



# Courts Reform (Scotland) Act 2014

## 2014 asp 18

### PART 3

#### CIVIL PROCEDURE

#### CHAPTER 1

#### SHERIFF COURT

##### *Civil jury trials*

#### **63 Civil jury trials in an all-Scotland sheriff court**

- (1) This section applies in relation to relevant proceedings in an all-Scotland sheriff court.
- (2) If the proceedings are remitted to probation, they must be tried by jury unless—
  - (a) the parties agree otherwise, or
  - (b) special cause is shown.
- (3) Facts or circumstances constitute special cause for the purposes of subsection (2)(b) only if they would constitute special cause for the purpose of section 9(b) of the Court of Session Act 1988 (allowing of proof by Lord Ordinary).
- (4) The questions to be put to the jury are to be—
  - (a) approved by the sheriff, and
  - (b) specified by the sheriff in an interlocutor.
- (5) The jury is to consist of 12 jurors.
- (6) Proceedings which are to be tried by jury under this section are referred to in this Chapter as “jury proceedings”.
- (7) In this section, “relevant proceedings” means proceedings—
  - (a) of a type specified in an order under section 41(1), and
  - (b) which would be a jury action within the meaning of section 11 of the Court of Session Act 1988 if the same proceedings were (disregarding section 39)—

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**Changes to legislation:** Courts Reform (Scotland) Act 2014, Section 63 is up to date with all changes known to be in force on or before 26 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- (i) taken by an action in the Court of Session, and
- (ii) remitted to probation there.

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**Commencement Information**

**II** S. 63 in force at 22.9.2015 by [S.S.I. 2015/247](#), art. 2, [Sch.](#)

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[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- sch. 1 para. 5A and cross-heading inserted by [2020 asp 9 s. 9](#)
- sch. 1 para. 2(g)(h) inserted by [2021 asp 16 s. 15\(8\)](#)