

SCHEDULE 2

Rules 33.11(1) and 33.34(2)(a)

FORM F26

Form of notice of intention to defend in family action

NOTICE OF INTENTION TO DEFEND

PART A

PART A (This section to be completed by the pursuer's solicitor before service.) [Insert name and business address of solicitor for the pursuer]	Court ref. No. In an action brought in Sheriff Court. _____ Pursuer _____ Defender Date of service:	Date of expiry of period of notice
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PART B

(This section to be completed by the defender or defender's solicitor, and both parts of the form to be returned to the Sheriff Clerk at the above Sheriff Court on or before the date of expiry of the period of notice referred to in Part A above.)

(Insert place and date)

[C.D.] (Insert designation and address), Defender, intends to

- (a) challenge the jurisdiction of the court;
- (b) oppose a crave in the initial writ;
- (c) make a claim;
- (d) seek an order;

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in the action against him [or her] raised by [A.B.], (insert designation and address). Pursuer.

PART C

(This section to be completed by the defender or the defender's solicitor where an order under section 11 of the Children (Scotland) Act 1995 in respect of a child is opposed by the defender).

DO YOU WISH TO OPPOSE THE MAKING OF ANY ORDER CRAVED BY THE PURSUER IN RESPECT OF A CHILD?

YES/NO*

*delete as appropriate

If you answered YES to the above question, please state here the order(s) which you wish to oppose and the reasons why the court should not make such order(s)

PART D

(This section to be completed by the defender or the defender's solicitor where an order under section 11 of the Children (Scotland) Act 1995 in respect of a child is sought by the defender).

DO YOU WISH THE COURT TO MAKE ANY ORDER UNDER SECTION 11 OF THE CHILDREN (SCOTLAND) ACT 1995 IN RESPECT OF A CHILD?

YES/NO*

*delete as appropriate

If you answered YES to the above question, please state here the order(s) which you wish the court to make and the reasons why the court should make such order(s).

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PART E

IF YOU HAVE COMPLETED PART D OF THIS FORM YOU MUST INCLUDE EITHER CRAVE (1) OR (2) BELOW (*delete as appropriate)

(1)* Warrant for intimation of notice in terms of Form 19 on the child(ren) (*insert full name(s) and date(s) of birth*) is sought.

(2)* I seek to dispense with intimation on the child(ren) (*insert full name(s) and date(s) of birth*) for the following reasons:-

Signed

[C.D.] Defender [*or* [X.Y.] (*add designation and business address*)

Solicitor for Defender]