

SHORTENED PERIOD OF INTIMATION OF MOTIONS

This following procedure has been agreed with the Outer House administrative judge, Lord Young.

With Consent - Rule 23.1J(3)(a)

Where all parties consent to the period of intimation being reduced, the party enrolling the motion should ensure that the motion lodged on Form 23.1C states at paragraph 13:

13. Has consent to the motion been provided? Yes, reduced period of intimation

Paragraph 6 of the motion form should state that the period of intimation is to be reduced of consent.

There is no requirement to give reasons for the shortened period of intimation within paragraph 7 of the motion form.

The motion form should be accompanied with confirmation from each party to the action that they consent to the shortened period of intimation (e.g. a copy email)

If the motion is granted, the court interlocutor will state ‘...of consent, reduces the usual period of intimation; on the motion of the X...’

Without Consent – Rule 23.1J(3)(b)

In circumstances where the enrolling party seeks to reduce the period of intimation and is moving the court to shorten the period, the motion lodged on Form 23.1C. should state at paragraph 13:

13. Has consent to the motion been provided? No

Paragraph 6 of the motion form should state that the enrolling party moves the court to reduce the usual period of intimation.

Paragraph 7 of the motion should provide a detailed explanation why the period of intimation should be reduced and whether that, or the motion itself, is likely to be contentious.

If the shortened period of intimation or the motion itself is likely to be contentious, the motion will be starred.

If it is stated that neither the shortened period of intimation or the motion itself is likely to be contentious, the motion will be put before the Lord Ordinary for consideration.