

## ITEMS CONSIDERED BY CORRESPONDENCE

### Purpose

1. To provide members with the outcomes of matters considered by correspondence since the last meeting on 09 July 2020.

### Discussion

2. In considering matters by correspondence, members are advised that a nil response will be treated as consent, unless noted otherwise.
3. 11 matters have been considered by correspondence since the last meeting:

#### A. Civil Online updated rules

- **Paper 2020/14** was issued on 22 July 2020 and invited members to consider points within the paper and approve the draft rules instrument.
- Four responses containing comments on the draft instrument were received and were considered with the Lord President's Private Office.

#### B. Rules of Court of Session – chapter 49

- **Paper 2020/15** was issued on 30 September 2020 and invited members to consider and approve draft rules amending Chapter 49 of the Rules of the Court of Session.
- One response was received approving the amendments and the draft rules were submitted to the Court of Session.

#### C. SCJC Admin Matters

- **Paper 2020/16** was issued on 13 November 2020 to the Family Law Committee inviting its members to approve minutes of its 02 November meeting.
- Four responses were received approving the minutes and offering typographical amendments.

#### **D. Domestic Abuse (Protection) Scotland Bill Stage 1 Submission**

- **Paper 2020/18** was issued to members on 27 November 2020 as a draft submission for information.
- One response was received with comments.

#### **E. Hague Service Convention - Fees Amendments**

- **Paper 2020/20** was issued to members (Sheriff Principal Murray and Sheriff Hughes) on 08 December 2020 as an expedited item in relation to the expedited procedures for clearing Brexit instruments.
- The Rules instrument was approved.

#### **F. Hague Choice of Court Agreement**

- **Paper 2020/21** was issued to both Sheriff Principal Murray and Sheriff Hughes on 15 December 2020 under circumstances similar to the above.
- The paper was approved.

#### **G. Committee appointments and tenures**

- **Paper 2020/17** was issued on 17 November 2020 inviting members to approve the appointment of Sheriff Fife to the Personal Injury Committee.
- One response was received approving the appointment.
- **Paper 2020/19** was issued to members on 08 December 2020 inviting them to approve the appointment of Catherine Smith as an advocate member of the Council.
- **Paper 2021/01** was issued to members on 11 January 2021 inviting members to approve the appointment of Gillian Fyfe as a consumer representative member of the Access to Justice Committee.
- Three responses were received approving the appointment.
- **Paper 2021/05** was issued to members on 28 January 2021 inviting members to approve a number of reappointments at committee level.

- One response was received.

#### **H. Revised Qualified One Way Cost Shifting Rules Instrument**

- **Paper 2021/02** was issued to members of the Costs and Funding Committee on 15 January 2021 inviting them to consider policy matters and approve the revised draft instrument.
- 8 responses were received.

#### **Recommendation**

4. **Members are invited to note this update.**

**Scottish Civil Justice Council Secretariat  
March 2021**