

ANNEX A QUESTIONNAIRE

Please clearly indicate in your response which questions you are commenting on.

1. Do you have any general comments about using Civil Online to submit claims?

We have carried out an internal consultation with solicitors and paralegals who use the Civil Online system on a daily basis. The majority of their interaction with Civil Online relates to defence of simple procedure claims.

The general consensus is that Civil Online as a tool is beneficial but they have identified some issues lodging documents.

2. Were there benefits to using Civil Online to submit your claim and if so what were these?

Ease of access to the documents relating to each case is a definite benefit.

3. Did you have any difficulties using Civil Online when submitting a claim? If so what were these?

Difficulties have been experienced when uploading documents.

Although a confirmation screen is shown at the end of the procedure to lodge a document, that confirmation is not date or time stamped and it does not mean the document has actually been uploaded or linked to the case file. We have had instances where the confirmation is provided at the end of the process but later it is identified that the document has not been lodged. We screen print the confirmation screen and save to our case management system but as it is not date or time stamped it is not always sufficient to persuade the sheriff clerk that the document was lodged timeously. We suggest the confirmation at the end of the process is date/time stamped so that it can be relied upon to establish a document has been uploaded.

We have had issues lodging a late response form and have had to involve the sheriff clerk. In most instances the system is bypassed and the sheriff clerk adds the incidental application order to have the response received late and the response form. Whilst it seems sensible that someone who is not a party to an action cannot lodge applications, perhaps instead there should be an additional option to lodge an application to have response form received late in addition to "submit a claim" and "submit a response".

There should be an option to upload a completed PDF response form instead of following the form on Civil Online. This is requiring us to complete a response form in our case management system, pass for approval from the supervising partner and then copy and paste the text from the PDF into the online form.

4. If you tried to raise a claim but did not do so because of Civil Online, could you explain why and what happened?

N/A

5. Do you have any comments about using the API for Civil Online to submit bulk claims?

N/A – We do not use the API to submit bulk claims.

6. Were there benefits to using Civil Online API for submitting bulk claims and if so what were these?

N/A

7. Did you have any difficulties in using the API for Civil Online to submit bulk claims? If you did, what were these? Please include any issues you may have had integrating the API with your own computer system, case management system or general way of submitting claims.

N/A

8. If you needed support to use the either of the digital portals, who did you ask for support?

The support we have required has related to issues uploading documents or confirming whether or not documents have been received by the court. We usually address queries to the sheriff clerk for the relevant court.

9. Was it easy to find information about what support was available to you?

Yes.

10. Was the support provided helpful to you?

Our issues have all related to lodging documents. The support provided by the sheriff clerk is a work-around but it would be preferable if the issue relating to lodging documents was fixed.

11.If you play a role in providing support to court users, do you have any comments on any practical issues arising from the rule change?

We do not play a role in providing support to court users. However we anticipate that the mandatory use of Civil Online might impact on access to justice for individuals who do not have the necessary IT skills or access to the internet to commence a claim online.

12.What effect, if any, has the rule change had for your service and service users?

N/A

13.Are you aware of any cases whereby individuals have decided not to engage with the court under the new rules? If so, how often has this happened and do you know the reasons why?

N/A

14.If you have provided a note to the Sheriff asking to submit your claim on paper please comment on the process. For example - is it straightforward or complicated? Did you encounter any problems and if so please explain?

N/A

15.If you requested to submit a claim on paper and NOT through either digital interface (Civil Online or the API) please explain the main reasons why? (Please do not include any personal information which could identify you or your case)

N/A

16.Did you need any support or further information to submit the note, if so, why did you feel you needed support? Where did you go to for support to complete the note and was this helpful?

N/A

17.Do you think the rules to make the use of Civil Online mandatory for Simple Procedure Cases should remain in place? If yes, why? If no, why?

Yes but there requires to be some improvement to ensure the difficulties highlighted in answer 3 are addressed.

18. If the rules continue to be in force past the 30th of September 2021, are there any changes to them that you think could usefully be made and if so, why?

We do not believe there is any requirement for a change to the rules.

19. Please provide any further comments on the rules under review regarding the submission of claims through Civil Online or the API.

We have no further comments to make.

Submission on behalf of

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