

# What is Simple Procedure?

Simple procedure allows you to apply to civil court to claim money you're owed by a person or a business. It can also be used by a person or business to get money from you.

It provides an informal and cost-effective way to settle claims worth up to £5,000.

The simple procedure replaced the small claims and summary cause procedures but it still takes place in the sheriff court.

## When to use simple procedure

You can use simple procedure to:

- force a person or a business to pay money they owe - for example, to collect payment for a loan that's due
- get compensation if someone breached your legal rights - for example, if they've discriminated against you because of your age or sexual orientation
- get goods returned or delivered - for example, something you've paid for that wasn't delivered
- force a person or business to finish work or provide a service you paid for - for example, a building contract you had hasn't been finished.

Find more information about when to use simple procedure on the [Scottish Courts and Tribunals website](#).

## Before you make a claim

If you're thinking of taking court action using the simple procedure, you should consult an experienced adviser at the [Citizens Advice Bureau](#).

Going to court should be a last resort. So before you start the action, make sure you've tried to settle the dispute out of court.

You might start by:

- sending a letter to the person or company that your dispute is with
- using a form of alternative dispute resolution, like mediation or an ombudsman.

Find out more about using [alternative dispute resolution](#).

## How to submit a simple procedure case

You should use Civil Online to complete your simple procedure application and make your claim. You can find [Civil Online on the Scottish Courts and Tribunals website](#).

If you can't apply using Civil Online, you can ask to use a paper form. You have to include a note for the sheriff with the paper form explaining why you can't use Civil Online. The sheriff will decide if you have a good reason. You might have a good reason if you:

- don't have a personal laptop, computer, tablet or smartphone
- have very poor bandwidth or limited access to the internet
- are disabled and can't use online forms
- have limited ability to follow the form and you need help to complete it.

You can download and print off [form 3A on the Scottish Courts and Tribunals website](#). Then you can either post it or hand-deliver it to the sheriff court. You will have to make 2 copies and pay a fee, unless you're exempt.

## How much does simple procedure cost?

The fee depends on the:

- amount you're claiming
- the court that is dealing with your case.

## How to check which court to apply to

Always check which court or tribunal has to hear your case as you might incur expenses if you apply to the wrong place.

Find more information about [making a simple procedure claim on the Scottish Courts and Tribunals website](#) or at the Citizens Advice Bureau.

## Which sheriff court deals with your case?

You must normally start court action in the court nearest to where the person you're taking action against lives or works.

For consumer cases, for example a claim about a product or service, you can use the court nearest to the part of the UK where:

- you live
- the person you're taking action against lives or works.

For example, if you want to take court action against a shop you can use the court nearest to where you live or the court nearest to the shop premises.

## Do you need a solicitor?

You don't have to use a solicitor to take or defend legal action when using simple procedure. However, you can choose to use a solicitor or have a [lay representative](#).

If you decide to use a solicitor, you should check what it might cost first.