

Legislation	Court	SCJC lead	Action	Key Dates
The Children's Hearings (Scotland) Act 2011 – section 185(2)(a)(ed) (prescribing)	Sheriff Court	Family Committee	SCRC Child Welfare Working Group considered section 185(2)(a)(ed) of the 2011 Act but due to the complexity of the procedure involved it was not included in the Act of Sederunt. [Paper 5.1, Annex C, pp.34-39]	To be considered by the Family Committee at it's meeting of 2 Sept 2013
Simplified Procedure for Parental Rights and Responsibilities	Sheriff Court	Family Committee	Proposal for a new simplified procedure for parental rights and responsibilities to be introduced into the Ordinary Cause Rules with application to be made by way of a Form in similar style to that used in Simplified Divorce and Simplified Dissolution of Civil Partnership Applications. The SCRC reached the view that although the proposal was well intentioned it could not be regarded as a simplified procedure given it involved the welfare of children and remitted the matter to the Scottish Civil Justice Council for consideration. [Paper 5.1, Annex D, pp.40-46]	To be considered by the Family Committee at it's meeting of 2 Sept 2013
NJ and EH v The Lord Advocate and Others	Court of Session/Sherif Court	Family Committee	Current rule 3.31(1) of the 1997 Act of Sederunt provides that on receipt of an application for a child protection order that the sheriff having considered the grounds of the application and the supporting evidence, should forthwith grant or refuse it. The case does however raise a question as to whether consideration should be given as to whether the current rule should make provision allowing the sheriff to order intimation of an application to relevant persons and affording them the opportunity to make representations prior to it being granted or refused. [Paper 5.1, Annex E, pp.47-66]	To be considered by the Family Committee at it's meeting of 2 Sept 2013
Sheriff Court Ordinary Cause Rules	Sheriff Court/Court of Session	Family Committee	Proposal for extending the simplified divorce procedure to circumstances in which there are children to the marriage under 16.	To be considered by the Family Committee at it's meeting of 2 Sept 2013
Court of Sesion Rules	Court of Session	Family Committee	Amendments to Chs. 38 and 40 RCS to require mandatory enrolment for urgent disposal in cases where appeals are taken re. section 11 orders.	To be considered by the Family Committee at it's meeting of 2 Sept 2013