

SCHEDULE

SHERIFF COURT ADOPTION RULES 2009

CHAPTER 4

PERMANENCE ORDERS

Pre-proof hearing

36.—(1) It is the duty of the parties to provide the sheriff with sufficient information to enable him to conduct the hearing as provided for in this rule.

(2) At the pre-proof hearing the sheriff must ascertain, so far as is reasonably practicable, whether the case is likely to proceed to proof on the date fixed for that purpose and, in particular, the sheriff must consider—

- (a) the state of preparation of the parties;
- (b) the extent to which the parties have complied with any orders made by the sheriff under rule 35.

(3) At the pre-proof hearing the sheriff may—

- (a) discharge the proof and fix a new date for such proof;
- (b) adjourn the pre-proof hearing;
- (c) order the lodging of joint minutes of agreement, affidavits and expert reports within such period as he considers appropriate; and
- (d) make such other order as he considers appropriate to secure the expeditious progress of the case.