

Judicial Office
for Scotland



**Judicial Work Shadowing Guidance
for the Legal Profession and
Judicial Office Holders**

Scheme Objectives

The general purpose of this scheme is to encourage legal practitioners to apply for judicial office.

This scheme gives any qualified solicitor, solicitor-advocate or advocate the opportunity to apply to spend up to three days observing the work of a judicial office holder.

It is hoped this scheme will be to provide a suitable environment for legal professionals to:

- share issues which they perceive as inhibiting their application for judicial office (e.g. concerns of work/life balance, self-confidence, self-perception) and receive confidential advice, support and guidance from a mentor judge.
- learn from someone with greater understanding of the judiciary.
- establish what skills and experiences are needed to support their application for judicial office.
- identify areas where further development and experience is required and consider how these may be acquired.
- decide whether or not taking up judicial office is an option they want to pursue.

The scheme is also open to serving sheriffs and sheriffs principal who have an interest in applying to be a Senator of the College of Justice.

The Judicial Appointments Board for Scotland's ongoing Diversity Strategy may be of particular interest to applicants. The Board takes seriously its duty to encourage diversity among those who are eligible to apply for judicial office, while ensuring that merit remains the principal basis for recommending applicants for appointment. The Board is working to encourage all eligible applicants - regardless of gender, age, social or ethnic background, marital status and sexual orientation - to apply for judicial office. Further information is available at www.judicialappointments.scot.

Application

To apply for a placement please send a completed Judicial Work Shadowing Scheme Application Form to the JudicialOfficeforScotland@scotcourts.gov.uk

Alternatively you may post it to:

Strategy & Governance Branch

Judicial Office for Scotland

Parliament House

Edinburgh

EH1 1RQ

General requirements

Applicants for the scheme must be a qualified solicitor, solicitor-advocate or advocate, or as the case may be, a serving sheriff or sheriff principal. Participants in the scheme can shadow a judicial office holder for a period of up to three days. The shadowing does not have to take place on consecutive days, but should ideally be completed within six months of being assigned a suitable placement.

Applicants are asked to avoid any possible conflicts of interest. If, for example, they choose to shadow in a local court, they should not shadow cases in which their firm is representing one of the parties. For the same reason, Crown Office and Procurator Fiscal Service practitioners will be required to shadow in a different sheriff court district to the one in which they practise.

Participants will be escorted visitors during their visit to the court in which they are shadowing. As such they will be subject to normal Scottish Courts and Tribunal Service visitor security measures and should carry a form of photographic ID.

Participants with a Disability

The application form asks for the participant to state whether they have a disability in order to permit reasonable adjustments to undertake work shadowing. If you wish to discuss any

concerns regarding reasonable adjustments or require further information in this regard, please contact the Judicial Office on the details below.

Telephone: 0131 240 6677 or email: JudicialOfficeforScotland@scotcourts.gov.uk

Role of the Judicial Office Holder

Before any period of work shadowing starts, the judicial office holder will be provided with a copy of the participant's application form. This will provide information about the applicant and whether he or she has made any specific requests regarding the type of work they wish to see.

In order to maximise the benefits of the placement for the participant, it is important that the JOH and SCTS staff make the participant feel welcome as well as encouraging and responding to appropriate questions relating to judicial work and career development.

JOHs should try to set aside time to discuss with the participant aspects of judicial life, such as the volume and pressures of the workload, and the relationship between the judiciary with court staff and court users.

It is intended that participants will see as wide a variety as possible of a JOH's main duties, which may include:

- preparing for trial/hearing;
- overseeing court proceedings;
- hearing applications;
- sentencing;
- determining applications; and
- giving judgments or decisions.

When shadowing a JOH during court proceedings, if the JOH considers it appropriate, the participant should be allowed to sit within the well of the court. The participant should not sit on the bench. If a JOH encounters any problems or has any concerns whilst participating in the scheme, he/she should contact the Judicial Office as soon as possible.

Role of Judicial Office

The Judicial Office for Scotland is responsible for the administration of the scheme. This includes processing applications, maintaining a list of applicants and matching applicants to a judicial office holder in a suitable location to shadow.

Scheme Process

Application Form received by
Judicial Office.

- The Judicial Office receives your application and carries out the initial processing stages of the application form. Receipt of your application will be acknowledged within 5 working days.
- The Judicial office may return your form if it is incomplete or we require further information.
- The Judicial Office will check the published member lists for the Law Society of Scotland and Faculty of Advocates as required.

Judicial Office Matches
Applicant to a Judicial Office
Holder

- The Judicial Office will contact judicial office holders in suitable locations for the applicant to shadow. Once availability is checked; details of dates, locations and the judicial office holder will be forwarded to the applicant. A copy of the participant's application form is forwarded to the judicial office holder. The local court administration will be informed of the shadowing dates. The judicial office holder may contact the applicant prior to their placement to discuss issues that may be useful.
- The applicant can shadow for up to 3 working days per application - these days do not have to be consecutive but ideally should be completed within six months of the date of the applicants application.

Completion of Work
Shadowing

- Once shadowing has been completed, the Judicial Office will contact the participant and the JOH for comments on their experience. This is to evaluate the success of the scheme and to make further improvements.

Further Information

For further queries or information on the scheme, please contact:

Strategy & Governance Branch

Judicial Office for Scotland

Parliament House

Edinburgh

EH1 1RQ

Telephone: **0131 240 6677**

Email: JudicialOfficeforScotland@scotcourts.gov.uk

Useful websites:

www.scotland-judiciary.org.uk

www.judicialappointments.scot

Judicial Office for Scotland

June 2018