ① Section 73G of the Debtors (Scotland) Act 1987 requires you to disclose certain information to the claimant.

You must disclose to the claimant the nature and value of the goods and money which have been attached by this arrestment.

You must do this within the period of 3 weeks beginning with the day on which this arrestment is formally served on you.

You must make your disclosure using the form in Schedule 8 to the Diligence (Scotland) Regulations 2009.

You must also send a copy of the disclosure to:

- the respondent, and
- so far as known to you, any other relevant person.

A relevant person is someone (either solely or in common with the respondent):

- who owns or claims to own the attached goods, or
- to whom the attached money is or is claimed to be due.

- ① Failure to comply with this duty may lead to a financial penalty under section 73H of the Debtors (Scotland) Act 1987.

- ① Failure to comply may also be dealt with as a contempt of court.

**If you wish further advice, please contact any Citizens Advice Bureau, local advice centre, sheriff clerk or solicitor.**

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



FORM 20E  
**The Simple Procedure  
Confirmation of Formal  
Service  
of Arrestment Notice**

This is a Confirmation of Formal Service of an Arrestment Notice. It is used to inform the court when and how an Arrestment Notice has been formally served.

It must be completed and sent to the court whenever a sheriff officer formally serves an Arrestment Notice.

**A. ABOUT THE CASE**

Sheriff Court	<input type="text"/>
Claimant	<input type="text"/>
Respondent	<input type="text"/>
Case reference number	<input type="text"/>

**B. ABOUT THE SHERIFF OFFICER**

B1. What is your full name?

Name	<input type="text"/>
Middle name	<input type="text"/>
Surname	<input type="text"/>
Firm or organisation	<input type="text"/>

**C. ABOUT FORMAL SERVICE OF ARRESTMENT NOTICE**

C1. Who did you formally serve the Arrestment Notice on?

① You must identify the person who you were required to serve something on.

**C2. How did you formally serve it?**

---

**i** You must describe the method of formal service used.

- By a next-day postal service which records delivery
- Delivering it personally
- Leaving it in the hands of a resident or employee
- Depositing it in a home or place of business by letter box or another lawful way
- Leaving it at a home or place of business in a way likely to come to the person's attention
- Other

**i** If you have selected 'Other' or need to give more details about the manner of formal service, please set this out below.

**C3. When did you formally serve it?**

---

**i** You must identify when service was performed.