



Stuart McMillan MSP

Via email  
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22 April 2024

Chief Executive's Office  
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Dear Mr McMillan

**JUDICIAL FACTORS – Average duration of factory**

I write in response to your letter of 17 April 2024, in respect of the above.

I understand the Delegated Powers and Law Reform Committee are currently scrutinising the Judicial Factors (Scotland) Bill at Stage 1 and you would welcome some additional information around the length of judicial factors appointment.

I can advise that over the past 10 years, the Accountant of Court (AoC) has registered 77 new cases. Of these, 44 have now been concluded with an average case length of 37 months. The median length of a judicial factor's appointment over this period is 31 months.

You have requested information on how many judicial factors who are currently in post, have been so in relation to the same case for over (i) three, (ii) five and (iii) ten years.

Unfortunately, due to the constraints of our current case management system (for which, a replacement is currently under development) I am unable to provide all of the information, across all of the timescales requested.

I can however advise that the AoC has 10 live cases which have been on-going for over 10 years. In all but two cases, the judicial factor who was originally appointed remains in post. In the two cases where a replacement was required, one appointment was as a result of the retirement, and one the death of the judicial factor.

The 10 older cases are on-going, mainly due to on-going responsibilities i.e. to pay beneficiaries from a Trust or life-rent in an Executry estate, in these cases intromission with the estate is minimal, as are remuneration costs. A small number of cases also remain live due to their extremely complex nature e.g. cases where there has been/is international estate and on-going court actions.

I can also advise that where a case is concluded within the average timescales, the same judicial factor is likely to be in post from the beginning to the conclusion of the case.

I hope that the information has been useful. Should you require any further information, please do not hesitate to get in touch.

Yours sincerely,

Eric McQueen  
Chief Executive