

REMIT OF ACCESS TO JUSTICE COMMITTEE

1. The Committee's remit shall be to consider, in light of the recommendations in the Report of the Scottish Civil Courts Review, the implications of proposals for legal reform which may affect the civil justice system upon litigants and potential litigants in the Scottish civil courts, and in particular:

- a) to consider the practice and procedure to be followed in actions which are currently subject to small claims and summary cause procedure, and in due course the simple procedure proposed in the draft Court Reform (Scotland) Bill;
- b) to review the arrangements for actions conducted by party litigants in the sheriff court and the Court of Session;
- c) to review the arrangements for lay representation and lay support in the sheriff court and the Court of Session;
- d) to review the information and guidance that is available to party litigants, lay representatives and lay support in the sheriff court and the Court of Session; and
- e) to review the arrangements for the use of Alternative Dispute Resolution methods in appropriate cases in the sheriff court and the Court of Session.

2. The Committee will have regard to initiatives underway in relation to the use of Alternative Dispute Resolution methods within the civil justice system, including any outwith the Scottish civil courts.

3. The Committee will take due account of the need to ensure that actions falling within its remit proceed through the courts as expediently as possible and at a cost proportionate to the sum or matter in dispute.

4. The Committee will take due account of the different circumstances of the sheriff court and the Court of Session whilst seeking to achieve, where possible, consistency of overall approach.

5. The Committee will make recommendations to the Scottish Civil Justice Council as to the policy which should be adopted in respect of matters falling within its remit and where appropriate will provide draft rules for the Council's consideration.

Scottish Civil Justice Council- Secretariat

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