Department for Work & Pensions Procedures ▸ Liability Order - Sheriffs Court

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Liability Order - Sheriffs Court

In enforcement cases where the paying parent lives in Scotland there is an official legal process whereby the sheriff court is presented with evidence of the money that that paying parent owes the receiving parent. They then grant the liability order (LO) to officially recognise this debt and allow civil enforcement action to proceed.

An LO is a legal recognition that a debt exists. It defines the period over which the debt has accrued and the amount of debt that was accrued within that period.

This process will be carried out on cases that have been accepted for enforcement action and have been assigned to an enforcement case worker.

This procedure will guide you through the process of serving an LO to an paying parent, by the following steps:

- Validating that the action is appropriate

- Issuing the relevant forms and letters to the sheriff court and the Child Maintenance Group (CMG) solicitor

- Managing paying parent objections to the LO

- Making the final application to have the LO granted

- Applying costs

Liability Order action should be considered once a paying parent's debt has exceeded £500. The action is subject to an enforcement charge of £300.00. When speaking to the paying parent prior to any enforcement action please advise them that they will be liable to pay the charge as well as any other additional enforcement costs Refer to the procedure for Civil Enforcement Overview for further information about enforcement charging

A top up LO is used to secure further debt relating to a period for which an LO already exists (e.g. as a result of a backdated increase in an paying parent's liability). A top up order application follows exactly the same process as a normal LO but is recorded on our system as a top up order

ⓘ A top up LO is not subject to a further enforcement charge, however the CMS System will currently prompt you to apply a further £300.00 charge for a top up LO. This charge will subsequently need to be removed. Refer to the procedure for Civil Enforcement Overview for further information about enforcement charging

When applying for an LO you may also consider one of the following actions:

- an Inhibition On The Dependence is required if the paying parent is in the process of selling land/propert

- an Arrestment On The Dependence is required if the paying parent has just come into, or, is about to come into, a large sum of money

- an Interim Attachment is required if there is a real and substantial risk of the paying parent:

   ◦ becoming insolvent (or verging on insolvency),

   ◦ removing, disposing of, burdening, concealing or otherwise dealing with assets which are suitable for arrestment before the Liability Order is granted

ⓘ Existing business processes should be followed if a Liability Order has previously been granted on any CSA system. For more information refer to the Enforcement/Liability Order Actions - Check CSA procedures. All Segment 5 cases with previous CSA Legal Enforcement action will automatically generate an SR which will be managed by the 1993/2003 Rules Reassessment team who will build the Liability Order. For more information refer to Enforcement Transition Part 1 and Enforcement Transition Part 2 from Fundamentals.

ⓘ Enforcement Service Requests (SR) and Activity Plans (AP) are supported by an underlying data form, in which the enforcement case manager can record specific details as the action progresses. The complete data form for this process may be found here: LO - Sheriffs court

For more information refer to the Policy, Law and Decision Making Guidance. ⚖
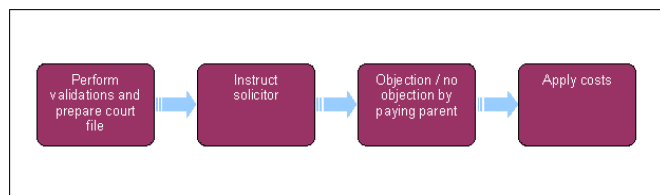
ⓘ When speaking to clients always use the new terminology - for more information refer to Terminology Changes.

i This procedure uses the terms receiving parent and paying parent.

The receiving parent is the parent who receives or who is expected to receive child maintenance, known as the parent with care (PWC) or person with care (PeWC) on the system and in legislation. The paying parent is the parent who pays or who is expected to pay child maintenance, known as the non resident parent (NRP) on the system and in legislation.

Perform Validations

i If ECM is unable to draft stamp the full amount of Arrears due, as a result of suspended Collection charges over £65 as a consequence of write-off action being taken, raise an incident with AAC. Design will review the incident and work with affected areas to decide the best way to proceed with case.

i When speaking to the paying parent during the process of considering/applying for a liability order (LO), take the opportunity to tell them why we are taking this action. Explain that enforcement is not the Child Maintenance Group's (CMG's) preferred course of action and that the paying parent can avoid the process by becoming compliant (i.e. making a lump sum payment and adhering to an arrears agreement).

i If Paying Parent changes jurisdiction while enforcement action is on-going, caseworker must ensure that the Lock Assignment flag is set. Please see Case-routing-enforcement for further information.

i If CMG are going to take either inhibition on dependence or arrestment on dependence action Harper MacLeod will be instructed at the outset to seek this action via courts and have the LO granted.

1. Create a new service request (SR) using the following values:

   - **Process** - **Enforcement**

   - **Area** - **Take Enforcement Action**

   - **Sub Area** - **LO - Sheriff Court**

2. Confirm that the paying parent falls into the correct jurisdiction by checking the address in the **Contacts** screen.

3. Update the SR **Status** to **In Progress**. At this point the system will generate an activity plan requesting validation of various account details prior to completing the SR. These validations can be completed in any order:

   i Check whether there are existing LOs - Navigate to the **Financial Accounts** screen and the **Enforce Enquiries** tab.

   - **Draft stamp the LO** - To do this you will need to overtype the system populated dates in the **To Date** and **From Date** fields, for more information refer to LO/LSDO - Stamping. Once you've decided the period of debt appropriate for which to impose the LO, navigate back to the SR activity plan. If there is no enforceable debt, then exit the process at the **Decide Next Steps** activity.

     i The paying parent should have arrears of at least £500.00 to be considered for liability order action.

     i You need to define the end date of the debt period to cover arrears only. Look at the Schedule tab and clarify when the last posting was made to arrears, however you have to choose the date that the liability was actually posted (ongoing maintenance (OGM) - which is now arrears) rather than the date it was posted as arrears. This is due to a missed payment only being considered as arrears at the end of the payment frequency. For example paying parent payment frequency is weekly so liability posted on 20/7/2012 will not turn into arrears until the end of 27/7/2012.

   - **Verify arrears outstanding -** Record the **From** and **To** date and **amount** of the Draft Stamp period in the **Reason** field.

   - **Consider the welfare of child/ren** - The decision to apply for an LO is a discretionary decision, this includes making a Welfare of the Child Decision, bear in mind that a LO is not in itself a sanction against the paying parent. for more information on discretionary decisions including a verbatim statement to record in **Reason** refer to Policy, Law and Decision Making Guidance ⚖. If there is any evidence that the application for a LO might compromise the welfare of the child/ren then exit the process at the **Decide Next Steps** activity.

   - ✉ **Letter - Outbound** - Issue letter CMEL9016 to advise the receiving parent of the CMG's intention to apply for an LO.

   - ☎ Call the receiving parent to explain the action we are taking and be clear and realistic about how long legal action could take.

     ⚠ You must not send a letter to the receiving parent to tell them about the LO before reviewing if an application is appropriate

     i Use this opportunity to manage the receiving parent's expectations, with regards to timescales for recovering the paying parent debt, and to explain the enforcement process and powers the CMG can levy once an LO has been granted.

   - **Decide next steps** - Select **Continue** to proceed with the application for an LO and generate the next part of the activity plan **Prepare Sheriff Court File** or, if any of these validations have shown you that it would be inappropriate to proceed with an LO, record your decision in the **Reason** field of the **Update Child Welfare Details** activity. Select **Exit**, and close the SR by updating the **Status** to **Closed** and **Sub Status** to **Complete**.

4. Update the activity plan line **Caseworker applies new charge, if a charge is effective**. Select the **Outcome** of **Charge Applied** as a charge is always applicable for a liability order, but should not be applied for a top up liability order. Follow the procedure for Enforcement Charge - Apply for guidance on applying the enforcement charge.

5. Create an extra line in the activity plan by selecting the **New** button at the top of the activity plan. Add the title **Outbound letter - NRP**. Issue the letter CMEL7000S to the paying parent to advise them of the CMG's intention to apply for an LO, and set the SR to **Wait** for seven days for a response. If you are aware that the paying parent is out of the country set a Wait state of 28 days. If the paying parent fails to respond go to **Step 10**.

A LO Calculator tool is available from Calculation Tools. The LO Calculator calculates amounts required for input onto CMEL7000S for the LO period set.

6. Select the **Update Form/Document** button to access the **Enforce form** and update the field for **Warning letter issued**.

Withdraw LO Action

Please note that you would only complete the following steps in cases where **LO has been granted**. If LO is draft stamped only, close and cancel LO SR as no further action is required.

7. If the paying parent responds and pays their arrears in full, or if you need to withdraw the LO for any other reason, navigate to the **Enforce form/document** and update the outcome of **LO Granted?** field to **N/A**, and complete the **Reason for Not Granted** field by selecting an appropriate reason from the pick list.

8. Send letter CMEL9014 to the Sheriff court, along with CMEL9007 (Form 2A) updated with the **Minute Seeking Dismissal** section.

9. Unstamp the LO before closing the SR **Status** to **Closed** and the **Sub Status** to **Complete**. For further guidance on debt stamping refer to the procedure for LO/LSDO Stamping

If the paying parent pays their arrears in full or contacts the Commission to make an acceptable arrears agreement within the seven days stipulated in Letter CMEL7000s refer to the procedure for Enforcement Charge - Reversal as the £300.00 enforcement charge will no longer be applicable.

If the paying parent does respond and pay the arrears detailed in letter **CMEL7000s**, be aware that the £300.00 liability order charge may have allocated to other debts that sit higher in the payment hierarchy. If this is the case the liability order charge will still show on future payment schedules.

If you need to invalidate a Liability order and seek a minute for dismissal at any later point in the process, go to **Step 53**.

Prepare Sheriff Court File

10. Once the **Wait** period has passed, the SR will reappear in your **My Service Requests list**. Update the SR Status to **In Progress**.

11. Access the Scottish Court Service website, and use the **Locate Your Court** button in the Sheriff Court page to find the sheriff court which has jurisdiction for the paying parent concerned. Here is a link to the website: Scottish Court Service.

12. Select the relevant sheriff court using **3rd Party Account** within **SR Information**. Once you've selected the court, this will enable you to update the **Court Name** field in **Enforce Forms**. This will enable future correspondence to be issued to the correct court.

13. Complete the off system form CMEL9007 (Form 2A) and send to the solicitors by secure email. Refer to the procedure for Scanning - Local for further guidance on how to link form with the case.

In some cases you may need to recover the original from storage. Refer to the procedure for Correspondence (Inbound) - Request Originals/Rescan for further guidance. A scanned copy is acceptable for any other documentation that you send to the court.

14. Update the activity plan to **File Prepared = Done**.

15. Update the SR with a **Wait** period of 14 days with a **Sub Status** of **Awaiting reply from sheriffs court** to monitor the solicitors response.

At this stage the sheriff court is Warranting the application, to allow it to be served to the paying parent.

16. The sheriff court returns form CMEL9007 (Form 2A) to the solicitors, who will maintain the LO application to completion. The solicitor will contact CMG by email to confirm receipt of the form. Update the SR as follows:

- **Wait Period = Done**

- **Update Case Status = Done**

The system will the automatically present the next activity plan (Instruct Solicitor).

When the returned LO is received from the solicitors it will be scanned onto the system by Xerox. Check that the document has been marked for long term storage. Refer to the procedure for Correspondence (Inbound) - Request Originals/Rescan for further guidance

If you are applying for an Inhibition on dependence at the same time as the liability order, send letter CMEL8099 to the receiving parent at this point, advising them of the action you are taking. Refer to the procedure for Inhibition on Dependence for further guidance

If you need to make any amendment to the LO application advise the solicitor who will send the appropriate letter to the sheriff court:
- CMEL9017 – a minute seeking the addition of the paying parent business address
- CMEL9019 – paying parent copy of minute seeking an amendment to the paying parent business address
- CMEL9240 – a minute seeking an amendment to the LO amount

17. Update the SR to **Wait** and manually set a **Wait** period of **21 days** with a **Sub status** of **Awaiting conf of service of citation** to allow the solicitor to attempt to serve the citation to the paying parent. If no response has been received after the wait period, contact the solicitor for an update.

18. Use the Royal Mail Track & Trace service to confirm proof of service using the unique 13 digit recorded delivery reference number. Once delivered make a note of the delivery date in the **Citation srvd by Solicitor** field of the enforce form.

19. Go to **step 25** if the solicitor is successful in serving the citation.

20. Update the SR to **Didn't Serve** if the solicitor is unable to serve the paying parent with the citation. The solicitor will then instruct Sheriff Officers to serve.

21. Set a **Wait** period of **28 days** with a **Sub status** of **Awaiting conf of service of citation** in anticipation of their action.

22. If no response has been received after the **Wait** period, contact the solicitors for an update.

23. If the sheriff officers are successful in serving the citation, go to **Step 25**.

24. If the sheriff officers are unable to contact the paying parent to serve the citation, update the SR to **Didn't Serve**. For more information refer to Confirm Current Location.

25. When the citation has been served, update the activity plan to **Serve** and set a **Wait** period of 21 days (from the day the paying parent has been served with the forms), with a **Sub status** of **Await obj period expiry** in order to make sure the paying parent has not lodged an objection to the citation.

26. Select the **Update Form / Document** button to access the **Enforce Form** and update the fields for:

    ◦ **Obj Period exp Date** - 21 days after the citation has been served on the paying parent

    ◦ **DAIP Date** (Debt advice and information Pack) - If a sheriff officer served the citation to the paying parent they will serve a DAIP at the same time. A DAIP is valid for two years and it is a legal requirement that the paying parent has a valid DAIP if enforcement action is ongoing. The CMS system will generate an SR to reissue a DAIP in 21 months from the date you entered on the Enforce Forms applet.

    The DAIP is only served by the sheriff officer. If the citation is served by the solicitors at this point the paying parent will receive a DAIP when a charge for payment is served by the sheriff officer at a later date.

27. Once the 21 day wait period has expired, call the sheriff clerk's office to check whether the paying parent has lodged any objection. Update the activity plan as follows:

    ■ **Update Case Status = Done**

    ■ **Contact Sheriff Court = Done**

28. If the sheriff clerk's office advise that the paying parent has lodged an objection to the LO, go to **Step 35**. If there is no objection lodged by the paying parent, proceed to **Step 29**.

No objection by paying parent

29. If the paying parent has not lodged an objection, update the SR **Status** as follows **Has NRP Objected? = No Objection.**

30. The solicitors will send the following documents to the sheriff court applying for the LO to be granted:

    ■ Minute Seeking Order - found on the reverse side of CMEL9007 (Form 2A)

    ■ CMEL9008 (Form 2C)

    ■ CMEL9009 (Form 2D - extract liability order)

    Select the **Update Form / Document** button to access the **Enforce Form** and update the fields for **Objection received?** and **Minute LO sent date**. Set a **Wait** period in the SR of 28 days for a response.

31. The sheriff court will grant the liability order, at which point the paying parent will have a further 14 days to lodge an appeal. set a **Wait** state of 14 days to allow for this. If the paying parent does lodge an appeal, update the activity plan line **Has NRP Appealed - NRP Has Appealed**. For more information refer to Paying Parent Appeals.

32. When the solicitor returns form CMEL9008 (Form 2D), go to the Enforce Forms tab and update the following fields as shown:

   - **LO Granted =** Yes
   - **LO Amount =** Amount granted
   - **Final outcome date =** Date final LO granted by the court
   - **Extract LO date =** Date final LO granted by the court

   ⚠️ It is extremely important that you complete the LO Granted line of the activity plan with either Granted or Not granted as appropriate. failure to do so will prevent the CMS System from recognising that LO action has been taken and will not allow you to initiate any further enforcement SR's.

33. Send letter CMEL7003 to the paying parent to advise them of the action you have taken and update the activity plan as follows:

   - **Letter Outbound = Done**
   - **LO SC Activities Complete? = Yes**

   ℹ️ In addition to sending the letter, consider issuing an SMS to advise the paying parent that a liability order has been granted against them and to call us. Refer to SMS Text for further information.

   Receiving parent notification is issued in Apply costs at Step 63.

34. To update the LO debt stamping to **Final**, go to **Step 49**.

Objection by paying parent

35. The sheriff court will return form CMEL9011 (Form 2B) to the solicitor to advise that the paying parent has registered an objection to the LO. When this is received you will be prompted by the system. Update the SR as follows **Has NRP Objected? = NRP Objected.**

36. Select **Update form/document** to access the **Enforce form**, and update the fields for **Objection received** and **Objection received date**.

37. Ensure the original form CMEL 9007 (Form 2A) is sent to the Sheriff Court in time for the hearing.

38. Send the following documents to the solicitor to instruct them regarding the Objection and advising them of the interlocutory hearing date:

   - A copy of the paying parents objection/s
   - The CMG response to the objection (CMEL7012)
   - Confirmation from the court of the interlocutory hearing date
   - A copy of the Sheriff Office report and certificate of citation
   - Any other supporting documentation you may feel would be of use to the contracted solicitor

   Once a hearing date has been confirmed set an initial **Wait** period of seven days prior to the hearing with a **Sub status** of **Awaiting outcome of obj hearing** to allow for checks to be carried out (i.e. to ensure that there has been no change of arrears, liability, contact from the paying parent etc).

   ℹ️ If there isn't enough time to prepare a response to the paying parent's objection before the date set by the court, call the contracted solicitor and ask them to request a continuation from the court.

39. Monitor the case for an update from the solicitor. When the solicitor confirms that the hearing has been arranged, record the hearing details in **Hearing Records** and set a **Wait** period in the SR for seven days after the hearing. Depending on the outcome a further **Wait** would be set accordingly - if the Liability Order was granted then a Wait of 4 weeks should be set to await the paperwork including Extract Liability Order from the solicitors If the hearing was continued then a further Wait set for 7 days after that.

40. If paying parent's objection is upheld and the LO is not granted, update the activity plan to **Not Granted** and manually close the SR. Add explanatory text to the **Notes** applet if required, then go to **Step 61** to send notifications to the receiving parent and to close the SR.

41. ℹ️ If speaking to the receiving parent at this point, explain why the LO was not successful and take this opportunity to tell them what other enforcement options are available to the CMG and what steps you will be taking to seek compliance from the paying parent.

42. Create a new line in the activity plan and name it **Letter Outbound - NRP.** Send letter CMEL7005 to the paying parent to advise them that the LO has not been granted.

43. Send letter CMEL9014 to the contracted solicitor, seeking dismissal of the LO.

44. If the LO is granted go to **Step 49**.

45. To update final debt stamping (if the LO is granted), go to **Step 49**.

Dependance action outcomes

46. If you have applied for an Inhibition on Dependance or an Arrestment on Dependence at the same time at the Liability order, pick from the relevant outcome letter to issue at this point:

- CMEL9150: Advising the receiving parent of one of the following outcomes in an Arrestment on Dependance.
- LO granted and full arrestment granted
- LO granted and arrestment not granted
- LO not granted and arrestment cancelled
- CMEL9141:Advising the receiving parent of one of the following outcomes in an Inhibition on Dependance.
- LO granted and full inhibition granted
- LO granted and restricted inhibition granted
- LO granted and inhibition not granted LO not granted and inhibition cancelled
- LO not granted and inhibition cancelled

Interim attachment outcome

47. if you have applied for an interim attachment at the same time as the Liability Order, where the Attachment and the Liability Order have been granted, select **Contact Asset** and promote the asset used for the Interim Attachment to the **LO -Sheriffs Court** SR. Add the Sheriff Officer as third party contact to the **LO - Sheriffs Court** SR and create a new **Letter - Outbound (3rd Party)** activity. Select the CMEL8093 template from the pick list, then select the hyperlink and create and generate the correspondence. refer to the procedure for Interim Attachment for further guidance.

48. The Interim Attachment is dependant on the Liability order being granted. Where the Liability Order has not been granted send letter CMEL9241 to the receiving parent advising them that the interim attachment has also been cancelled.

Final Debt Stamping

49. When you receive confirmation that the LO has been granted, navigate to the **Liability Schedule** view and select the relevant line that reflects the draft LO period.

50. Update the **Status** field from **Draft** to **Final**.

   Once you have updated the **Status** to **Final**, the dates in the debt period will become read only. For more information on what to do if you need to change the debt period after this point refer to Case Routing - Enforcement.

51. Update the activity plan and update **Check if the LO is granted** to **LO - SC granted**.

Unstamping an LO

52. While the **Status** is **Draft**, you can change the dates of the LO debt period. When set to **Final**, the dates become read only. For more information on what to do if you need to change the debt period after this point refer to Case Routing - Enforcement. For further guidance on debt stamping refer to the procedure for LO/LSDO Stamping.

Invalidate an LO

53. In certain cases it may be necessary to invalidate a Liability order (for example if a paying parent makes a successful appeal). If you need to invalidate an LO create a new SR using the values:

- **Process** - **Enforcement**
- **Area** - **Assess next action**
- **Sub area** - **Invalidate LO**

54. Update the SR with the NRP name, case number/s and **Source**.

55. Update the status of the SR to In Progress. The CMS System will generate an activity plan for **Invalidate LO** at this point.

56. Link the original **LO - Sheriffs Court** SR that you wish to invalidate to the **Invalidate LO** SR.

57. Create an Ad hoc activity plan line and send letter **CMEL9014** to the Sheriff Court.

58. Go to the **Update form/document** button to access the **Enforce form**. Check that the CMS System has correctly copied data form content from the original **LO - Sheriffs court** SR into the **Invalidate LO** SR.

59. Select **ctrl+S** and the CMS System will generate a new activity plan for **Perform invalidation**.

60. Select the View liability Schedule view and check that the **Status** has been updated to **Cancel**. Select the **Send order** button to update bancs.

61. Send letter **CMEL9271** to the receiving parent and **CMEL9271** to the paying parent

62. Navigate to the Enforce Form to record any further information that you may wish to add to the SR, then manually close the Invalidate LO SR by updating the **Status** to **Closed** and the **Sub Status** to **Completed**.

Apply Costs

63. The LO may also show an award for costs against the paying parent. We will always ask the court to award costs but they are not obliged to do so. If costs are awarded, select **Apply Costs** in the **LO Granted** activity plan. Select the appropriate **Cost Type** from the drop down list and input the date on which the costs were awarded. For further guidance refer to Apply Costs

64. Send one of the following letters to the receiving parent, depending upon the outcome of the LO application:

   - CMEL7007 to advise them if the LO application was successful
   - CMEL7009 to advise them if the LO application was unsuccessful

65. Set a **Wait** for 10 days to allow the paying parent the chance to pay before proceeding with any further enforcement action. Once the wait has been set disclosure of the LO must be considered, for more information refer to CRA - Disclosure of paying parent information (Scotland).

CMEL7000 We are applying for a liability order against you

Advise paying parent of application for a liability order

Under the sub heading 'What happens next' complete the following:

Enter the total maintenance charged for this period in the Total maintenance charged for this period free text field.

Enter the payments received in this period in the Payments made in period free text field.

Enter the interest on arrears amount in the Interest on arrears amount free text field.

Enter the financial penalty amount in the Financial penalty amount free text field.

Enter the outstanding fees in the Fees outstanding free text field.

Enter the total amount outstanding for the period in the Total amount outstanding for period free text field.

CMEL7003 The court has now granted a liability order against you

Give paying parent notice that LO action has been successful .

All fields in this letter are system generated, no manual intervention is required.

CMEL7005 Our child maintenance liability order application - unsuccessful

Give paying parent notice that liability order action has been unsuccessful

Under the sub heading 'What happens next' select one of the following:

   - If we will appeal the decision, use paragraph **TM_09215_E** 'We will now appeal against the decision'.
   - If we will take further action, use paragraph **TM_09216_E** 'We will now take further action against you'.
   - If we are unsure or we will not take further action, use paragraph **TM_09217_E** 'We will contact you shortly to tell you what will happen next'.

CMEL7007 Your child maintenance update – liability order granted

Tell receiving parent that have an liability order and are taking action

All fields in this letter are system generated, no manual intervention is required.

CMEL7009 Your child maintenance update – liability order unsuccessful

Tell receiving parent that liability order application was unsuccessful.

All fields in this letter are system generated, no manual intervention is required.

CMEL 8099 - Your child maintenance update - Inhibition on the dependence

Tell receiving parent that we are taking inhibition on the dependence action.

All fields in this letter are system generated, no manual intervention is required.

CMEL9007 Summary application for a liability order (Scottish Courts Form 1)

(Off system letter.)

Inset paying parent name and address in the Respondent box.

Insert Sheriff court details in the Sheriff Court box.

Paragraph 3: Insert relevant calculation dates, effective dates and amounts.

Paragraph 4: Insert relevant dates and arrears balance.

Paragraph 5: Insert reason for DEO not being imposed.

Paragraph 6: Insert amount you are seeking the LO for, the date and your signature.

All fields on page 2 are completed by the sheriff officer.

CMEL9008 Liability order (Scottish Courts Form 3)

Off system letter.

Populate this form with the arrears amount, interest, fees and the aggregate amount. All other details will be completed by the sheriff officer.

CMEL9009 Extract liability order (Scottish Courts Form 4)

Off system letter.

This form is completed by the sheriff office.

CMEL9011 Notice to liable person… liability order (Scottish Courts Form 2)

Off system letter.

This form is completed by the sheriff officer.

CMEL9013 Minute seeking order

Minute seeking order covering letter.

Enter the court reference number in the Court reference number free text field.

Enter the court Fees in the Court Fees free text field.

Enter the recorded delivery costs in the Recorded Delivery costs free text field.

Enter the Sheriff Officer fees in the Sheriff Officer Fees free text field.

Enter the total expenses in the total expenses free text field.

CMEL9014 Minute seeking dismissal

Minute seeking dismissal covering letter.

Enter the court reference number in the Court reference number free text field.

CMEL9016 Update – we are applying for a liability order

To tell receiving parent that we will apply for a liability order.

All fields in this letter are system generated, no manual intervention is required.

CMEL9017 Minute for Decree by applicant - business address

(off-system)
To solicitor Minute for Decree by applicant - business address.

This letter is issued by the contracted solicitors if an amendment needs to be made to the LO application.

All fields in this letter are system generated, no manual intervention is required.

CMEL9019 Minute for decree by applicant - business address

To paying parent, Minute for decree by applicant - business address (Off system).

All fields in this letter are system generated, no manual intervention is required.

CMEL9020 Covering letters for objection file court ref

CMEL9141 - Your Child Maintenance update - Inhibition on Dependance

If the LO and and inhibition on the dependence was granted, use paragraph TM_13503_E 'We are writing to tell you that the court has granted both the liability order and the inhibition on dependence'.

If the LO was granted but not the inhibition on dependence, use paragraph TM_13504_E 'We are now writing to tell you that the court has granted the liability order but has not granted the inhibition on the dependence. The liability order reference number is reference..'

If the LO and inhibition on dependence was granted but restricted, use paragraph TM_13505_E 'We are writing to tell you that the court has granted both the liability order and the inhibition on the dependence. However, the sheriff has restricted the inhibition on the dependence to a certain property.'

If the LO was dismissed CMG/NICMS instigated or court instigated, use paragraph TM_13506_E 'We are writing to tell you that, unfortunately, the court didn't grant the liability order'

If the LO and inhibition on dependence was granted unrestricted, use paragraph TM_13507_E '(paying parent) now won't be able to sell, transfer or deal with any heritable property that they own..'

If the LO was granted but the inhibition on dependence was not granted, use paragraph TM_13508_E 'We can use the liability order to apply to take legal action..'

If the LO was granted and the inhibition on dependence was granted restricted, use paragraph TM_13509_E '(paying parent) now won't be able to sell a certain piece of heritable property that they own until they have paid the child maintenance they owe.'

CMEL9150 Your child maintenance update - Arrestment on dependance

If the LO and arrestment on dependence have been granted, use paragraph TM_25842_E 'We are now writing to tell you that the court has granted both the arrestment on the dependence and the liability order.'

If the LO has been granted but not the arrestment on dependence, use paragraph TM_25843_E 'We are now writing to tell you that the court did not grant the arrestment on the dependence but did grant the liability order.'

If the LO was dismissed CMG/NICMS instigated or court instigated, use paragraph TM_25844_E 'We are now writing to tell you that, unfortunately, the court didn't grant the liability order.'

If the LO and arrestment on dependence have been granted and the asset type is bank or building society account, use paragraph TM_25845_E 'We will now ask (paying parent) to sign a mandate allowing the bank, building society or Post Office holding the money to release this to us.'

If the LO and arrestment on dependence have been granted and the asset type is not a bank or building society account, use paragraph TM_25846_E 'We will now ask (paying parent) to sign a mandate allowing the third party holding the money to release this to us.'

If the LO was granted but not the arrestment on dependence, use paragraph TM_25847_E '(paying parent's) debt is now legally registered and so we can apply to take further legal action to get the money.'

If the LO was dismissed, CMG/NICMS/Court instigated, use paragraph TM_25848_E, 'We can't take any legal action against (paying parent) at the moment, but we will look at any other action that is available to us'

If the LO and arrestment on dependence have both been granted, use paragraph TM_25849_E 'Sometimes we have to change the amount under the liability order and arrestment or the arrestment isn't successful.'

If the LO was granted but not the arrestment on dependence, use paragraph TM_25850_E 'We can't guarantee that (paying parent) will pay, but we will take every appropriate action that we can under child support law to try and recover the money.'

If the LO was dismissed, CMG/NICMS/Court instigated, use paragraph TM_25851_E 'We will keep you up to date with any progress that we make. We appreciate your patience and co-operation.'

CMEL9240 Minute seeking amendment to LO amount

This form is sent to the sheriff court by the contracted solicitor (Off system).

All fields in this letter are system generated, no manual intervention is required.

CMEL9241 To Receiving parent. Interim Attachment cancelled

This letter is sent to the Receiving Parent when a Liability Order has not been granted, and Interim Attachment action has been cancelled as a result.

Admin Account - Add To

Apply Costs

Case Routing - Enforcement

Client Contact Overview

Correspondence (Inbound) - Request Originals/Rescan

Confirm Current Location

Enforcement Charge - Apply

Enforcement Charge - Reversal

Interim Attachment

Letters Outbound - Off System

LO/LSDO Stamping

NRP Appeals

Scanning - Local

Terminology Changes

Calculation Tools