



COURTS SERVICE  
An tSeirbhís Chúirteanna

# Freedom of Information Guide

*Sections 15 & 16,  
Freedom of Information  
Act, 1997  
(as amended)*



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## Preamble

This manual has been prepared in accordance with the requirements of sections 15 and 16 of the Freedom of Information Act, 1997 (F.O.I.). Its purpose is to facilitate access to records held by the Courts Service by outlining the structure and functions of the Service, details of the service we provide and information on the classes of records we hold.

The Freedom of Information (Amendment) Act 2003 came into effect on 11 April 2003. This Act introduced a number of important amendments to the 1997 Act notably in relation to Section 19 (Government Records), Section 20 (Deliberations of Public Bodies), Section 24 (Security, Defence and International Relations) and Section 47 (Fees).

Some of the records currently held by the Courts Service are routinely available to the public at present, e.g. schedules of court sittings, the Legal Diary etc. Such information will continue to be available routinely without the need to make a formal request under the Freedom of Information Act. In addition in most cases courts are open to the public who are entitled to enter, see and listen to justice being administered. This is a right which is exercised by many people every day in courts all over the country.

The Freedom of Information Act allows public access to information held by public bodies which is not routinely available through other sources. This manual provides a guide to the Courts Service so as to help you access such information under the Act. Access to information under the Act is subject to certain exemptions and involves specific procedures and time limits.

**Access to information on the courts is restricted by section 46 (1) of the Act which states as follows:**

**“This Act does not apply to**

- (a) a record held by**
  - (i) the courts,**
  - (ii) a tribunal to which the Tribunals of Inquiry (Evidence) Act, 1921, is applied, or**
  - (iii) a service tribunal within the meaning of section 161 of the Defence Act, 1954,**

**and relating to, or to proceedings in, a court or such a tribunal other than**

- (I) a record that relates to proceedings in a court or such a tribunal held in public but was not created by the court or tribunal and whose disclosure to the general public is not prohibited by the court or the tribunal, or**
- (II) a record relating to the general administration of the courts or the offices of the courts or such a tribunal or any offices of such a tribunal."**

**This section provides that the Act does not apply to certain court records which therefore cannot be obtained under the Act.**

However, this does not mean that these records cannot be accessed in other ways. For example, people will in general be given access to their own court files. Court records are under the control of the courts and not the Courts Service. Access to court records to which the Freedom of Information Act does not apply is a matter for the courts and any amendment to such records is a matter for the courts. This is in accordance with Section 65 of the Court Officers Act, 1926 which states that

"all proofs and all other documents and papers lodged in or handed in to any court in relation to or in the course of the hearing of any suit or matter shall be held by or at the order and disposal of the judge or the senior of the judges by or before whom such suit is heard".

The Freedom of Information Act, 1997 is a landmark on the road to greater openness and the Courts Service is committed to its implementation.

Copies of this publication are available free of charge from the *Freedom of Information Unit, Courts Service, Phoenix House, 15/24 Phoenix Street North, Smithfield, Dublin 7*. You can also access this publication on the internet at [www.courts.ie](http://www.courts.ie).

## Freedom of Information

### Application Under the F.O.I. Act

Under the Freedom of Information Act, anyone is entitled to apply for access to information not otherwise publicly available.

### Each Person Has a Right to:

- Access (subject to the exemptions contained in the F.O.I. Act) to records held by the Courts Service;
- Correction of personal information relating to oneself held by the Service where it is inaccurate, incomplete or misleading;
- Access to reasons for decisions made by the Service directly affecting oneself.

### The Following Records Come Within the Scope of the Act:

- All records relating to personal information held by the Service irrespective of when created;
- All other records created from commencement date i.e. 21 April 1998 (subject to certain exemptions);
- Any other records necessary to the understanding of a current record.

The Courts Service is obliged to respond to the request within 4 weeks.

### **Application for information under the F.O.I. Act should be addressed to:**

Ms. Miriam O'Flanagan,  
Freedom of Information Officer,  
The Courts Service,  
15/24 Phoenix Street North,  
Smithfield,  
Dublin 7.

Phone 01 888 6464

Applications should be in writing and should indicate that the information is sought under the Freedom of Information Act. If information is desired in a particular form i.e. photocopy, computer disc, etc. this should also be mentioned in the application. As much detail as possible should be provided in order to identify the record and to facilitate the efficient compliance with the request. A day time telephone number should also be provided so that if necessary contact can be made to clarify details of the request.



## Rights of Review and Appeal

The Act sets out a series of exemptions to protect sensitive information where its disclosure may damage the interests of the State or of third parties. Where a Department/Office invokes these provisions to withhold information, the decision may be appealed. Decisions in relation to deferral, charges, forms of access, refusal to amend a record containing personal information, refusal to give reasons, etc. may also be the subject of appeal.

### **Details of the appeal mechanisms are as follows:**

#### Internal Review

You may seek internal review of the initial decision which will be carried out by an official at a higher level if:

- You are dissatisfied with the initial response received i.e. refusal of information, form of access, charges, etc.; or
- You have not received a reply within 4 weeks of your initial application. This is deemed a refusal of your request and allows you to proceed to internal review.

#### Your Requests for Internal Review Should be Submitted in Writing to:

Ms. Miriam O'Flanagan,  
Freedom of Information Officer,  
The Courts Service,  
15/24 Phoenix Street North,  
Smithfield,  
Dublin 7.

Phone 01 888 6464

Such a request for internal review must be submitted within 4 weeks of the initial decision. The Courts Service must complete the review within 3 weeks. Internal review must normally be completed before an appeal may be made to the Information Commissioner.

#### Review by the Commissioner

Following completion of internal review, you may seek independent review of the decision from the Information Commissioner. Also if you have not received a reply to your application for internal review within 3 weeks, this is deemed to be a refusal and you may appeal the matter to the Commissioner.

## Appeals May be Made Directly to the Information Commissioner at the Following Address:

Emily O'Reilly,  
Office of the Information Commissioner,  
18 Lower Leeson St.,  
Dublin 2.

Phone: 01 6785222 Fax: 01 6610570  
E-Mail: [ombudsman@ombudsman.irlgov.ie](mailto:ombudsman@ombudsman.irlgov.ie)

## Appeals to the High Court

Section 42 of the Act allows for an appeal to the High Court on a point of law by a party to a review under section 34 or any other person affected by the decision of the Commissioner. The Freedom of Information Amendment Act 2003 provides for a right of appeal to the Supreme Court of the High Court decision.

## Fees

There are two types of charges that apply under the Freedom of Information Act:

### 1. Fees that accompany a request for a record or a review of a decision:

- A fee of €15 must accompany a request for records other than records containing only personal information relating to oneself. A reduced fee of €10 applies in relation to such a request if you are covered by a medical card. Neither fee applies if the request is for personal information relating to oneself.
- A fee of €75 must accompany most applications for internal review of a decision of a public body. A reduction fee of €25 applies if you are covered by a medical card. There is no fee for internal review applications concerning only personal information relating to oneself or in relation to a decision to impose a fee or deposit.
- A fee of €150 must accompany most applications for review by the Information Commissioner. A reduced fee of €50 applies if you are covered by a medical card or in relation to a review concerning certain third party information. There is no fee for review applications concerning only personal information relating to oneself or in relation to decisions to impose fees or deposits.

### 2. Fees/deposits in relation to the cost of search and retrieval and copying of records released may be charged as follows:

- Personal records: Fees for the cost of copying the records requested will not apply, save where a large number of records are involved.

- Non-personal information: Fees may be charged for the time spent in efficiently locating and copying records, based on a standard hourly rate prescribed by the Minister of Finance. No charges apply in respect of the time spent in considering requests.

A deposit may be payable where the total fee is likely to exceed €50.79. In these circumstances, the Courts Service must, if requested, assist the member of the public in amending the request so as to reduce the amount of, or eliminate the necessity for a deposit.

Payment should be made by way of bank draft, postal money order or personal cheque made payable to “The Courts Service”. If claiming a reduced application fee, the request must also be accompanied by the Medical Card registration number, issuing Health Board and your consent to the verification of these details with the Health Board.

### Charges May be Waived in the Following Circumstances

- Where the cost of collecting and accounting for the fee would exceed the amount of the fee;
- Where the information would be of particular assistance to the understanding of an issue of national importance;
- In the case of personal information, where such charges would not be reasonable having regard to the means of the requester.

**Access to information on the courts is restricted by section 46 (1) of the Act which states that the Act does not apply to certain court records (see page 5 for full text of this section).**

### Supply of Information or Goods to the Courts Service

Individuals or Bodies supplying information or goods to the Courts Service relating to general administration and who do not want this information disclosed because of its sensitive nature must make this clear and specify the reasons for the information’s sensitivity. The Court Service will consult with any individual or body supplying such sensitive information before making a decision to release the information under the Freedom of Information Act.

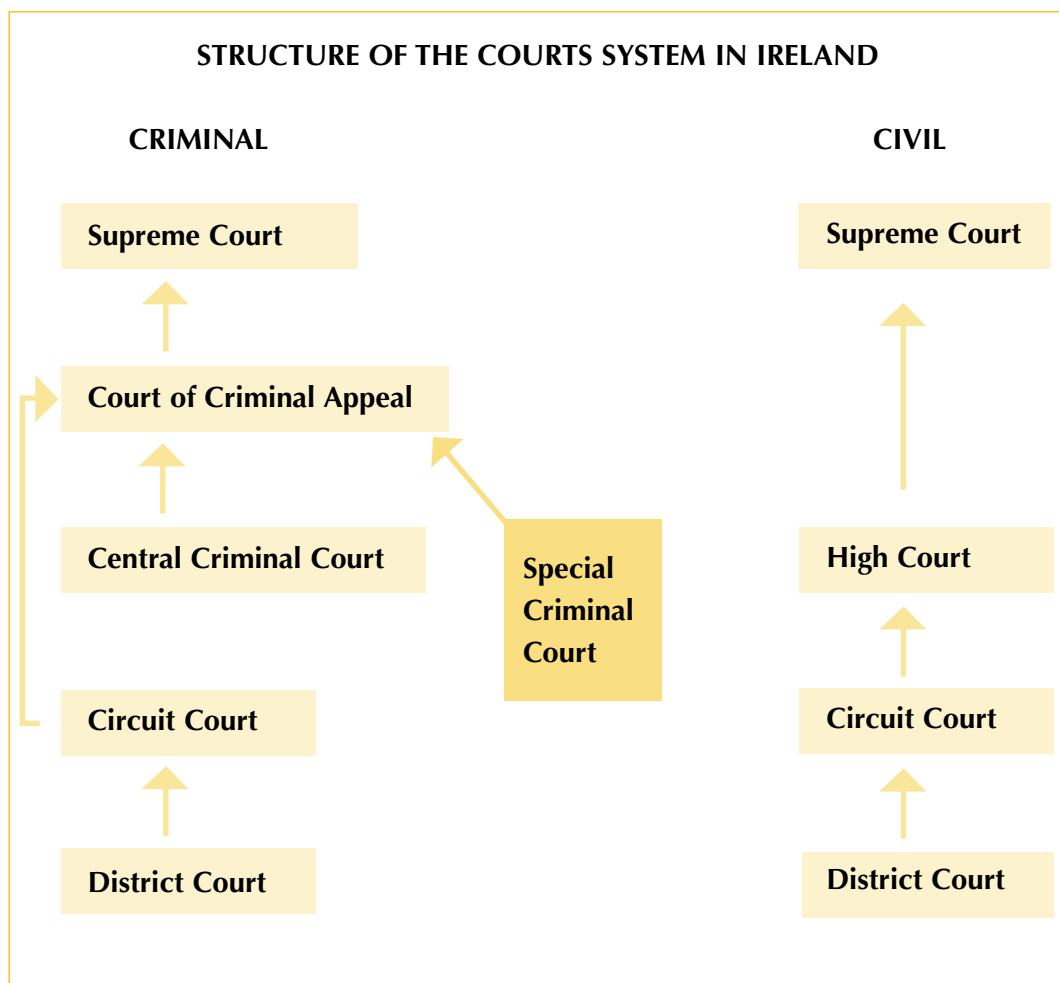
In the event that any information supplied relating to the general administration of the Courts Service is not identified as confidential, with supporting reasons, then it is likely to be released in response to a Freedom of Information request.

## The Courts System in Ireland

The courts system has its origins in the Constitution enacted in 1922 on the foundation of the State. That Constitution provided for the setting up of new courts to replace those which had evolved under the previous administration and a judiciary committee was established to make recommendations as to the new system.

The Constitution of Ireland (1937) declares that justice shall be administered in public in courts established by law and by an independent judiciary comprised of judges appointed by the President of Ireland on the advice of the Government.

The Constitution outlines the structure of the courts system as comprising a court of final appeal (the Supreme Court) and courts of first instance which shall include a High Court with full jurisdiction in all criminal and civil matters and courts of limited jurisdiction (the Circuit Court and the District Court) organised on a regional basis. It guarantees the independence of the judiciary and lays down the text of the oath of office to be taken by all judges on appointment.



## The Supreme Court

The Supreme Court is constituted of the Chief Justice (who is ex-officio an additional Judge of the High Court) and 7 ordinary judges (see Appendix 1). Where an ordinary judge of the Supreme Court is appointed as President of the Law Reform Commission the number of ordinary judges of the Supreme Court may be exceeded by one. The President of the High Court is also an ex-officio Judge of the Supreme Court. The Supreme Court has appellate jurisdiction to hear appeals from the High Court. It also has jurisdiction to hear an appeal from the Court of Criminal Appeal if the Court of Criminal Appeal or the Attorney General certifies that the decision involves a point of law of exceptional public importance and that it is desirable in the public interest that an appeal should be taken to the Supreme Court. The court may also give a ruling on a question of law submitted to it by the High Court or the Circuit Court. The Supreme Court has power to decide whether a Bill (or any provision or provisions of it), which has been passed by both Houses of the Oireachtas and presented to the President of Ireland for his/her signature before being enacted into law, is repugnant to the Constitution, on the matter being referred to the court by the President. If a question of the permanent incapacity of the President arises such question falls to be decided by the Supreme Court.

Appeals to or other matters referred to the Supreme Court are heard and determined by three, five or seven judges as the Chief Justice directs. In the case of matters relating to the Constitution these are heard and determined by not less than five judges.

## The Court of Criminal Appeal

The Court of Criminal Appeal is constituted of a judge of the Supreme Court and two judges of the High Court. It hears appeals by persons convicted in the Circuit, Central or Special Criminal Court where the appellant obtains a certificate from the trial judge or, in the case of the Special Criminal Court, from the court of trial, that the case is a fit one for appeal. In the case of such certificate being refused, an appeal against such a refusal can be taken to the Court of Criminal Appeal and the hearing of the application for leave to appeal is treated by the court as the hearing of the appeal. Every appeal is heard and determined on a record of the proceedings at the trial and on a transcript thereof verified by the trial judge with power to the court to hear new or additional evidence or to refer any matter for report by the trial judge.

If the appeal is against the conviction and the sentence, the court may affirm or reverse the conviction in whole or in part, or order a new trial or vary the sentence. If the appeal is limited to either conviction or sentence, the court is confined to dealing with the matter which is the subject of the appeal, e.g. if the appeal is against conviction only, the court may not increase the sentence.

The Court of Criminal Appeal can review a conviction or sentence (which was the subject of a previous appeal) where new evidence shows that there has been a miscarriage of justice. The court hears applications brought on behalf of the Director of Public Prosecutions for a review of sentence on the grounds of undue leniency. Appeals on behalf of the Director of Public Prosecutions against a decision of a trial judge to dismiss charges against an accused person are also heard in the Court of Criminal Appeal.

Every decision of the Court of Criminal Appeal is final unless the court or the Attorney General or the Director of Public Prosecutions certifies that the decision involves a point of law of exceptional public importance and that it is desirable in the public interest that an appeal be taken to the Supreme Court.

## The Courts-Martial Appeal Court

The Courts-Martial Appeal Court is constituted of a judge of the Supreme Court and two judges of the High Court. It hears appeals by persons convicted by court-martial. The appeal is determined on a record of the proceedings at the court martial with power to hear new or additional evidence or to refer any matter for report to the president or the judge advocate of the court martial. If the appeal is against the finding and the sentence, the court may affirm or reverse the finding in whole or in part, or order a new trial or vary the sentence. If the appeal is limited to either finding or sentence, the court is confined to dealing with the matter which is the subject of the appeal. The court also has power to review a finding or sentence (which was the subject of a previous appeal) where new evidence shows that there has been a miscarriage of justice.

The decision of the Courts-Martial Appeal Court is final unless the court or the Attorney General certifies that the decision involves a point of law of exceptional public importance and that it is desirable in the public interest that an appeal be taken to the Supreme Court.

## High Court

The High Court is comprised of the President and 35 ordinary judges (see Appendix 1). The President of the Circuit Court and the Chief Justice are, ex-officio, additional judges of the High Court. An additional judge may be appointed to the High Court where a judge of the High Court is appointed President of the Law Reform Commission. Under the Constitution the High Court has full original jurisdiction in and power to determine all matters and question, whether of law or fact, civil or criminal. The jurisdiction of the High Court extends to the question of the validity of any law having regard to the provisions of the Constitution (except a

law which has already been referred to the Supreme Court by the President of Ireland). The High Court acts as an appeal court from the Circuit Court in civil matters. The High Court also has power to review the decisions of certain tribunals and inferior courts by way of application for judicial review.

The High Court may give rulings on questions of law submitted by the District Court and may hear appeals in certain other circumstances provided by statute i.e. in regard to decisions of the District Court on applications for bail.

The High Court sits in Dublin to hear original actions. It also sits in Cork, Galway, Limerick, Waterford, Sligo, Dundalk, Kilkenny and Ennis, at specified times during the year to hear personal injury and fatal injury actions. The High Court on Circuit hears appeals from the Circuit Court in civil and family law matters at the following provincial venues outside Dublin - Carlow, Carrick-on-Shannon, Cavan, Castlebar, Clonmel, Cork, Dundalk, Ennis, Galway, Kilkenny, Letterkenny, Limerick, Longford, Monaghan, Mullingar, Naas, Nenagh, Portlaoise, Roscommon, Sligo, Tullamore, Tralee, Trim, Waterford, Wexford and Wicklow. Matters coming before the High Court are normally heard and determined by one judge but the President of the High Court may direct that any cause or matter or any part thereof may be heard by two or more judges.

## The Central Criminal Court

The High Court exercising its criminal jurisdiction is known as the Central Criminal Court. It consists of a judge or judges of the High Court nominated from time to time by the President of the High Court. The court sits at such time and in such places as the President of the High Court may direct and tries criminal cases which are outside the jurisdiction of the Circuit Court.

The court principally tries persons accused of murder and rape. The court usually sits in the Four Courts in Dublin. Over the past number of years it has sat elsewhere and will continue to do so. Normally trials are conducted by a single judge sitting with a jury of twelve, but the President of the High Court has power to direct two or more judges to sit together for the purpose of a particular trial. A majority (of 10) verdict of the jury is required.

## The Special Criminal Court

The Offences against the State Act, 1939 provides in part V for the establishment of Special Criminal Courts. The Special Criminal Court sits with 3 judges but no jury. The rules of evidence that apply in proceedings before the Special Criminal Court are the same as those applicable in trials in the Central Criminal Court. The Special Criminal Court is authorised by the 1939 Act to make rules governing its own practice and procedure. An appeal against conviction or sentence by the Special Criminal Court may be taken to the Court of Criminal Appeal.

The 1939 Act provides that the Government shall appoint serving judges to sit in the Special Criminal Court. Currently there is a panel of 11 judges appointed to that court who are drawn from the High, Circuit and District Courts.

## Circuit Court

The Circuit Court consists of the President of the Circuit Court (who is also, ex-officio, a judge of the High Court) and 37 ordinary judges (see Appendix 1). There is one judge appointed to each circuit with the exception of Dublin which has up to ten judges and Cork which has up to three judges (see Appendix 1).

There is one Circuit Court office in each County, i.e. there are 26 Circuit Court Offices in the State (see Appendix 5).

The Circuit Court is a court of limited and local jurisdiction. It deals with criminal, civil, family and licensing matters. The Circuit Court has jurisdiction in civil matters up to €38,092.14.

In criminal matters, the Circuit Court has jurisdiction to deal with all indictable offences with the exceptions of murder, rape, aggravated sexual assault, genocide, treason, piracy and related offences.

In family law it processes a wide range of proceedings including judicial separation, divorce and nullity.

The Circuit Court acts as an appeal court from the District Court and deals with appeals from Employment Appeals Tribunals and the Data Protection Commissioner. It also deals with enforcement of determinations of the Labour Court and Rights Commissioners under the Payment of Wages Act, 1991.



## District Court

The District Court is comprised of the President and 60 judges (see Appendix 1). The country is divided into twenty three districts for the purpose of the District Court with one or more judges permanently assigned to each district. There are 22 provincial Districts and the Dublin Metropolitan District Court.

The District Court is a court of local and limited jurisdiction. The business of the District Court can be divided into four categories: criminal, civil, family law and licensing.

Each District Court office (with the exception of the Dublin Metropolitan District Court) deals with all elements of the work of the District Court.

The District Court has a limited appellate jurisdiction in respect of decisions made by statutory bodies.

The civil jurisdiction of the District Court in contract and most other matters is where the claim or award does not exceed €6,348.69.

In criminal matters, most minor offences are dealt with at District Court level. All criminal proceedings commence in the District Court with the exception of proceedings before the Special Criminal Court which may commence in the Special Criminal Court.

An issue raised in a District Court can be referred to the High Court for decision on a point of law by way of "Case Stated". The ruling by the High Court in relation to that point of law is binding on the District Court.

## Court Rules Committees

The rule making authorities for the courts are the Court Rules Committees for each jurisdiction. The rule making authority for the Supreme and High Court is the Superior Courts Rules Committee, the rule making authority for the Circuit Court is the Circuit Court Rules Committee, and the rule making authority for the District Court is the District Court Rules Committee. The power to make, annul or alter rules of court is exercisable by the Committees with the concurrence of the Minister for Justice, Equality and Law Reform.

Members of the Rules Committees are set out at Appendix 3.

# Part 1

## ***Section 15 Freedom of Information Act***

## The Courts Service

The Courts Service was established on 9th November, 1999 and is an independent corporate body established by the Government under the Courts Service Act, 1998. The Service is responsible for the management and administration of court offices. The Service is not involved in the administration of justice. The administration of justice is, under the Constitution, the responsibility of the judges.

### Functions of the Service

The functions of the Courts Service as set out in the Courts Service Act, 1998 are:

- (a) To manage the courts,
- (b) To provide support services for the judges,
- (c) To provide information on the courts system to the public,
- (d) To provide, manage and maintain court buildings, and
- (e) To provide facilities for users of the courts.

### Mission Statement

To manage the courts, support the judiciary and provide a high quality and professional service to all users of the courts.

### The Board

The Board of the Courts Service consists of a Chairperson and sixteen members. There are also Committees of the Board. (Members of the Board are set out at Appendix 2). The functions of the Board are:

- To consider and determine policy for the service.
- To oversee the implementation of that policy by the Chief Executive.

### Chief Executive

The functions of the Chief Executive are prescribed in the Courts Services Act, 1998. The Chief Executive is responsible for:

- Day to day administration and management.
- Implementing policies approved by the Board.
- Reporting regularly to the Board on the implementation of policy.
- Performing such functions as may be determined by legislation or by the Board.

The Act allows for the Chief Executive to delegate certain functions.

## Organisation Structure

The Service is organised in seven Directorates. Each Directorate is headed by a Director.

There are two operational Directorates:

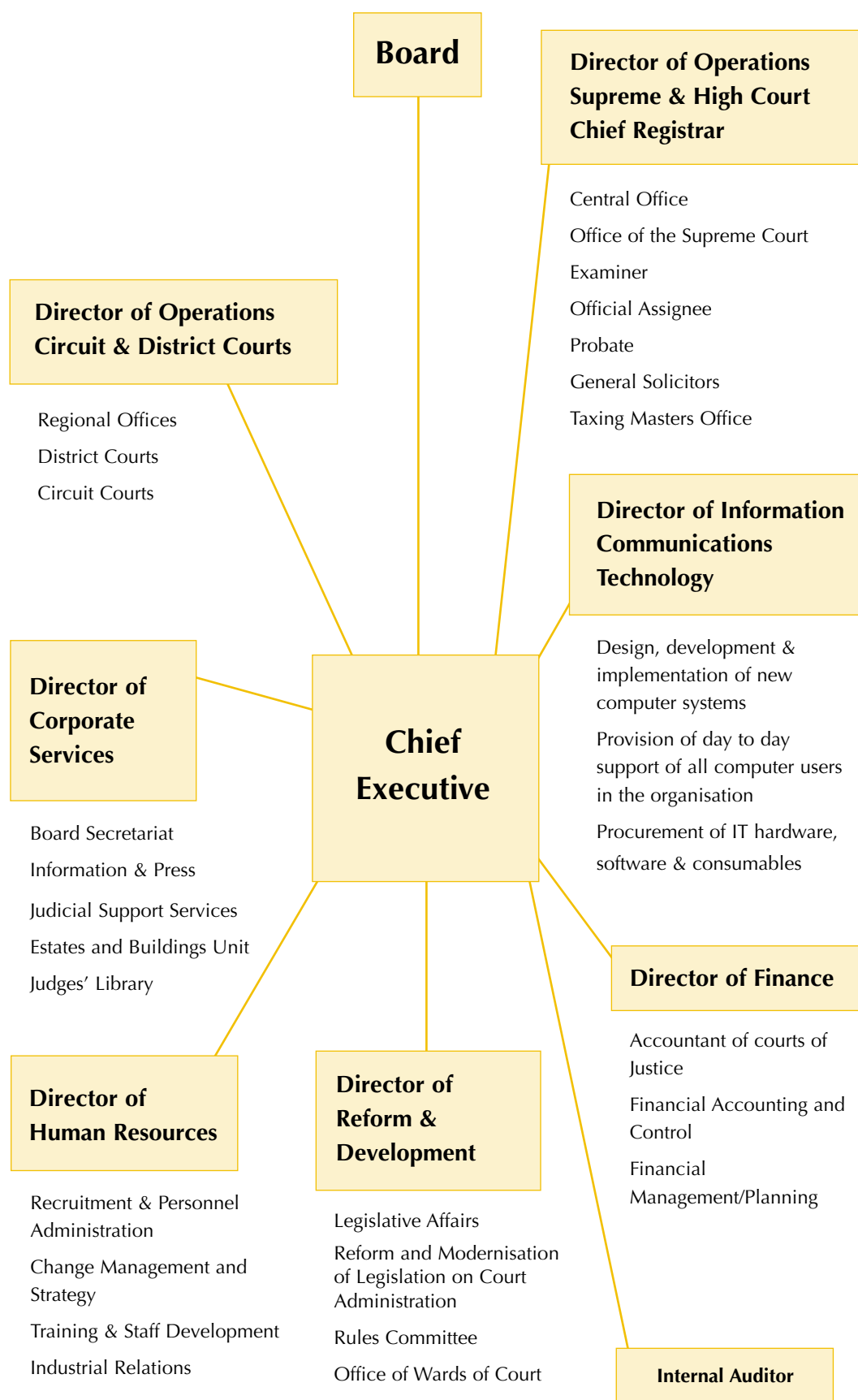
- Supreme & High Court Operations
- Circuit & District Court Operations

There are five support Directorates:

- Corporate Services
- Human Resources
- Finance
- Reform & Development
- Information Communications Technology (ICT)

There are approximately 1,050 staff members working in the Courts Service.

## Courts Service Organisational Chart



## Funding

The bulk of the funding for the service is provided by the State.

## Accountability

The Courts Service is accountable to the Minister for Justice, Equality and Law Reform and, through the Minister, to the Government. It is also accountable to the Dáil Public Accounts Committee in regard to monies spent and value for money provisions. The Chief Executive is the Accounting Officer and is required to appear before that committee and other Dáil Committees as requested. However, the Chief Executive is accountable only for the administration of the Service and not for the administration of justice. The Courts Service accounts to the public through the publication of an annual report.

## Courts Service and the Judiciary

The Courts Service is concerned with the funding, management and administration of the courts and not with the administration of justice. The administration of justice is, under the Constitution, the responsibility of the judges. Judges are not appointed by the Courts Service. They are appointed by the President of Ireland on the advice of the Government and hold office under the Constitution. They remain entirely independent in carrying out their work. Court officers attached to any court, when engaged on duties relating to business of that court, are bound to observe and obey all directions given by the presiding judge or judges of that court.

## Supreme and High Court Directorate

### Structure of the Office of the Supreme and High Court Directorate

Director/Assistant Secretary (1)  
Assistant Principal (1)  
Higher Executive Officer (1)  
Executive Officer (1)  
Clerical Officer (2)

### These Offices are located at:

15/24 Phoenix Street North,  
Smithfield,  
Dublin 7.

This Directorate provides administrative support and resources for the Supreme Court and the High Court.

### The Functions of the Supreme and High Court Directorate are:

- To manage the Supreme and High Courts offices;
- To provide support to the judiciary;
- To develop the offices attached to the Supreme and High Court;
- To plan the strategic and business plans for the Directorate;
- To manage and develop the staff of the Supreme and High Court offices;
- To support accommodation arrangements for Supreme and High Court Offices;
- To collate and publish court lists for the Supreme Court, High Court & Dublin Circuit Court in the Legal Diary in hard copy and on the Courts Service website [www.courts.ie](http://www.courts.ie).

### Classes of Records held

- Correspondence both internal and external, and records relating to Supreme and High Court operations and administration;
- Purchasing and supply of goods and services to the Supreme and High Court Offices;
- Observations on legislation;
- Staff records (partial).

## Contact Officer

Requests regarding arrangements for a member of the public to seek information outside of the Freedom of Information Act in relation to this office should be made to the appropriate Contact Officer as set out in Appendix 10.

## Supreme Court Judges Secretariat

### Structure of the office:

- Clerical Officers (8)

### Function:

- To provide secretarial and typing services for the Judges of the Supreme Court.

## High Court Judicial Secretarial Unit

### Structure of the unit:

- Staff Officer (1)
- Clerical Officers (6)

### Function:

- To provide secretarial and typing services for the Judges of the High Court.

## These Offices are located at:

Four Courts,  
Inns Quay,  
Dublin 7.

## Central Office Support Unit

### Structure of the unit:

- Clerical Officers (4)

### Function:

- To provide typing and clerical support to the Principal Registrar and the Registrars of the High Court Central Office;
- To staff the Information Desk in the Four Courts.

## These Offices are located at:

15/24 Phoenix Street North,  
Smithfield,  
Dublin 7.



## Offices of the Supreme Court, the Court of Criminal Appeal and the Courts-Martial Appeal Court

### Structure of the Office of the Supreme Court

Registrar (1)  
Assistant Registrar (1)  
Court Clerk (1)  
Junior Court Clerk (1)  
Clerical Officer (2)

### Structure of the Office of the Court of Criminal Appeal and the Courts-Martial Appeal Court

Registrar (1)  
Court Clerk (1)  
Junior Court Clerk (1)  
Clerical Officer (1)

### These Offices are located at:

Four Courts,  
Inns Quay,  
Dublin 7.

### Opening Hours are as follows:

10.30 a.m. - 16.30 p.m.

The offices of the Supreme Court, the Court of Criminal Appeal and Courts-Martial Appeal Court are open to public for business on every day of the year except Saturdays, Sundays, Christmas Day and the seven next following days, St. Patrick's Day, Good Friday, Monday and Tuesday in Easter Week and the days duly appointed as public holidays in public offices.

### Functions and Responsibilities

- To receive, check, store and record civil appeals to the court and the related books of appeal documentation;
- To receive, check and record appeals in criminal cases and Courts-Martial appeals and to create and assemble books of appeal documentation;
- To compile and maintain lists of appeals;
- To process, record and distribute the written judgments and transcripts of extempore judgments of the three courts;

- To prepare, perfect, record and transmit to the Central Office the Orders of the Supreme Court and to likewise prepare and retain the Orders of the Court of Criminal Appeal and the Courts-Martial Appeal Court;
- To receive and process fully personal appeals from prisoners in judicial review and related matters;
- To receive and process applications for appointment by the Chief Justice as Notary Public or Commissioner of Oaths and keep specimen signatures and seals of such appointees;
- To issue certificates of authenticity of signatures and seals of Notaries Public and Commissioners of Oaths for use in other jurisdiction;
- To service the Superior Court Rules Committee.

## The Manner in Which These Functions Affect Members of the Public

The offices deal with a range of customers including members of the public, members of the legal profession, the Director of Public Prosecutions, the Chief State Solicitor, the Chief Prosecution Solicitor, State solicitors and members of the judiciary.

Information on all Supreme Court, Court of Criminal Appeal and Courts-Martial Appeal cases is provided by the staff of the offices. They also deal with the public in carrying out all of the above functions.

The staff of the offices are precluded from giving legal advice but will assist members of the public and practitioners.

## Classes of Records held

- Notices of Civil and Criminal appeal;
- Written High Court judgments lodged;
- High Court Orders lodged;
- Books of Appeal lodged;
- Affidavits lodged;
- Transcripts lodged;
- Submissions;
- Supreme Court judgments;
- Supreme Court Orders;
- Index of Appeals;
- Index of Motions;
- Copies of Motions filed;
- Index of Judgments;
- Originating communications in relation to the Superior Courts Rules Committee;

- Agendas of the Superior Courts Rules Committee;
- Minutes of the meetings of the Superior Courts Rules Committee;
- Draft Rules;
- Agreed Rules;
- List of Notaries Public and Commissioners for Oaths appointed by the Supreme Court.

**By virtue of Section 46 of the Freedom of Information Act, the records of the Offices of the Supreme Court, the Court of Criminal Appeal and the Courts-Martial Appeal Court are precluded from the ambit of the statute. Consequently members of the public do not have a right of access to, or amendment of these records under the Act.**

### Contact Officer

Requests regarding arrangements for a member of the public to seek information outside of the Freedom of Information Act in relation to these offices should be made to the appropriate Contact Officer as set out in Appendix 10.

## Offices of the High Court

The Central Office

Office of the Official Assignee in Bankruptcy

Office of the Taxing Master

The Probate Office

The Office of the Accountant of the Courts of Justice

Office of the Examiner of the High Court

General Solicitors for Minors and Wards of Court

Office of the Wards of Court

## The Central Office

### Structure of the Central Office

Principal Registrar (1)

Central Office Registrar (1)

Registrars I (2)

Registrars II (3)

Registrars III (8)

Assistant Registrars (18)

Court Clerks (7)

Junior Court Clerks (8)

Clerical Officers (8)

This Office is located at:

Four Courts,  
Inns Quay,  
Dublin 7.

Opening Hours are as follows:

10.30 a.m. - 16.30 p.m.

The offices of the Central Office are open to the public for business on every day of the year except Saturdays, Sundays, Christmas and the seven next following days, St. Patrick's Day, Good Friday, Monday and Tuesday in Easter Week and the days duly appointed as public holidays in public offices.

## Functions and Responsibilities

- To provide administrative support to judges of the High Court and the Master of the High Court;
- To provide administrative support to the Central Criminal Court;
- To process and record all documentation relating to the initiation and prosecution of all civil and family action matters and causes in the High Court and the Central Criminal Court (except Probate Motions and proceedings relating to Wards of Court and Bankruptcy proceedings);
- To record and issue copies of those orders;
- To process all applications to be made to the court during the course of a High Court action;
- To enter Default Judgments for liquidated sums or possession of land,
- To issue execution orders, orders for committal and orders for possession;
- To enrol and file miscellaneous deeds including Deeds Poll for change of name, Powers of Attorney and Bills of Sale;
- To issue subpoenas to compel the attendance of a witness at a trial.
- The Registrars attached to this office prepare and manage court lists, sit in court with the judge and draw up formal orders made by the court.

## The Manner in Which These Functions Affect Members of the Public

- The offices deal with a range of customers including members of the public, members of the legal profession, the DPP, the Chief State Solicitors office, State solicitors, members of the judiciary etc.
- All of the Lists of matters for trial in the High Court are prepared by the registrars and staff of the Central Office and published in the Legal Diary which is available in hard copy or on the Courts Service website [www.courts.ie](http://www.courts.ie).
- Information concerning all High Court cases (other than Family Law cases which are dealt with *in camera*) is provided by the staff of the Central Office and through the Central Office computer system which can be accessed by the public in the Central Office or at the Four Courts Information Desk.
- Upon payment of the fees prescribed in the Supreme Court and High Court Fees Order (S.I.No.89 of 2003), the public may search the following Registers:
  - Lis Pendens
  - Registered Judgments
  - Bills of Sale
  - Miscellaneous Deeds

- Staff of the Central Office are precluded from giving legal advice but will give assistance as to Rules of Court and procedures to practitioners and members of the public.

## Classes of Records held

- Names of the parties to an action
- Names of their solicitors
- Record number of a case
- Documents filed in a High Court case
- Orders made in a High Court case
- Written Judgments delivered
- Default Judgments entered
- Date of last/next Court listing of a High Court case
- Registers:
  - Lis Pendens
  - Registered Judgments
  - Bills of Sale
  - Miscellaneous Deeds

**By virtue of Section 46 of the Freedom of Information Act, the records of the Central Office are precluded from the ambit of the statute. Consequently members of the public have no right of access to, or amendment of these records under the Act.**

## Contact Officer

Requests regarding arrangements for a member of the public to seek information outside of the Freedom of Information Act in relation to this office should be made to the appropriate Contact Officer as set out in Appendix 10.

## Office of the Official Assignee in Bankruptcy

### Structure of the Office of the Official Assignee in Bankruptcy

Official Assignee (1)  
Assistant Principal Officer (1)  
Bankruptcy Inspector (1)  
Higher Executive Officer (1)  
Staff Officer (3)  
Clerical Officer (3)

This Office is located at:

15/24 Phoenix Street North,  
Smithfield,  
Dublin 7.

Opening Hours are as follows:

10.30 a.m. - 16.30 p.m.

The offices of the Official Assignee in Bankruptcy are open to the public for business on every day of the year except Saturdays, Sundays, Christmas and the seven next following days, St. Patrick's Day, Good Friday, Monday and Tuesday in Easter Week, and the days duly appointed as public holidays in public offices.

### Functions and Responsibilities

The Office of the Official Assignee in Bankruptcy is primarily concerned with the affairs of persons who have been adjudicated bankrupt by order of the court. The functions of the Official Assignee are to realise the assets of a bankrupt and, having discharged costs, fees and expenses incurred in the bankruptcy together with preferential payments, to pay a dividend to the ordinary creditors admitted in the bankruptcy. In doing so, the Official Assignee is empowered by statute (section 61(3) of the Bankruptcy Act, 1988), inter alia:

- To sell a bankrupt's property by public auction or private treaty (no disposition of a family home may be made, without the prior sanction of the Court);
- To enter into compromises with persons claiming against the estate of a bankrupt or persons against whom that estate may have a claim;
- To institute, continue or defend any proceedings relating to a bankrupt's property;
- To raise monies on the security of a bankrupt's property;

- To agree a sum for costs incurred up to a limited amount, and, without limitation as to amount, to agree the fees of accountants, auctioneers, brokers;
- To ascertain for the court the amounts owing on foot of, and the order of priority as between, mortgages affecting a bankrupt's property.
- Maintain the Register of foreign [EU] insolvency proceedings pursuant to S.T. No. 334 of 2002.

**The office is managed by the Official Assignee with the assistance of the Chief Clerk, and is divided into the following sections:**

### Bankruptcy Inspector

The Bankruptcy Inspector is responsible for the execution of warrants, seizure of assets of a bankrupt, for the inventorying of those assets, and the preparation of a report on such seizure and inventory and conducts necessary investigations in connection therewith.

### Bank Liason and Debt Collector

This section handles correspondence with banks or other financial institutions with which the bankrupt may have been involved, and corresponds with all persons alleged to owe monies to the debtor with a view to the collection of any bank balances or debts due.

### Proof of Debt Section

This section collates and records all claims received in respect of a bankrupt's estate. It also requests invoices or other vouchers in respect of such claims where necessary and analyses such claims as to their accuracy in the light of the vouching documentation.

### Court Clerk

The Court Clerk is responsible for monitoring all correspondence to ensure that requests made or courses of action suggested by the Official Assignees office are complied with within the timeframe contemplated and keeps a minute of court proceedings for the office. The Court Clerk also prepares court applications of a routine nature (e.g. for payments on account of costs) and is responsible for coordinating work between the sections and for managing the general administrative needs of the office, such as the provision of IT systems.



## The Manner in Which These Functions Affect Members of the Public

The office affects bankrupts, their families and creditors of bankrupts. The office provides a service to creditors of individual bankrupts. (It does not provide services of a general nature to the public). The service consists of the realisation of such assets as are available with a view to the payment of a dividend to those creditors.

This service arises where either:

- (a) The High Court has adjudicated a person bankrupt on foot of a petition presented by a creditor in accordance with section 11 of the Bankruptcy Act, 1988 or a petition granted by a debtor in accordance with section 15 of the Act,  
or
- (b) That court has approved the proposal of an arranging debtor, with the consent of the Official Assignee for the vesting in the Official Assignee of all or part of the arranging debtor's property, in accordance with section 93 of the Bankruptcy Act, 1988.

## Classes of Records held

- A general file for each bankruptcy or arrangement, containing correspondence between the Official Assignee and his solicitor, correspondence with the bankrupt or the latter's advisers, and correspondence with these third parties, memoranda of interviews with the bankrupt or third parties, notes of consultation with the Official Assignee's legal advisers and of case conferences involving office staff and/or legal representatives and/or potential witnesses;
- Bank files for each bankruptcy or arrangement, containing correspondence with various banks or other financial institutions in relation to accounts operated, and securities or items of safe keeping furnished by the bankrupt;
- A claims file for each bankruptcy or arrangement, containing correspondence with all persons making claims against the estate in question, statements and vouchers relating to such claims:
  - A debtors' book, containing a record of debts due to each estate and amounts recovered;
  - A creditors' book, containing a record of claims on each estate;
  - A cash book, containing a record of all receipts and payments;
  - A ledger, containing a debtor and creditor account of each estate;
  - Lists of all deeds, securities and valuables delivered to the Official Assignee;

- Lists of all books and papers delivered to the Official Assignee;
- The Register of all insolvency proceedings which is open to public inspection.

**By virtue of Section 46 of the Freedom of Information Act, the records of the Official Assignees office are precluded from the ambit of the statute. Consequently members of the public have no right of access to, or amendment of such records under the Act.**

**The Official Assignee is an Officer attached to the High Court whose functions and powers only come to be exercised on foot of a court order and is subject to the control of the court in the exercise of those powers.**

**Other statutory provisions for access to records:**

- a) First Schedule, Bankruptcy Act, 1988; every creditor who has lodged a proof of debt is entitled to see and to examine the proofs of other creditors.
- b) Section 82 (1) & (4), Bankruptcy Act, 1988; these subsections provide that the Official Assignee shall place on the court file (which is kept in the office of the Examiner of the High Court):
  - A list of creditors admitted;
  - A copy of the relevant account of the bankrupt;
  - Particulars of fees, costs, preferential payments and dividend payable to creditors;
  - A report of the realisation of the estate of the bankrupt.

The Examiner's Office maintain the court file for each bankruptcy case. The court file (and consequently the above documentation) is open to inspection, not only by the creditors but also by any member of the public on payment of the prescribed fee.

**Practice of the office in relation to access to records:**

- 1) In practice, it is not uncommon for the Official Assignee to invite the comments of the bankrupt in relation to claims by creditors or the responses of debtors. For this purpose he/she may make available to the bankrupt such documentation as is supplied, by a creditor in support of his/her claim or by a debtor in his/her defence when requested by the Official Assignee to make a payment to the estate of the bankrupt on foot of an assertion by the bankrupt that the debt is due.
- 2) Frequently a bankrupt will look for an extract from his/her ledger and this is provided as a matter of practice.

## Reviews and Appeals of Decisions of the Official Assignee

### *Right of Review or Appeal*

The exercise by the Official Assignee of the powers are subject to the control of the High Court and any creditor or other person who in the opinion of the court has an interest may apply to the court in relation to the exercise or proposed exercise of those powers (see Section 61(7) of the Bankruptcy Act, 1988).

The decision of the Official Assignee in regard to a claim against an estate of a bankrupt may be appealed by the person aggrieved to the court (paragraph 23(e), First Schedule, Bankruptcy Act, 1988).

### *Procedures for Review or Appeal*

An application to the High Court under Section 61(7) of the 1988 Act, or an appeal to that court under paragraph 23(e) of the First Schedule to that Act aforementioned, may be brought by motion to the High Court to the Bankruptcy List, on notice to the Official Assignee, and grounded upon the affidavit of the applicant or appellant. The notice of motion should firstly be lodged in the Examiner's Office, High Court, and a return date obtained which will afford at least four clear i.e. working days notice to the Official Assignee of the motion.

### Contact Officer

Requests regarding arrangements for a member of the public to seek information outside of the Freedom of Information Act in relation to this office should be made to the appropriate Contact Officer as set out in Appendix 10.

## Office of the Taxing Masters

### Structure of the Office of the Taxing Masters

Taxing Masters (2)  
Assistant Registrars (2)  
Court Clerk (1)  
Clerical Officer (1)

### This Office is located at:

1st Floor, Merchants House,  
27/30 Merchants Quay,  
Dublin 8.

### Opening Hours are as follows:

10.30 a.m. - 16.30 p.m.

The offices of the Taxing Masters are open to the public for business on every day of the year except Saturdays, Sundays, Christmas and the seven next following days, St. Patrick's Day, Good Friday, Monday and Tuesday in Easter Week, and the days duly appointed as public holidays in public offices.

### Taxation of Costs

When a person or a company, otherwise known as a party, incurs costs as a result of legal action they may have these costs taxed. The taxation of costs is the assessment and measurement of legal costs by an officer known as a Taxing Master. A Taxing Master provides an independent and impartial process of assessment of legal costs which endeavours to achieve a balance between the costs involved and the services rendered.

### Functions and Responsibilities

The Taxing Masters perform a function of a judicial nature in relation to costs. The function of the Taxing Master is, when requested, to provide an independent and impartial assessment of legal costs incurred by a person or company involved in litigation. This procedure is known as 'taxation of costs'.

Costs may be taxed following a court order, an arbitration hearing, acceptance of a lodgement in court, order of a tribunal, award of the Oireachtas, registration of a judgment as a mortgage or on demand by a client. Any party dissatisfied with a decision of a Taxing Master may make objections and if still dissatisfied with the ruling apply to the High Court for a review of taxation.

## Registrars

The Registrars are responsible for:

- Adjudicating on and issuing Certificates of Taxation,
- Creation of precedents for same,
- Responding to queries from practitioners and members of the public and advising them with regard to practices and procedures,
- Conducting interviews with lay litigants,
- Staff management and scheduling of work loads for staff,
- Researching,
- Consulting with and assisting Taxing Masters in office policy decisions and long term strategy.

## Court Clerk/ Clerical Officer

The Court Clerk is responsible for the intake and processing of all documentation involving:

- Dealing with the public and Legal Cost Accountants,
- Interpretation of documentation (including Court Orders) and ensuring that court orders are in correct format, comply with regulations, time limits, previous practice directives etc.,
- Allocation of dates for hearing of cases,
- Keeping a computer database of all cases lodged and updating as cases are dealt with in court,
- Safekeeping and custody of original Bills of Costs,
- Responsibility for office stationery supplies,
- Preparation of Legal Diary on a daily basis,
- Recording of all incoming and outgoing post,
- Preparation of originating documentation for transmission to High Court in respect of taxation on review,
- Preparation of monthly and annual statistics often leading to analysis and research (at short notice at the request of the registrars or Taxing Masters) to assist in formulation of policy,
- Compilation of Taxing Masters rulings.

## The Manner in Which These Functions Affect Members of the Public

This office does not provide services of a general nature to the public but rather provides a service to parties seeking to have their costs taxed. The provision of this service may arise in any of the following circumstances:

- An order of a court,
- An arbitration hearing,
- Notice of Discontinuance,
- A demand by a client to have his costs taxed,

- The cost of registering judgments as mortgages,
- Notice of Acceptance of Lodgement,
- Order of a tribunal,
- An award of the Oireachtas.

The office conducts interviews with lay litigants. It also provides information in relation to all matters coming before the Taxing Masters, and advises the public and practitioners on procedures and practices and responds to queries.

## Reviews or Appeals of Decisions of the Taxing Master

### *Right of Review or Appeal*

The decision of the Taxing Master in regard to a taxation may be appealed by the person aggrieved to the High Court.

### *Procedures for Review or Appeal*

An application to the High Court by way of an appeal to review the determination of the Taxing Master must be brought by motion to the High Court, on notice to the Taxing Master and to other parties thereto. The Notice of Motion should firstly be lodged in the Central Office, High Court, and a return date obtained which will afford at least four clear i.e. working days notice to the Taxing Masters of the motion.

## Classes of Records held

- Bills of costs lodged and awaiting Taxation.
- Bills of costs where taxation has been completed.
- Index Books as required by Order 99 Rule 19 of the Rules of the Superior Courts 1986. (Since January 2005 records of all cases are stored on the taxing masters computer database).
- Rulings delivered by the Taxing Masters.
- Practice Directives.
- Miscellaneous Files of Correspondence with members of the public in relation to queries.
- Information Booklet on Taxation.

**By virtue of Section 46 of the Freedom of Information Act, some records of the Taxing Masters office are precluded from the ambit of the statute. Consequently members of the public have no right of access to, or amendment of such records under the Act.**

## Contact Officer

Requests regarding arrangements for a member of the public to seek information outside of the Freedom of Information Act in relation to this office should be made to the appropriate Contact Officer as set out in Appendix 10.

## The Probate Office

### Structure of the Probate Office

Probate Officer (1)  
Assistant Probate Officer (1)  
Assistant Registrar (1)  
Court Clerk (6)  
Junior Court Clerk (2)  
Clerical Officer (6)

### The Probate Office in Dublin is Located at:

15/24 Phoenix Street North,  
Smithfield,  
Dublin 7.

### Opening Hours are as follows:

10.30 a.m. - 16.30 p.m.

Probate office is open to the public for business on every day of the year except Saturdays, Sundays, Christmas and the seven next following days, St. Patrick's Day, Good Friday, Monday and Tuesday in Easter Week, and the days duly appointed as public holidays in public offices.

### Functions and Responsibilities

The Probate Office and District Probate Registries process applications for Grants of Probate and Letters of Administration from personal applicants and solicitors.

The functions of the Probate Office are:

- The admission of wills to proof,
- The issuing of grants of probate and administration,
- The preservation of probate records for inspection and the provision of certified copies of probate documents,
- The processing of court applications to the judge assigned to deal with probate matters.

### **The Probate Office is comprised of 4 public offices:**

#### The General Office

The General Office is responsible for maintaining records of all grants of representation which have issued and for providing copies of probate documents. This office also deals with requests received by post for copies of probate documents.

## The Seat Office

The Seat Office officials assess applications for Grants of Probate or Administration lodged by solicitors and their agents.

## The Rules Office

The Rules Office is responsible for searching records to ensure that there is no impediment to the Grant of Representation issuing. Citations, caveats, subpoenas, court motions and Probate Office motions are issued and filed in the Rules Office. Court orders from the Probate Court list, Probate Officer's Orders and Side Bar Orders made pursuant to the Rules of the Superior Courts issue from the Rules Office.

## The Probate Personal Applications Section

This section deals with applications for Grants of Probate or Letters of Administration by persons who do not engage the assistance of a solicitor.

## District Probate Registries

In addition to the Probate Office in Dublin there are fourteen District Probate Registries in Ireland, located in local Circuit Court Offices. Where a deceased person had his or her fixed place of abode in Dublin, Meath, Kildare, Wicklow or outside Ireland, application for a grant must be made to the Probate Office in Dublin.

Where the deceased lived in Ireland and had a fixed place of abode in any county other than Dublin, Meath, Kildare or Wicklow the applications may be made either to the Probate Office in Dublin or to the local District Probate Registry. For example, if a person died having a fixed place of abode in County Clare, the application for a Grant of Probate may be made to either the District Probate Registry in Limerick or to the Probate Office in Dublin.



## List of District Probate Registries

Office	Telephone	Counties Served
Castlebar	094 21522	Mayo
Cavan	049 433 1530	Cavan, Longford
Clonmel	052 29183	Tipperary
Cork	021 427 1223	Cork
Dundalk	042 933 4066	Louth, Monaghan
Galway	091 562162	Galway, Roscommon
Kilkenny	056 22073	Kilkenny, Carlow, Laois
Letterkenny	074 28711	Donegal
Limerick	061 414655	Limerick, Clare
Mullingar	044 48315	Westmeath, Offaly
Sligo	071 42228	Sligo, Leitrim
Tralee	066 712 1998	Kerry
Waterford	051 874144	Waterford
Wexford	053 22325	Wexford

## The Manner in Which These Functions Affect Members of the Public

When an individual dies it may be necessary for the next of kin to extract either a Grant of Probate or Letters of Administration before the deceased's estate can be administered. It is the Probate Office which processes these applications for Grants of Probate and Letters of Administration which are made either through a solicitor or directly by a personal applicant. An application may be made to the Probate Office or to the District Probate Registry where the deceased at the time of his/her death had a fixed place of abode.

The office deals with a range of customers including members of the public, the legal profession, the Chief State Solicitors office and members of the judiciary.

The staff of this office are precluded from giving legal advice but will give assistance to practitioners and members of the public in respect of probate procedural matters and the Rules of the Superior Courts.

## Classes of Records held

- Original wills;
- Applications for grants of probate and letters of administration;
- Associated documents;
- Schedule of assets;
- Grants of probate and letters of administration.

The Probate Office holds the records of grants which have issued within the past 20 years. While the Probate Office also holds records of all grants which have issued from the 14 District Probate Registries within the past 20 years, the documents relating to the application for the grant are held in the District Registry from which the grant issued and copies may be applied for in that Registry.

For grants which issued prior to this, the records are held at the National Archives and can be inspected in the Reading Room of the National Archives, Bishop Street, Dublin 8.

Members of the public may attend in person at the Probate General office to inspect the records or may make an inquiry by post. The fee for a postal search is €10. The Probate Office will require the deceased's name, address and date of death in order to carry out a search.

## Contact Officer

Requests regarding arrangements for a member of the public to seek information outside of the Freedom of Information Act in relation to this office should be made to the appropriate Contact Officer as set out in Appendix 10.

## The Office of the Accountant of the Courts of Justice

### Structure of the Office of the Accountant

Accountant of the Courts of Justice (1)  
Assistant Principal Officer (2)  
Higher Executive Officer (2)  
Executive Officer (4)  
Clerical Officer (6)

### This Office is located at:

15/24 Phoenix Street North,  
Smithfield,  
Dublin 7.

### Opening Hours are as follows:

10.30 a.m. - 16.30 p.m.

The Office of the Accountant of the Courts of Justice is open to the public for business on every day of the year except Saturdays, Sundays, Christmas and the seven next following days, St. Patrick's Day, Good Friday, Monday and Tuesday in Easter Week, and the days duly appointed as public holidays in public offices.

### Functions and Responsibilities

The Accountant of the Courts of Justice is responsible for the receipt, custody, investment and payment out of monies required to be lodged in court either by direction of the Supreme Court, High Court, Circuit Court or District Court, by statute or by rules of court. This includes:

- Checking and signing cheques, lodgement, investment and withdrawal documentation. These duties are carried out by the offices as set out below.
- Evaluation of returns on funds invested.
- Producing annual Financial Statements in respect of Court Funds.
- Reporting to the Investment Committee and Audit Committee.
- Managing the lodgement registration and custody of Auctioneers' Bonds and issuing annual Certificates of Deposit thereon.

**The office is divided into three sections:**

### Accounts Receivable

This section receives receipts and records all lodgements of funds into court. All cash lodgements are lodged to the bank on a daily basis. This section also records all incoming court documents and sets up all new cases in the funds accounting system. It also deals with enquiries from members of the legal profession, auctioneers, other court offices and the public in general.

### Accounts Payable

This section is responsible for the processing and printing of all cheques, investments, sales, and transfer out instructions. The section also sets up new suppliers and requisitions funds from financial institutions.

### Control and Reporting

This section is responsible for closing the accounting period at each month end for accounts receivable and accounts payable, reconciling general ledger to folio asset transaction register and corporate actions and overseeing bank reconciliations. This section maintains user access, sets up users, pay points, lodgement areas and cashiers. This section also oversees corporate actions, revaluations and deposit interest uploads.

### The Manner in Which These Functions Affect Members of the Public

The office deals with a range of customers including members of the public, members of the legal profession and auctioneers.

The staff of this office are precluded from giving legal advice but will give assistance as to Rules of Court and procedures to practitioners and members of the public.

Those wishing to have access to records of funds lodged in court must show that they have a direct interest in such funds. A request by a financial institution as to whether a depositor has funds invested with another institution is not granted.

It is the practice of the office to facilitate the withdrawal of money out of court by persons (i.e. infant plaintiffs in chancery actions reaching 18 years of age) without recourse to a solicitor.

Any person is entitled to know whether an auctioneer holds a valid bond lodged in the Office. The Office also facilitate auctioneers who seek Certificates of Deposit.

## Classes of Records held

The following records are held by the office:

- Auctioneers' Bonds.
- A separate ledger entry for each transaction relating to funds in court.
- A schedule to a court order or an attested copy of affidavit lodged in the office.
- Original share and An Post Certificates, insurance policies, bank account books.

**By virtue of Section 46 of the Freedom of Information Act, some of the records of the Office of the Accountant of the Courts of Justice are precluded from the ambit of the statute. Consequently members of the public have no right of access to, or amendment of these records under the Act.**

## Contact Officer

Requests regarding arrangements for a member of the public to seek information outside of the Freedom of Information Act in relation to this office should be made to the appropriate Contact Officer as set out in Appendix 10.

## Office of the Examiner of the High Court

### Structure of the Office of the Examiner

Examiner (1)  
Assistant Examiner (4)  
Assistant Registrar (1)  
Court Clerk (2)  
Junior Court Clerk (3)  
Clerical Officer (3)

### This Office is located at:

15/24 Phoenix Street North,  
Smithfield,  
Dublin 7.

### Opening Hours are as follows:

10.30 a.m. - 16.30 p.m.

The office of the Examiner of the High Court is open to the public for business on every day of the year except Saturdays, Sundays, Christmas and the seven next following days, St. Patrick's Day, Good Friday, Monday and Tuesday in Easter Week, and the days duly appointed as public holidays in public offices.

### Function and Responsibilities

The Examiner's Office is principally concerned with:

- (a) Company Law and Chancery matters.
- (b) Bankruptcy proceedings.

### Proceedings dealt within the Examiner's Office

- (a) Company law/court liquidations, mortgage and administration suits and other court proceedings referred to the Examiner's Office by the High Court for accounts and inquiries.

Matters referred to the Examiner arise out of litigation commenced by the issue of proceedings in the Central Office of the High Court. The original file in these proceedings is retained in the Central Office even after a matter has proceeded in the Examiner's Office. Dates for hearing applications before the judge having charge of the Examiner's Court Motion List are allocated by the Examiner's Office and not by the Central Office.

The main types of proceedings referred to the office by the court are:

- Winding Up of companies/court liquidations;
- Other Company Law matters;
- Mortgage Suits;
- Administration Suits;
- Next-of-Kin inquiries;
- Receivers appointed by the Court;
- Charity Schemes;
- Partnership Suits;
- Any other matters referred to the Examiner by the Court for accounts and inquiries to be taken.

(b) Bankruptcy

The Examiner's Office has a number of functions in bankruptcy proceedings. It provides administrative support to the Bankruptcy Court Motion List and maintains the Bankruptcy and Arranging Debtors Indices.

One of the Assistant Examiners is also the bankruptcy registrar who is responsible for the Examiner's Office's functions in bankruptcy matters.

**The functions of the office are:**

- (a) Company law/ court liquidations, mortgage and administration suits and other court proceedings requiring accounts and inquiries:
- To take such accounts and inquiries as are directed by the court;
  - To adjudicate and settle lists of creditors, contributories, incumbrancers;
  - To countersign all payments and investments in court liquidations;
  - To take sittings of the examiner and assistant examiners attended by liquidators, receivers, litigants and their legal advisors in order that matters are progressed;
  - To refer matters to the court if necessary;
  - To provide administrative support to the Examiner's Court List;
  - To check and issue applications before the Examiner's Court Motion List;
  - To vouch and certify the accounts of Official Liquidators and Receivers appointed by the Court;
  - To issue the Examiner's Certificates in order to complete those accounts and inquiries taken by the Examiner and Assistant Examiners;
  - To check and issue Motions to be heard in the lists of the Examiner and the Assistant Examiners;
  - To process payments from the Insolvency Fund;
  - To arrange and supervise the attendance of persons examined on oath before the court for the purpose of signing transcripts.

The Examiner is a statutory officer of the High Court and is charged with the management of the Examiner's Office. The Examiner has a wide range of powers and functions derived from statute and rules of the Superior Courts. There are also four Assistant Examiners who perform all the functions of the Examiner in those cases referred to them by the Examiner.

There is also a Court Registrar attached to the Examiner's Office who acts as Registrar to the Examiner's Court Motion List.

- (b) Bankruptcy:
  - To provide administrative support to the Bankruptcy Court Motion List;
  - To check and issue applications before the Bankruptcy Court Motion List;
  - To maintain the court file including court motions, petitions and affidavits in relation to Bankruptcy Proceedings;
  - To maintain, for public inspection, the Bankruptcy and Arranging Debtors Indices, on which all bankruptcies and arrangements are recorded.
  - Other duties in Bankruptcy include fixing of dates for advertisement of Statutory Sittings of the Court, the issuing of subpoenas and an audit function in relation to the Official Assignee.

## The Manner in Which These Functions Affect Members of the Public

- (a) Company law/ court liquidations, mortgage and administration suits and other court proceedings requiring accounts and inquiries.

In court liquidations, the office deals mainly with liquidators and their solicitors. From time to time, but mainly when settling list of creditors, the office deals with creditors of a company.

In mortgage suits, administration suits and other matters referred to the Examiner's Office, the office deals with plaintiffs, defendants, receivers appointed by the Court, creditors and their solicitors.

Much of the business of the Examiner and Assistant Examiners is transacted in formal sittings held for that purpose and listed in the legal diary.



(b) Bankruptcy

Members of the public may on payment of the prescribed fee request a search to be carried out in the registers of Bankrupts and Arranging Debtors kept in the Examiner's General Office against named individuals to ascertain if a person is a bankrupt or arranging debtor.

In cases before the Bankruptcy Court, the office deals with the litigants and their legal representatives.

The staff of this Office are precluded from giving legal advice but will give assistance as to Rules of Court and procedures to practitioners and members of the public.

### Classes of Records held

- Case Records
- Administrative Records
- General Administration
- Accommodation
- Personnel
- Training
- Information Technology

**By virtue of Section 46 of the Freedom of Information Act, records of the Office of the Examiners with the exception of administrative records are precluded from the ambit of the statute. Consequently members of the public have no right of access to, or amendment of such records under the Act.**

### Contact Officer

Requests regarding arrangements for a member of the public to seek information outside of the Freedom of Information Act in relation to this office should be made to the appropriate Contact Officer as set out in Appendix 10.

## The Office of the General Solicitor for Minors and Wards of Court

### Structure of the Office of the General Solicitors for Minors and Wards of Court

General Solicitor (1)  
 Deputy General Solicitor (1)  
 Senior Solicitors (4)  
 Higher Executive Officer (1)  
 Executive Officer (1)  
 Clerical Officer (4)

### This Office is located at:

15/24 Phoenix Street North,  
 Smithfield,  
 Dublin 7.

### Opening Hours are as follows:

9.15 a.m. - 1.00 p.m.	2.00 p.m. - 5.30	Monday to Thursday
9.15 a.m. - 1.00 p.m.	2.00 p.m. - 5.15	Friday

The office of the General Solicitors for Minors and Wards of Court is open to the public for business on every day of the year except Saturdays, Sundays, Christmas and the seven next following days, St. Patrick's Day, Good Friday, Monday and Tuesday in Easter Week, and the days duly appointed as public holidays in public offices.

### Functions and Responsibilities

The General Solicitor for Minors and Wards of Court is a solicitor employed by the Courts Service who is appointed by the President of the High Court to be involved in various issues which relate to Minors and Wards of Court.

The principle roles of the General Solicitor are:

1. As **Committee of the Estate of a Ward of Court** (known as *Guardian of the Fortune* in cases involving *Minors*) where appointed by the President of the High Court with the responsibility of assisting the Court in managing the financial affairs of Wards and Minors. The General Solicitor assumes the legal identity of a Ward or Minor and, accordingly, has power to act on his/her behalf, subject to Court approval.

2. In some cases, in addition to being appointed Committee of the Estate, the General Solicitor may also be appointed **Committee of the Person of a Ward of Court**. In such situations, the General Solicitor would also oversee the personal care of the Ward.

The General Solicitor would usually be appointed **Committee** in wardship cases:

- In any case deemed appropriate by the Court;
  - Where a perceived conflict of interest arises;
  - Where there is disagreement among a Ward's relatives as to how his /her affairs should be managed;
  - Where there is no suitable relative who is prepared to act.
3. As **Solicitor for a Ward or Minor** where appointed by the President of the High Court.
  4. As **Amicus Curiae (friend of the Court)** when directed by the President of the High Court to represent a particular interest in proceedings before the Court which involve a Ward or have a bearing on Wardship matters.

**The functions and duties as Committee require the General Solicitor to manage the affairs of a ward and to protect his/her property and assets and apply them for his/her benefit. This includes the following:**

- On being asked by court to assess a wards needs and entitlements the committee may liaise with various experts in both the financial and medical field and make recommendations to court based on these consultations.
- The committee may take over the management of a ward's real property i.e. land, house.
- The committee where instructed collects the relevant information and engages an accountant to deal with a ward's tax affairs.
- The committee will often be authorised by the court to arrange for the ascertaining of and collection of the ward's liquid assets. From time to time the Committee will apply to court for money from a ward's investment to meet the cost of a ward's ongoing expenses.
- The General Solicitor may be authorised to apply for and collect a ward's income on which the General Solicitor is entitled to charge committee fees at various rates.
- The General Solicitor is entitled to recover fees and outlays from the ward's estate in respect of the work carried out as committee and solicitor and these fees are required to be measured by the Registrar of Wards of Court or taxed by the Taxing Master.

- The Committee investigates and makes recommendations to court in respect of requests from a ward of court or his/her dependents for payments out of the ward's fund in court. Depending on the amount of the ward's funds and income, the committee may with the court's approval make the following regular payments from a ward's funds; personal or carer's allowance, comforts or clothing allowance, hospital maintenance, nursing home fees, medical expenses, taxes, insurance premia including VHI and holiday allowance.
- The General Solicitor as committee is accountable to the President of the High Court for all monies received, held and disbursed on behalf of a ward by the General Solicitor and is required to file accounts on a periodic basis with the Office of the Wards of Court for vouching and examination.

**When dealing with the legal affairs of a ward of court the General Solicitor for Minors and Wards of Court can also act as their solicitor and as such he/she may deal with the following matters:**

- Conveyancing aspects of a ward's case including the following:
  - Purchase and sale of houses and lands;
  - Letting agreements and commercial leases;
  - First registration of a ward's interest in lands under Section 49 of the Registration of Title Act, 1964;
  - Releases of burdens on titles to include the sale of rights of residence, maintenance and support owned by wards.
- The General Solicitor may, as committee and solicitor, institute proceedings on behalf of a ward or defend a ward in proceedings taken against him/her which may include:
  - Personal injury actions in District, Circuit, High or Supreme Courts;
  - Actions to recover a ward's monies or lands actions under section 117 of the Succession Act, 1965 on behalf of wards to recover for them an equitable share in the estates of their deceased parents;
  - Landlords and tenant proceedings actions;
  - For the recovery of damages due to professional negligence;
  - Family law proceedings.
- The General Solicitor may, as committee and solicitor, take out administration or probate to the estate of a relative of a ward, collect in the assets and distribute the estate according to law. The General Solicitor may be required to elect under section 115 of the Succession Act, 1965 to claim a ward's legal right share in the estate of his/her late spouse.

- A ward of court is not in a position to enter into a legally binding contract and where so authorised by the court the General Solicitor would enter into any such contract on behalf of a ward.

## The Manner in Which These Functions Affect Members of the Public

The office does not provide services of a general nature to the public but acts only in those wardship cases where it is appointed by the President of the High Court. In those cases the office deals with wards of court and minors, their families, other legal professionals, financial, property, medical and other experts.

**Records not within the range of general office administration are excluded from the scope of the Freedom of Information Act. Persons claiming to have a specific interest in obtaining access to a document or documents on a file are required to apply to the President of the High Court through the Registrar for Wards of Court setting out the reasons for their request for access. Applicants may be requested to file an affidavit in support of their request.**

The staff of the office are precluded from giving legal advice but will give assistance as to Rules of Court and procedures to practitioners and members of the public.

## Classes of Records held

### Court Records

Files for each Ward of Court and Minor Court applications and Orders in each case; Title Deeds; Committees Accounts documentation.

### Administrative Records

**By virtue of Section 46 of the Freedom of Information Act, court records of the General Solicitors for Minors and Wards of Court office are precluded from the ambit of the statute. Consequently members of the public have no right of access to, or amendment of these records under the Act.**

**By direction of the President of the High Court the disclosure to the general public of the contents of files maintained by the General Solicitor in respect of Wardship matters is prohibited.**

## Contact Officer

Requests regarding arrangements for a member of the public to seek information outside of the Freedom of Information Act in relation to this office should be made to the appropriate Contact Officer as set out in Appendix 10.

## Office of the Wards of Court

### Structure of the Office of the Wards of Court

Registrar (1)  
Principal Officer (1)  
Assistant Principal (11)  
Higher Executive Officer (3)  
Executive Officers (1)  
Clerical Officer (3)

### This Office is located at:

15/24 Phoenix Street North,  
Smithfield,  
Dublin 7.

### Opening Hours are as follows:

10.30 a.m. - 16.30 p.m.

The office of the Wards of Court is open to the public for business on every day of the year except Saturdays, Sundays, Christmas and the seven next following days, St. Patrick's Day, Good Friday, Monday and Tuesday in Easter Week, and the days duly appointed as public holidays in public offices.

### Functions and Responsibilities

The Office of the Wards of Court is responsible for the supervision of the affairs of persons taken into the wardship of the High Court. The purpose of wardship is to afford protection to the person and property of individuals who, whether by reason of mental incapacity or infancy, are deemed by the court to be incapable of managing their own affairs. The office provides support to the President of the High Court, the judge responsible for wardship matters, and supervises the activities of the persons (known as committees or, in the case of minors, guardians) who are given responsibility for the day to day management of a ward's affairs. In addition, enduring powers of attorney are registered in the office.

### General

The court's jurisdiction over a ward entails supervision both of the ward's personal welfare and the ward's property and income. The Office of Wards of Court is responsible for:

- (a) The receipt of applications for wardship in the High Court and the supervision, under the direction of the President of the High Court, of the affairs of persons taken into wardship, and

- (b) The registration of Enduring Powers of Attorney (a power of attorney which continues to be effective after a person becomes incapable).

The Registrar of the Wards of Court has the following powers and duties:

- The making and issuing of certificates, reports and rulings, and the giving of authorities and directions in respect of the management of the affairs of a ward;
- The making of inquiries and receipt and consideration of proposals concerning the person, property and affairs of a ward of court or respondent to wardship proceedings;
- The giving of directions as to notices to be issued to interested parties;
- The taking of accounts by, allowance of remuneration to, and fixing of security in respect of committees;
- Investigation of delay in wardship matters;
- Appointment of the General Solicitor for Minors and Wards of Court to act in wardship matters;
- Visiting of wards as directed by the court;
- Sitting as Registrar at hearings of the judge exercising wardship jurisdiction;
- The investment in authorised trustee securities of funds to which wards of court are beneficially entitled.

### Enduring Powers of Attorney:

- Receipt of applications for registration of enduring powers of attorney and of objections to such applications;
- The giving of directions as to notices to be issued to interested parties;
- The registration of enduring powers of attorney complying with statutory requirements.

### The Manner in Which These Functions Affect Members of the Public

1. Proceedings to have an individual taken into wardship may be commenced in the case of an incapacitated adult by petition to the court in accordance with the provisions of Order 67 of the Rules of the Superior Courts (S.I. No. 15 of 1986) or in the case of a minor by a summons in accordance with the provisions of Order 65 of the same rules.
2. Applications for registration of enduring powers of attorney may be made in accordance with the provisions of Order 129 of the Rules of the Superior Courts (S.I. No. 66 of 2000).

Persons claiming to have a specific interest in obtaining access to a document or documents on a file are required to apply to the President of the High Court through the Registrar of Wards of Court, setting out the reasons for their request for access. Applicants may be requested to file an affidavit in support of their request.

An information booklet on the procedure for having a person taken into wardship, and the conduct of a wardship matter, may be obtained by writing to the Office of Wards of Court at the address listed in Appendix 10. Wardship and Enduring Power of Attorney forms are available from the Courts Service website ([www.courts.ie](http://www.courts.ie)).

The office deals with a range of customers including members of the public, and members of the legal profession.

### Classes of Records held

- Files for each ward of court containing all correspondence with the office relating to that case;
- Documentation relating to all applications made to the court in the case;
- Accounts filed;
- Orders made;
- Directions given and certificates issued in relation to the case;
- Indices.

**By virtue of section 46 of the Freedom of Information Act, records of the Office of the Wards of Court are precluded from the ambit of the statute. Consequently members of the public have no right of access to, or amendment of such records other than administrative records under the Act**

**By direction of the President of the High Court, the disclosure to the general public of the contents of files maintained by the Office of Wards of Court in respect of wardship matters is prohibited.**

### Contact Officer

Requests regarding arrangements for a member of the public to seek information outside of the Freedom of Information Act in relation to this office should be made to the appropriate Contact Officer as set out in Appendix 10.



## Circuit and District Court Directorate

### Structure of the Office of the Circuit and District Court Directorate

Director (1)  
Principal Officer (1)  
Assistant Principal (1)  
Higher Executive Officer (2)  
Executive Officer (1)  
Clerical Officer (4)  
Regional Managers (5)  
Regional Support Staff (11)

### This Office is located at:

\*15/24 Phoenix Street North,  
Smithfield,  
Dublin 7.

\* The offices of the Regional Managers & support staff are set out at Appendix 10.

This Directorate provides administrative support and resources for the Circuit and District Courts.

### The Function of this Directorate is:

- To manage the Circuit and District Court Offices;
- To arrange for the transfer of staff between Districts;
- To arrange accommodation requirements;
- To act as a support service to Court Offices on procedural matters;
- To prepare Orders in respect of Court Areas, Court Districts etc.;
- To liaise with Court Officers.

### Regional Offices

A Regional Management structure located in regional offices based on the Circuit Court circuits outside Dublin has been put in place. This enables the Circuit and District Court Directorate and the Courts Service generally to proceed with extensive devolution of authority for budgets, maintenance of premises, project management for building/refurbishment projects etc. It also facilitates the streamlining of court office procedures and the development of best practice in the delivery of services to court users. In general each Regional Office is staffed by a Regional Manager and two support staff.

Regional Offices have been established in the following areas: Monaghan, Cork, Naas, Tullamore and Castlebar. Contact details for Regional Managers are set out at Appendix 10.

## Classes of Records held

- Correspondence on the operation of Circuit and District Court offices;
- Observations on legislation;
- Statistics on operation of Circuit and District Court offices;
- General correspondence with the public;
- Register of Interpreters and ancillary correspondence;
- Purchasing and supply of goods and services to court offices;
- Records in relation to court accommodation.

## Contact Officer

Requests regarding arrangements for a member of the public to seek information outside of the Freedom of Information Act in relation to this office should be made to the appropriate Contact Officer as set out in Appendix 10.

## Circuit Court Offices

### Structure of the Circuit Court Offices

There are 26 Circuit Court Offices in the country, one for each county. The number of staff varies from county to county with Dublin being the largest office in terms of personnel. Each office is headed by a County Registrar, aided by a Chief Clerk and a number of other court officials.

A full list of Circuit Court offices, with addresses, telephone numbers and names of County Registrars and Chief Clerks is provided at Appendix 10.

### Opening Hours are as follows:

#### **Provincial Circuit**

Monday to Friday  
9.30 a.m. to 1.00 p.m. and  
2.15 p.m. to 5.00 p.m.

#### **Dublin & Cork Circuit**

Monday to Friday  
10.00 a.m. to 4.30 p.m.

The Circuit Courts sit during the legal terms. This means that the courts sit throughout the year except at Christmas, Easter, Whit and Summer recesses. The Circuit Court offices, however, remain open throughout the year.

### Functions and Responsibilities

The Circuit Court offices provide a number of services:

### The Provision of Support Services Necessary for the Proper Operation of the Circuit Courts in Civil Matters

- The processing of civil bills;
- The maintaining of court files;
- Acts as local Land registry office;
- The provisions of Circuit Court registrars for court hearings;
- The provision of court orders.

## The Provision of Support Services Necessary for the Proper Operation of the Circuit Courts in Criminal Matters

Although criminal cases in Ireland are commenced in the District Court, the Circuit Court offices deal with the arraignments, listing of trials, calling of juries, the provision of registrars and the maintaining of court files in those cases that are sent forward by the District Court for trial in the Circuit Court. In addition, the Dublin Circuit Court office deals with the calling of juries for the Central Criminal Court and the civil juries in the High Court.

## Land Registry Matters

With the exception of the Dublin, Kilkenny and Waterford Circuit Court offices, each Circuit office provides some local land registry facilities. Copies of folios for a county can be obtained in the local Circuit Court office.

## District Probate Registries

Fourteen Circuit Court offices provide local probate services, called District Probate Registries (see Appendix 9). Applications for grants of probate and administration can be processed and copies of wills and other documents can be obtained in these local offices where the deceased resided.

## Statistics

Each Circuit Court office is required to keep a wide range of accurate statistical information which they submit periodically to the Circuit and District Court Directorate.

## Financial Matters

Circuit Court offices manage the investment of funds awarded to minors (children under the age of 18 years) in Circuit Court actions and ensure the payment of those funds when the minor reaches eighteen.

Apart from investments the Circuit Court Office has responsibility for the management of the Sheriff's Account, the General Cash Account and the Equity Account on foot of which financial reports are submitted periodically to the Finance Directorate of the Courts Service.

## Other Functions of the County Registrar

The County Registrar has various powers apart from his/her role as a manager of the Circuit Court Office. Amongst these are:

- Arbitration in cases where amounts of costs in a legal action are disputed;
- Arbitration under landlord and tenant legislation where the amount payable for the purchase of a ground rent is in dispute in commercial matters;
- With the exception of Dublin and Cork, the County Registrars are also the sheriffs for each county;
- The role of the Sheriff is the execution of all civil court orders including ejectments and the sale or disposal of assets seized.

## The Manner in Which These Functions Affect Members of the Public

The Circuit Court Offices deal with a wide range of customers including members of the public, members of the legal profession, the office of the Director of Public Prosecutions, the office of the Chief Prosecution Solicitor, the office of the Chief State Solicitor, State Solicitors and members of the judiciary.

The staff of these offices are precluded from giving legal advice but will assist members of the public and practitioners.

The addresses of the 26 Circuit Court offices are set out at Appendix 5.

## Classes of Records held

- Files in criminal cases containing orders sending accused persons forward for trial/sentence, recognisances, depositions, witness orders, copy books of evidence, copy indictments.
- Legal Aid register of solicitors and copies of claims made.
- Records of jury summonses issued and of the attendance of juror.
- Copies of civil bills issued and further documents filed by the parties in civil actions and in family law.
- Records of appeals from the District court and results of same.
- Cause Books recording court applications and orders made in civil and family law matters.
- Registrars' court books recording decisions of the courts.
- Records of court lists and of call-over lists made before the County Registrar.
- Accounts records of lodgements paid into court in civil actions and of investments made on behalf of minors.
- Licensing applications, plans of premises and copy certificates issued.

- Applications under Unfair Dismissals Acts, Payment of Wages Act, 1991.
- Applications under the Local Government (Planning and Development) Act, 1992.
- Land registry folios, index of names, notices of dealings pending in those offices with a land registry function.
- Records of execution orders, fi-fas and decrees lodged for execution in the Sheriff's office and accounts of funds received and paid out on foot of same in those offices with a Sheriff's function.
- Copies of grants of probate and administration, files containing original wills, schedules of assets of deceased persons (last 20 years only) in those offices with a Probate Registry.

**This list must be read having regard to section 46(1)(a) of the Freedom of Information Act, which provides that certain court records are precluded from the ambit of the Act. Consequently, all the records listed here may not be accessible under the Act. Access to or amendment of records to which the Act does not apply are a matter for the court. In general right of access to court records is reserved for parties concerned or their legal representatives.**

## Contact Officer

Requests regarding arrangements for a member of the public to seek information outside of the Freedom of Information Act in relation to this office should be made to the appropriate Contact Officer as set out in Appendix 10.

## District Court Offices

### Structure

There are 42 District Court offices in the country, at least one in each county. Because of the large volume of business in Dublin sub-offices have been opened to assist in the provision of the service.

### Offices and Officers

While the number of staff varies from county to county (Dublin being the largest office in terms of staff and personnel), each office is headed by a Clerk in Charge and a number of other court officials.

A full list of District Court offices, with addresses, telephone numbers and names of Clerks in Charge is at Appendix 10.

### Opening Hours are as follows:

Monday to Friday

10.00 a.m. to 12.45 p.m. and

2.00 p.m. to 4.30 p.m.

The Court offices remain open during court recess periods.

The District Courts sit throughout the year except for a few days at Christmas and Easter, and during the month of August. However, during these times District Courts frequently sit for urgent or emergency cases, mainly in Family law and criminal matters.

Outside of normal working hours there are judges and court registrars on call to deal with urgent matters.

### Functions and Responsibilities

The District Court offices provide a number of services including:

**1. The provision of support services necessary for the proper operation of the District courts in civil matters:**

- The processing of summonses in civil cases,
- The maintaining of court files,
- The provision of court registrars for court hearings,
- The provision of court orders in summary judgment cases,
- The provision of support services for the enforcement of unpaid debts on foot of judgments of the District, Circuit and High Courts,
- The processing of summonses for instalment orders, variation orders, applications for arrest and imprisonment,

- The issuing of warrants and the receipt and disposal of money receipted on foot thereof.
2. **The provision of support services necessary for the proper operation of the District courts in criminal matters:**
    - District Court officials are responsible for processing of criminal summonses and charge sheets, the provision of registrars for court, the handling of bail money and bail forms, processing of Legal Aid claims, the issuing of fines notices and warrants, receipt of fines when paid, the handling of appeals, applications for extradition, community service applications, police property applications depositions and orders sending cases forward for trial.
    - Persons under the age of 17 years are dealt with by the juvenile courts. In most provincial locations, the juvenile courts are held in conjunction with the normal court sittings. Only the parties involved and the media are entitled to be present in court when juvenile cases are being dealt with.
  3. **The administration of the Small Claims Procedure including negotiation with parties in an effort to resolve consumer related disputes.**

**In family law matters, the District Court office deals with applications under the Domestic Violence Act, and ensures that any orders made are issued. When Maintenance Orders in relation to spouses and children are made, the District Court offices manage the receipt of money from the maintenance debtor and the payment of money to the maintenance creditor. These payments are periodical and in most cases are ordered to be paid weekly.**

**District Court offices manage the investment of funds awarded to minors (children under the age of 18 years) in District Court actions and ensure the payment of those funds when the minor reaches eighteen. There is a project currently being undertaken by the Finance Directorate of the Courts Service to centralise and manage the investment of these funds. This project is ongoing and is expected to be completed towards the end of 2007.**

**In licensing matters the District Court office deals with the keeping and updating of licensing registers, the processing of various applications and the issuing of court orders.**

**Each District Court office sells court stamps which are either franked on the documents concerned or on fee sheets.**

**Each District Court office maintains a wide range of statistical/ management information.**



## The Manner in Which These Functions Affect Members of the Public

The District Court Offices deal with a wide range of customers including members of the public, members of the legal profession, the office of the Director of Public Prosecutions, the office of the Chief Prosecution Solicitor, the office of the Chief State Solicitor, State Solicitors and members of the judiciary.

The staff of these offices are precluded from giving legal advice but will assist members of the public and practitioners.

### Classes of Records held

- Files on criminal matters including applications for summonses, summonses, charge sheets, bail documents, warrants;
- Papers on civil cases including civil summonses, civil summonses for ejectment, notices of counterclaim, supporting documentation;
- Applications, statutory declarations, summonses and statements of means under the Enforcement of Court Orders Act, 1926 and 1940;
- Applications, affidavits and correspondence relating to the small claims procedure;
- Summonses, applications, orders and correspondence relating to family law proceedings;
- Transaction records relating to family law maintenance payments;
- Register of intoxicating liquor licenses \*;
- Register of club licenses \* ;
- Files relating to registered clubs;
- Documentation in licensing matters such as applications for licenses under the Intoxicating Liquor Acts of 1960 and 1962 and auctioneers and house agents;
- Judges' minute books;
- Computer printed records of judges' orders;
- Records relating to driving license disqualifications and endorsements;
- Driving license register;
- Civil process books;
- Memorandum of the registry of judgments;
- Legal Aid register and files on applications and certificates;
- Correspondence relating to petitions;
- Appeal result records;
- Appeals to the District Court (Betting Act, 1931, Fire Services Act, 1981 etc.);

- Applications for orders under the Housing (Private Rented Dwellings) Act, 1982;
- Applications under the Police (Property) Act, 1897;
- Applications for compensation under the Malicious Injuries Acts, 1981 and 1986;
- Applications under the Air Pollution Act, 1987;
- Applications under the Local Government (Water Pollution) Act, 1977;
- Applications under the Bankers' Book Evidence Act, 1879;
- Copies of notifications to coroner under the Coroners Act, 1962;
- Financial records, bank statements etc. and correspondence relating to financial transactions and documents relating to investments on behalf of minors;
- Cash bail records;
- Records relating to poor box contributions;
- Records relating to costs and witnesses expenses;
- Records relating to civil lodgments;
- Records relating to money received under the Enforcement of Court Orders Acts, 1926 and 1940;
- Fines registers, receipt books, payments books;
- Copies of applications to the High Court in relation to judicial review;
- Documentation relating to Cases stated.

**\* Members of the public have an absolute right to inspect such records on payment of the appropriate fee. In general the right of access to court records is reserved for the parties concerned or their legal representatives.**

**This list must be read having regard to section 46(1)(a) of the Freedom of Information Act, which provides that certain court records are precluded from the ambit of the Act. Consequently, all the records listed here may not be accessible under the Act. Access to or amendment of records to which the Act does not apply are a matter for the court. In general right of access to court records is reserved for parties concerned or their legal representatives.**

## Contact Officer

Requests regarding arrangements for a member of the public to seek information outside of the Freedom of Information Act in relation to this office should be made to the appropriate Contact Officer as set out in Appendix 10.

## Corporate Services Directorate

### Structure

- Director (1)
- Principal Officers (6)
- Assistant Principal Officers (3)
- Higher Executive Officers (5)
- Executive Officers (7)
- Clerical Officers (8)
- Librarian (1)
- Assistant Librarian (1)
- Judicial Researchers (9)

### The Directorate is divided into Six Sections with Distinct Functions and Responsibilities:

- Secretariat Division
- Judicial Support Services Unit
- Judges' Library
- Estates and Buildings Unit
- Information Office
- Internal Audit Unit (for administration purposes only)

All of the above offices except the Judges' Library are located at:

- Courts Service,
- 15/24 Phoenix St. North,
- Smithfield,
- Dublin 7.

The Judges' Library is located at:

- The Four Courts,
- Inns Quay,
- Dublin 7.

## Secretariat Division

### Functions and Responsibilities

- To provide secretarial and administrative support for the Courts Service Board and the committees of the Board;
- To provide secretarial and administrative support for the Chief Executive;
- To implement the Freedom of Information Act;
- To implement Data Protection Acts;
- To liaise with Directorates, Department of Justice, Equality and Law Reform and other Government agencies and public bodies in relation to matters such as parliamentary questions, observations on Government Memoranda, Reports, general correspondence etc.

### The Manner in Which These Functions Affect Members of the Public

This section deals with the public in the processing of applications under the Freedom of Information Act, and the Data Protection Acts, 1988 and 2003.

It also deals with general queries both in writing and by telephone from the public in relation to the courts and Courts Service. The section also has contact with the public when purchasing goods and services.

### Classes of Records held

- Minutes of meetings of the Courts Service Board;
- Minutes of meetings of the committees of the board;
- Reports prepared for the board and committees of the board;
- Sealed decisions of the board;
- Court Service observations on policy development;
- Material for reply to parliamentary questions;
- Correspondence with various bodies and the general public;
- Records relating to Freedom of Information and Data Protection.

## Judicial Support Unit

### Functions and Responsibilities

#### Judicial Appointments Advisory Board

- To provide administrative and secretarial back up for the Judicial Appointments Advisory Board.

#### Judicial Studies Institute

- To provide the administrative and secretarial support to the Judicial Studies Institute Board and to the Judicial Studies Institute.
- To liaise with similar institutions worldwide.
- To arrange visits for the judiciary to and from other comparative institutions.

#### Judicial Support Studies

- To deal with all travel arrangements for judges.
- To make accommodation arrangements for Supreme and High Court Judges when hearing cases at provincial locations.
- To process payments of judicial allowances.
- To deal with all queries in relation to the judiciary.

#### Support Services

- To deal with foreign travel arrangements for all Courts Service staff.

### The Manner in Which These Functions Affect Members of the Public

The Judicial Services Unit is a service provider within the Courts Service. However, the Judicial Support Unit has contact with the public when purchasing goods and services.

Application for judicial appointment is made to the Judicial Appointments Advisory Board.

## Classes of Records held

- Minutes of meetings of the Judicial Studies Institute;
- Minutes of meetings of the Judicial Appointments Advisory Board;
- Documentation and invoices on travel, subsistence and accommodation;
- The Judicial Support Unit hold applications for judicial appointments;
- Documentation on conferences held under the auspices of the Judicial Studies Institute.

**Both the Judicial Appointments Advisory Board which was established by statute and the Judicial Studies Institute which was established by the judiciary do not form part of the Courts Service. The Freedom of Information Act does not apply to the records held by these bodies.**

## Judges' Library

### Functions and Responsibilities

- Provide the library and information services to the judiciary and to staff of the Courts Service.

There are also 9 judicial researchers who provide research and assistance to all members of the judiciary in Ireland.

### The Manner in Which These Functions Affect Members of the Public

- The Judges' Library is a service provider within the Courts Service. However, the Judges' Library has contact with the public when purchasing goods and services.

### Classes of Records held

- Minutes of meetings of Judges' Library Committee.
- Records of purchase of books and periodicals.

## Estates and Buildings Unit

### Functions and Responsibilities

The principal statutory function of this directorate is to provide, manage and maintain court buildings as set out in section 5(d) of the Courts Service Act 1998.

It carries out this function by:

- Planning, developing and carrying out capital and refurbishment works as well as arranging the lease or rental of accommodation;
- Preparing and costing the capital building programme;
- Transferring courthouses, currently in ownership of local authorities and the Office of Public Works, to the Service;
- Negotiating and entering into Public Private Partnership (PPP) arrangements for the provision of Court accommodation;
- Fitting, equipping and maintaining courthouses and other court and office buildings to modern day standards;
- Ensuring the ongoing application of best safety, health and welfare standards in all court buildings and offices;
- Ensuring that all premises are adequately equipped to meet the Service's communication needs.

The staff of this directorate work closely with local Courts Service management, regional managers, the local authorities and the Office of Public Works.

The powers of the Courts Service in relation to the functions of this directorate are set out in section 6 of the Courts Service Act, 1998. In addition, it operates by reference to the powers of the Chief Executive Officer at section 20 and miscellaneous powers relating to transfer of land, section 26, transfer of property other than land, section 27, transfer of rights and liabilities, section 28 and the position of the Courts Service as a State authority for planning and development purposes, section 33.

## The Manner in Which These Functions Affect Members of the Public

The services provided by the Unit, particularly those relating to accommodation and facilities to be provided in court buildings, do impact on the public particularly as regards the location, accessibility and comfort of courthouses and court offices which are used by members of the public in different capacities.

In this context this Unit seeks to provide appropriate facilities for the public in court venues. The Courts Service engages in a consultation process with representatives of court users when it is proposed to build a new courthouse or refurbish an existing one.

There is regular contact with representatives of the judiciary, the Bar Council and the Law Society, the Garda Síochána and Prison Service, courts staff and other court users on matters relating to court building projects. In this regard victim support, family law, and other voluntary sector interests are also consulted.

This Unit also has ongoing interaction with private sector contractors and suppliers of various goods and services relating to court buildings and offices. Procurement of goods and services by the Unit is done by means of a tendering process and is in compliance with government contract procedures and where appropriate EU works/procurement directives.

## Classes of Records held

- Records relating to capital projects at each court venue including temporary venues;
- Vesting proposals in respect of venues by reference to each local authority and the Office of Public Works;
- Health and safety issues relating to court buildings;
- General issues such as finance, staffing, planning and other enquiries.

## Contact Officer

Requests regarding arrangements for a member of the public to seek information outside of the Freedom of Information Act in relation to this Unit should be made to the appropriate Contact Officer as set out in Appendix 10.



## Information Office

### Functions and Responsibilities

Provide information on the court system to the public pursuant to section 5(c) of the Courts Service Act, 1998.

The office carries out this function by:

- Publishing material in hard copy and electronic form on the work of the courts and court offices;
- Publishing a magazine highlighting developments in the courts and court offices;
- Publishing an annual report on the work of the courts and court offices;
- Collating statistics on the work of the courts;
- Developing and maintaining the Courts Service website ([www.courts.ie](http://www.courts.ie));
- Developing visitor and outreach programmes for students and other community groups;
- Providing information to the media on the work of the courts and court offices.

### The Manner in Which These Functions Affect Members of the Public:

- (a) Information on the work of the courts and court offices is made available in hard copy including books, leaflets, poster and chart format and displayed in court offices in Dublin and around the country. Leaflets and booklets are available in a range of formats on many aspects of the Courts in a wide variety of languages.
- (b) Information for legal professionals and litigants generally is available on the Courts Service website separate from information for the general public.
- (c) Information on the work of the courts is published in annual reports and published on the website.
- (d) Tours of the Four Courts can be booked via the website.

### Classes of Records held

- Published material (e.g. leaflets, booklets, Annual Reports)
- Statistics
- Tenders relevant to work of office
- Photographs
- Press releases
- Press cuttings

## Internal Audit Unit

### Functions and Responsibilities

The Internal Audit Unit provides assurance to the Accounting Officer (Chief Executive Officer) and the Audit Committee as to the adequacy and effectiveness of the systems of internal controls, governance processes and risk management systems operating within the Courts Service. To attain this objective the Unit is required to:

- Devise an annual audit plan identifying areas due for audit in the year.
- Carry out systematic audits in which the unit identifies the key risks, controls and governance procedures for the area under review. The unit tests the stated controls in order to form an opinion as to their adequacy and effectiveness.
- Prepare a report for relevant office managers, Accounting Officer and the Audit Committee as to the unit's audit findings. A copy of all the unit's reports are also provided to the Comptroller and Auditor General.

### The Manner in Which These Functions Affect Members of the Public

The Internal Audit Unit is a service provider to the various directorates and Accounting Officer. It has contact with the public when purchasing goods and services.

### Classes of Records held

- Audit Files
- General Administration:
  - Procurement
  - Training
  - Personnel
  - Correspondence

### Contact Officer

Requests regarding arrangements for a member of the public to seek information outside of the Freedom of Information Act in relation to this Directorate should be made to the appropriate Contact Officer as set out in Appendix 10.

## Human Resources Directorate

### Structure

Director (1)  
Principal Officer (1)  
Assistant Principal (3)  
Higher Executive Officer (4)  
Executive Officers (3)  
Clerical Officers (4)

### This Office is located at:

Courts Service,  
15/24 Phoenix St. North,  
Smithfield,  
Dublin 7.

### Functions and Responsibilities

- To ensure the effective deployment, management and training of all human resources within the Courts Service. Its operations are governed by the provisions of the Civil Service Personnel Code and it administers the Civil Service Conciliation and Arbitration Scheme in relation to Courts Service matters.
- To ensure compliance with Data Protection legislation.

### The Directorate is divided into Three Sections as follows:

- Personnel Operations
- Training and Development
- Change Management

### Personnel Operations Section

The customers of this section are the staff in the other offices of the Courts Service, as well as former employees and their families. The service is delivered in person, in meetings, by mail, by email, by fax and by telephone.

### Training and Development

The services provided include a range of courses and seminars for all staff at all levels. The courses are advertised in a formal training programme. Information on courses held externally is circulated as it becomes available.

## Change Management

The customers of this section are the staff in all offices of the Courts Service.  
The service is delivered in person, at meetings and at workshops.

## The Manner in Which These Functions Affect Members of the Public

The Human Resource Directorate is a service provider to the staff of the various directorates within the Courts Service.

## Classes of Records held

### Personnel Operations Section

- A personnel file for each member of staff of the Courts Service;
- A sick leave file for each member of staff of the Courts Service (excluding those on secondment from the Department of Justice, Equality and Law Reform);
- A record of each instruction to the accounts branch to make payment;
- A copy of each Department of Finance circular issued. Among the circulars on file are those that make up the Personnel Code;
- Files containing correspondence with court offices on staffing matters;
- Records of responses to parliamentary and press queries on the operations of the Human Resource directorate;
- Files of correspondence with other government departments including observations on government memoranda and draft legislation;
- Files containing records of internal and external promotional competition involving Court Service staff;
- Files containing correspondence between the Human Resource directorate and staff associations/unions;
- Files on staffing policy matters such as parental leave scheme.

### Training and Development Section

- Files on each training project organised by the Training and Development Section;
- Files on the payment of invoices for expenses incurred in the delivery of training courses;
- A record for each staff member who applies for refund of fees for third level courses.

## Change Management Section

- Files relating to the preparation of the Strategic Plan for the Courts Service;
- Files relating to the partnership process of the Courts Service and any subcommittees arising from the process;
- Files relating to the preparation of the Courts Service's Action Plans under National Agreements;
- Records relating to customer complaints.

## Contact Officer

Requests regarding arrangements for a member of the public to seek information outside of the Freedom of Information Act in relation to this Directorate should be made to the appropriate Contact Officer as set out in Appendix 10.

## Finance Directorate

### Structure

Director (1)  
Principal Officer (1)  
Higher Executive Officers (2)  
Executive Officers (2)  
Clerical Officers (2)

### This Office is located at:

Courts Service,  
15/24 Phoenix St. North,  
Smithfield,  
Dublin 7.

### Functions and Responsibilities

The Finance Directorate is responsible for all the financial activities of the Courts Service.

### These financial operations can be broken down into four broad categories:

- **Courts Accounting** - Monitoring and controlling the financial transactions undertaken at District, Circuit and High Court office level in the transacting of fines, fees, bail and family law. Monitoring the financial transactions undertaken at District and Circuit Court office level of investment of court funds.
- **Financial Accounting** - Financial and management accounting in respect of the voted funds allocated to the Courts Service as part of the annual government estimates process. This includes the production of the annual Estimates and the Appropriation Account.
- **Projects** - The establishment of comprehensive financial structures for the management of all financial affairs of the courts. This can be further sub-divided into:
  - Courts Accounting Systems for the financial operations of the Circuit and District jurisdictions;
  - Fund Accounting for the management and investment of court funds; and
  - the Financial Management System for the recording of financial transactions and the provision of management information on voted monies.
- **Office of the Accountant of the Courts of Justice** (see page 37)

## The Manner in Which These Functions Affect Members of the Public

The Finance Directorate prepares the annual account (Appropriation Account) of the Courts Service for signature by the Chief Executive Officer and onward transmission to the Comptroller and Auditor General. It also provides financial data for the Annual Report of the Courts Service. The directorate also deals with a range of outside bodies and persons including government departments and other state agencies. Publications not produced by the Courts Service may contain data relevant to the Courts Service, as follows:

- Annual Report of the Comptroller and Auditor General and Appropriation Accounts - *The Comptroller & Auditor General*.
- Annual Estimates for the Public Services (Abridged Version) & Summary.
- Public Capital Programme - *The Department of Finance*.
- Annual Revised Estimates for Public Services - *The Department of Finance*.
- Public Financial Procedures - *The Department of Finance*.
- Government Procurement Guidelines - *The Department of Finance*.
- EU Procurement Directives.
- Court Fees and Rules of Court - *Available on Courts Service website [www.courts.ie](http://www.courts.ie) and from the Government Publications Sale Office, Sun House, Molesworth Street, Dublin 2.*
- Statutory Instruments - *Available from Government Publications Sale Office, Sun House, Molesworth Street, Dublin 2.*
- Legislation - *Available from Government Publications Sale Office, Sun House, Molesworth Street, Dublin 2.*

## Classes of Records held

**Records are held in both electronic and paper form as follows:**

### Personal Information

Certain information of a personal nature, e.g. salaries and wages, is held on behalf of the Courts Service by the Finance Division, Department of Justice, Equality and Law Reform, Killarney, Co. Kerry, in its capacity as service provider of certain accounting services to the Courts Service.

### Non-Personal Information

Records relating to the operation of the courts accounting:

- Bail
- Court returns
- Dormant accounts and returns
- Fees and returns

- Fees order
- Fines and returns
- Internal audit reports of court offices
- Investment policy statements
- Poor box
- Sheriffs and returns
- Procedures
- Bank details
- Policy statements

Records held in respect of financial/management accounting:

- Appropriations-in-Aid
- Audit reports
- Chart of accounts
- Expenditure review/reporting
- Freedom of Information requests
- Procedural manuals
- Information technology
- Policy statements
- Service level agreement
- Administrative budget
- Appropriation account
- Multi-annual budgets
- Estimates
- Public Accounts Committee briefing material
- Procurement/tendering
- Tax clearance certificates
- Staff training

Records held relating to projects:

- Requirements analysis for all projects
- Business process reviews
- Tender documents
- Training manuals
- Process details
- Policy papers

## Contact Officer

Requests regarding arrangements for a member of the public to seek information outside of the Freedom of Information Act in relation to this Directorate should be made to the appropriate Contact Officer as set out in Appendix 10.



## Reform and Development Directorate

### Structure

Director (1)  
Principal Officer (1)  
Assistant Principal (1)  
Higher Executive Officer (1)

### This Office is located at:

Green Street Courthouse,  
Halston Street,  
Dublin 7.

### Functions and Responsibilities

- Legislative affairs;
- Preparation of proposals for modernising legislation on court administration;
- Preparation of proposals on modernisation and simplification of court rules and terminology;
- Delegate of Chief Executive Officer to the Courts Rules Committees;
- Identifying of opportunities for improvement of procedures and practice of court offices;
- Assessment of implications of Information Technology and eGovernment;
- Initiatives for court rules and practices;
- Examination, in consultation with other directors of the Courts Service, of proposals for new legislation affecting courts administration;
- General superintendence and control of the Office of Wards of Court (i.e. the office responsible for the supervision of the affairs of persons taken into the wardship of the High Court, and for registration of Enduring Powers of Attorney).

### The Manner in Which These Functions Affect Members of the Public

The Directorate of Reform and Development carries out policy formulation and administrative support functions which does not directly affect members of the public.

## Classes of Records held

Files for the separate areas of responsibility of the directorate, i.e.:

- Files relating to the proceedings of, communications received and made by, and research materials collected for the Working Group on the Jurisdiction of the Courts and its sub groups;
- Files relating to the Rules Committees of the Superior, Circuit and District Courts;
- Files relating to policy matters affecting the various jurisdictions of the courts;
- Files relating to statistics of the operation of the various court jurisdictions;
- Files relating to policy matters affecting the Office of Wards of Court;
- Files relating to procurement;
- Office personnel management files.

## Contact Officer

Requests regarding arrangements for a member of the public to seek information outside of the Freedom of Information Act in relation to this Directorate should be made to the appropriate Contact Officer as set out in Appendix 10.

## Information and Communication Technology Division

### Structure

- Director (1)
- Principal Officer (2)
- Assistant Principal Officers (2)
- Higher Executive Officers (5)
- Executive Officers (4)
- Clerical Officers (1)

### Functions and Responsibilities

To provide a comprehensive information and communication technology (ICT) service to the organisation by delivering information systems which support the attainment of the business objectives of the Courts Service.

### The Main Responsibilities Undertaken by the ICT

Directorate are:

- Operational support for existing computer systems, including system security and availability of facilities;
- Maintenance and enhancement of existing systems and technical architectures;
- Development, management and support of the Courts Services local and wide area computer networks;
- Development of judges' intranet;
- Provision of day to day support for all computer users in the organisation;
- Design, development and implementation of new computer systems in accordance with the priorities of the Courts Service ICT Governing Committee;
- Procurement of IT hardware, software and consumables;
- Defining the overall information systems strategy for the Courts Service;
- Ensuring compliance with data protection legislation.

### The Manner in which these Functions Affect Members of the Public

The ICT Directorate is a service provider to the various directorates within the Courts Service. However, the ICT Directorate has contact with the public when purchasing goods and services.

## Classes of Records held

- Contract details;
- IT security records;
- Information on IT staffing levels;
- IT planning information;
- Technical reports and system documentation;
- Information on IT training requirements and courses;
- Project development, system maintenance and enhancement records for IT systems;
- Information on national and EU legislation relevant to IT;
- Information on involvement and contact with Civil Service Centre for Management and Organisational Development (CMOD);
- Tender and contractual records;
- Equipment records (Asset Register);
- Procurement records to support Prompt Payments Act, 1997 including orders, invoices and supplier details;
- Financial and accounting information;
- Various periodicals, technical reports, textbooks and publications.



## Part 2

### ***Section 16 Freedom of Information Act - Rules, Practices and Guidelines***

## Publication under Section 16 Freedom of Information Act

Section 16 of the Freedom of Information Act requires the Service to prepare, publish and make available the rules, procedures, practices, guidelines and interpretations, and an index of any precedents kept for the purposes of decisions, under any enactment or scheme administered by the Courts with respect to the rights, privileges, benefits, obligations, penalties or other sanctions to which members of the public are entitled or subject to under the enactment of the scheme together with information in relation to the manner or intended manner of administration of any such enactment or scheme.

The intention is that all the rules, precedents etc. under which decisions are made which effect the rights, privileges, benefits of individual citizens will be available publicly, so that every citizen can make an informed judgment as to whether his/her entitlements have been accorded in full.

The Service administers relatively few enactments or schemes of the type covered by section 16. However information on the rules, guidelines etc. used by the Courts Service in the course of its business are provided for information.

The operation of each court is governed by the Constitution, legislation and the relevant Rules of Court for each jurisdiction which are available from the Government Publications Sale Office, Sun Alliance House, Molesworth Street, Dublin 2. The Rules of Court for the Supreme and High Court, Circuit Court and the District Court are also available on the Courts Service website at [www.courts.ie](http://www.courts.ie).

Court-related business in Court Offices is also governed by the Constitution, Legislation, Rules of Court and Judicial practice direction. Officers attached to the courts are subject to the directions of the Judge. They must also have regard to all relevant case law, judicial decisions and directions. The most relevant Statutory Provisions and Rules of Court governing the business of Court and Court Offices are set out under each Court Office.

**A general listing of rules, guidelines and precedents is set out below:**

### Rules/ Guidelines/ Precedents

- Constitution of Ireland
- Legislation
- Statutory Instruments
- Civil Service Circulars
- Consultations with the Judiciary and Court Officials

- Sanctions from the Department of Finance
- Advice from the Attorney General, Chief State Solicitor, Director of Public Prosecution and the Garda Authorities
- Consultation with representatives from staff and Legal Profession
- Consultation with other Government Departments and Agencies
- Court Fees Orders
- Superior Court Rules
- Circuit Court Rules
- District Court Rules
- Supreme Court and High Court (Fees) Order 2003

## Courts Legislation from 1924 to date

- The Court of Justice Act, 1924
- Juries (Amendment) Act, 1924
- Courts of Justice Act, 1926
- Enforcement of Courts Orders Act, 1926
- Court Officers Act, 1926
- Juries (Dublin) Act, 1926
- Circuit Court Appeals Act, 1927
- Juries Act, 1927
- Courts of Justice Act, 1927
- Courts of Justice Act, 1928
- Courts of Justice (No. 2) Act, 1928
- Juries (Protection) Act, 1929
- Courts of Justice Act, 1929
- Courts of Justice Act, 1931
- Juries (Protection) Act, 1931
- Courts of Justice (No. 2) Act, 1931
- The Legitimacy Act, 1931
- Courthouses (Provision and Maintenance) Act, 1935
- Courts of Justice Act, 1936
- Court Officers (Amendment) Act, 1937
- Enforcement of Courts Orders Act, 1940
- Juries Act, 1945
- Court Officers Act, 1945
- Courts of Justice (District Court) Act, 1946
- Courts of Justice Act, 1947
- Courts of Justice (District Court) Act, 1949
- Court Officers Act, 1951
- Courts of Justice Act, 1953
- Courts of Justice Act, 1959
- The Administration of Estates Act, 1959
- Criminal Justice Act, 1960



- Juries Act, 1961
- Courts of Justice and Court Officers (Superannuation) Act, 1961
- Courts (Establishment and Constitution) Act, 1961
- Courts (Supplement Provisions) Act, 1961
- Criminal Justice (Legal Aid) Act, 1962
- Courts (Supplement Provisions) (Amendment) Act, 1962
- Courts (Supplement Provisions) (Amendment) Act, 1964
- Courts Act, 1964
- The Succession Act, 1965
- Courts (Supplement Provisions) (Amendment) Act, 1968
- Courts (Supplement Provisions) (Amendment) (No. 2) Act, 1968
- Courts Act, 1971
- Court Officers Act, 1972
- Courts Act, 1973
- Juries Act, 1976
- Courts Act, 1977
- Courts Act, 1979
- Courts Act, 1981
- Courts (No. 2) Act, 1981
- Courts-Martial Appeals Act, 1983
- Courts Act, 1985
- Courts Act, 1986
- Courts (No. 2) Act, 1986
- Courts (No. 3) Act, 1986
- The Status of Children Act, 1987
- Courts Act, 1988
- Courts (No. 2) Act, 1988
- Courts Act, 1991
- Courts (No. 2) Act, 1991
- Courts (Supplement Provisions) (Amendment) Act, 1991
- Jurisdiction of Courts and Enforcement of Judgements Act, 1993
- Courts and Court Officers Act, 1995
- Courts Act, 1996
- Powers of Attorney Act, 1996
- Courts Act, 1997
- Courts (No. 2) Act, 1997
- The Family Law (Miscellaneous Provisions) Act, 1997
- Prompt Payments Act, 1997
- Courts Service Act, 1998
- Courts (Supplement Provisions) (Amendment) Act, 1999
- Courts (Supplement Provisions) (Amendment) Act, 2000
- Court and Court Officers Act, 2002
- Civil Liability and Courts Act, 2004

## Supreme Court Office, Office of the Court of Criminal Appeal and Courts-Martial Appeal Court

**Rules of the Court:** Orders 58, 59, 86 and 86A of the Rules of the Superior Courts, 1986 (as amended)

**Legislation:** Courts Acts  
Criminal Justice Act, 1993  
Criminal Procedure Act, 1993  
Criminal Justice Act, 1999  
Courts-Martial Appeals Act, 1983

**Practice Directions**

## The Central Office of the High Court

**Legislation:** Courts Acts

**Statutory Instruments:** Rules of the Superior Courts 1986 (as amended)

**General Practice Notices and Directives**

## Office of the Official Assignee in Bankruptcy

### Rules and Practices

In the performance of his/her function of realising the assets and ascertaining the liabilities of the bankrupts, and distributing the proceeds of realisation amongst the bankrupt's creditors, the Official Assignee is required to act in accordance with the provisions of the Bankruptcy Act, 1988 and the Rules of the Superior Courts (and in particular Order 76 thereof). The Official Assignee must also have regard to case law of the courts both within this jurisdiction and in other common law jurisdictions, as reported in the Irish Reports, the Irish Law Reports Monthly, the Irish Jurist Reports, the Law Reports of England and Wales and other reporting series.

The Official Assignee may fix a time within which proofs of debt are to be sent to him/her but he/she refers all disputed debts to Court for adjudication.

The Official Assignee adjudicates upon the validity of and priority as between mortgages in accordance with the law of property generally, including case-law and statute law and in particular the provisions of the Registration of Deeds Act (Ireland), 1707, the Conveyancing Acts and the Registration of Title Act, 1964.

The Official Assignee is subject to the control of the Court in the exercise of his/her functions; any party aggrieved by a decision of his/her has the right to refer that decision to the Court for review.

In keeping with the provisions of the Constitution, decisions of the High Court may be appealed to the Supreme Court.

<b>Rules of the Court:</b>	Rules of the Superior Courts, 1986, Order 76
<b>Legislation:</b>	Bankruptcy Act, 1988
<b>Statutory Instruments:</b>	S.I. 79 of 1989 Rules of the Superior Courts (No. 3), 1989 S.I. 334 of 2002 European Communities (Personal Insolvency) Regulation 2002

## Office of the Taxing Master

**Rules of the Court:** Rules of the Superior Courts, 1986, Order 99  
(as amended)

**Legislation:** Courts of Justice Act, 1924  
Court Officers Act, 1926  
Courts of Justice Act, 1936  
Interpretation Act, 1937  
Courts Supplement Provisions Act, 1961  
Courts Act, 1971  
Courts Act, 1981  
Courts Supplement Provisions Act, 1979  
Courts and Courts Officers Act, 1995

**Statutory Instruments:** S.I. 341 of 1989  
S.I. 3 of 2000  
S.I. 251 of 2001  
S. I. 488 of 2001  
S. I. 585 of 2001

### General Practice Directives

**Rulings of the Taxing Master**

**High & Supreme Court Judgments relating to Taxation of Costs**

**Booklet on Taxation**

**Precedent Forms**

## The Probate Office

### Application for Grants

An application for a Grant of Probate/Letters of Administration may be made to the Probate Office or the District Probate Registry where the deceased at the time of his/her death had a fixed place of abode. The application may be made in person or through a solicitor. Order 79 Rule 3 of the Rules of the Superior Courts prohibits application by post to the Probate Officer, but postal applications may be made to the District Probate Registry, except in the case of personal applications.

Approximately 90% of applications are made through a solicitor, Order 79 Rules 74-80 provides for personal applications for a grant to the Probate Office. Order 80 Rules 71-82 provide for such applications to the District Probate Registry.

### Personal Applications

Order 79 Rules 74-80 of the Rules of the Superior Courts, 1986 provides for personal applications for a grant of representation.

### Application Form

A personal application is commenced by completing an application form which can be obtained by calling to, writing to or telephoning the Probate Office at 01 888 6104. On receipt of the completed form by the Probate Office, an acknowledgement will be sent to the applicant, followed in due course by notice of the time and date for the appointment at which the applicant is required to attend in person.

The notification also includes a list of documents which must be brought to the interview. A death certificate must be produced and also the original will (if there is a will). Where there are bank, building society, post office or savings accounts of any kind, either in the sole name of the deceased or jointly held by the deceased with another person, statements giving details of the account at the date of death will be required. Details of assurance policies, gratuities and superannuation schemes are all also necessary. If there is a house, property or land of any nature held by the deceased, the title deeds or land certificate must be produced. Details of any other assets e.g. prize bonds, stocks, shares, cash, must be given. Details of any debts of the deceased should also be given. These include funeral expenses, outstanding mortgages, loans etc.

### The Interview

Every effort is made to complete the application in one appointment but this is often not feasible so applicants should be prepared for the possibility of more than one meeting with the Probate Personal Applicant Office.

At the initial meeting the Probate Official will establish that the applicant presenting is in fact the person with the legal entitlement to extract a grant of representation in the deceased's estate. All the documentation will then be completed in the presence of the applicant. The applicant will proceed to the Capital Taxes Division, Revenue Commissioners, Dublin Castle with the Inland Revenue Affidavit which is prepared in duplicate by the Probate Office. All tax matters are attended to by the tax officials including the discharge of probate tax (if any) and the affidavits are certified by the Revenue authorities. One copy of the revenue affidavit must be returned to the Probate Office by the applicant in question. On receipt of the certified revenue affidavit and the appropriate probate fee, the Probate Official will prepare the grant of representation which usually issues within two weeks from the Probate Office. The amount of probate fee payable is laid down in Statutory Instrument No. 89 of 2003 Supreme Court and High Court (Fees) Order, 2003.

Once the grant issues the applicant is in a position to administer the estate.

When anyone other than an executor is applying for a grant a surety (guarantor) is required to attend at the interview with the applicant. To qualify as surety an individual must be resident in the Republic of Ireland and be worth the gross value of the estate.

Where the deceased leaves a will there are situations where it is sometimes necessary for the Probate Office to interview one or both witnesses to the will to ascertain whether or not there was compliance with the statutory requirements as set out in the Succession Act, 1965 as regards the execution of the will. In these circumstances an affidavit is prepared by the Probate Official based on the information provided by the witness.

At the interview the Probate Official will first establish that the applicant has in fact a legal right to extract a grant of representation to the deceased's estate.

## Assent

Where there is real or leasehold property in the name of the deceased a deed of assent must be executed by the personal representative in order to transfer that property into the name of the beneficiary. The services of a solicitor may be required for this purpose.

## Court Applications

While 99% of the work of the Probate Office is carried out without the necessity of a court application, in certain cases application must be made to the court. The following are the most common of such instances:

- (i) Application for a grant under section 27(4) of the Succession Act, 1965;
- (ii) Applications to admit a copy will or reconstructed will to probate where the original will has been lost;
- (iii) Where there are rival applications for a grant of administration;
- (iv) Leave to presume death for the purpose of extracting a grant;
- (v) Application for a grant limited for a particular purpose or for a fixed period of time or to a particular part of the estate;
- (vi) To assign a bond under section 34(4) of the Succession Act, 1965;
- (vii) To admit a will to proof in cases where there is doubt as to due execution.

Such applications are heard by the probate judge sitting in open court on Mondays during court sittings. Applications may be made either ex-parte (without notice to any other party) or on notice, and are brought by either a motion paper or notice of motion grounded on an affidavit or affidavits. The Motion Paper or Notice of Motion and Affidavits should be filed in the Rules Office of the Probate Office where a date for hearing of the motion by the court will be arranged. A copy of an order of the probate judge may be obtained from the rules office in the Probate Office on payment of a fee of €9. **For schedule of Fees payable in the Probate Office see Appendix 9.**

### Legislation:

The Succession Act, 1965  
 The Administration of Estates Act, 1959  
 The Adoption Act, 1952  
 The Status of Children Act, 1987 (Part V)  
 The Legitimacy Act, 1931  
 The Family Law (Miscellaneous Provisions) Act, 1997

### Rules of the Court:

The Rules of the Superior Courts, 1986, Order 79 and 80

### Statutory Instruments:

Supreme Court and High Court (Fees) Order, 2003

## The Office of the Accountant of the Courts of Justice

- Rules of the Court:** Rules of the Superior Courts, 1986, Order 22  
Rules of the Superior Courts, 2005,  
Order 77 (as amended)
- Legislation:** Trustee (Authorised Investments) Act, 1958 and  
amending orders
- Statutory Instruments:** Supreme Court and High Court (Fees) Order, 2004  
Circuit Court Rules (Funds in Court), 2005  
District Court (Funds in Court), 2005

## Office of the Examiner of the High Court

In performance of his/her functions, the Examiner must have regard to all relevant legislation, case law, judicial decisions and directions.

- Rules of the Court:** Rules of the Superior Courts, 1986  
Order 126, Rule 2  
Order 114, Rule 2  
Order 55, Rule 44, 48 & 49  
Order 33, 39, 50, 51, 74, 75, 76, 77 & 79  
Order 76 (S.I. No 79 of 1989)
- Legislation:** The Judgement Mortgage Act, 1850  
The Conveyancing Act, 1881  
The Partnership Act, 1890  
The Trustee Act, 1893  
The Companies Act, 1963-2001 and related S.I.'s  
The Registration of Title Act, 1964  
The Land Registration Rules, 1972  
The Succession Act, 1965  
The Legitimacy Act, 1931  
The Status of Children Act, 1987  
Euro-changeover (Amount) Act, 2001  
Bankruptcy Act, 1988 (Alteration of Monetary Limits)  
Order, 2001
- Statutory Instruments:** Supreme Court and High Court (Fees) Order, 2003



## The Office of the General Solicitors for Minors and Wards of Court

There are no statutory enactments dealing specifically with the General Solicitor's Office for Minors and Wards of Court but in administering a Ward's affairs the General Solicitor is governed by the Lunacy Regulation Act, 1871, the Superior Court Rules for the time being in force and the law of the Republic of Ireland as it stands at the relevant time and must account to the Court for the administration of the Ward's affairs.

**Rules of the Court:** Rules of the Superior Courts, 1986, Orders 67  
(as amended)

**Legislation:** Lunacy Regulations (Ireland) Act, 1871

## Office of the Wards of Court

In the performance of his/her functions, the Registrar of the Wards of Court office may hold sittings and is required to act in accordance with the provisions of the Lunacy Regulations (Ireland) Act, 1871 and Order 67 of the Rules of the Superior Courts in relation to cases of mentally incapacitated people who are the subject of wardship proceedings and in accordance with Order 65 in relation to minors who are the subject of such proceedings.

The Registrar must also have regard to case law of the courts both within this jurisdiction and in other common law jurisdictions, as reported in the Irish Reports, the Irish Law Reports Monthly, the Irish Jurist Reports, the Law Reports of England and Wales and other reporting series.

No formal procedure exists for appeals from directions of the Registrar of Wards of Court. A party may, with the permission of the judge exercising jurisdiction in wardship, object to the acceptance by the judge of a report of the Registrar.

**Rules of the Court:** Rules of the Superior Courts, 1986, Orders 65, 67 & 129

**Legislation:** Lunacy Regulations (Ireland) Act, 1871  
Trustee (Authorised Investments) Act, 1958  
Powers of Attorney Act, 1996

**Statutory Instruments:** Enduring Powers of Attorney Regulations, 1996  
Trustee (Authorised Investments) Order, 1998  
Rules of the Superior Courts (No.1)  
(Powers of Attorney Act, 1996), 2000

## Circuit Court Offices

The rules, regulations and precedents governing the practice and procedure in the Circuit Courts and the Circuit Court Offices are for the most part contained in the Rules of Court, which are Statutory Instruments available from the Government Publications Sale Office.

The Rules of the Circuit Court, 2001, consolidated the rules governing the Circuit Courts.

The Rules of the Superior Court, 1986, Order 80, governs the practices of the District Probate Registries.

If the Circuit Court Rules are silent on any matter of practice or procedure, then the Circuit Court shall follow whatever is laid down in the Rules of Superior Courts, 1986.

In addition to the above Rules, there is a large amount of legislation which governs the administration of the Circuit Court. Of course, almost every piece of legislation has significance for the courts.

## District Court Offices

The rules, regulations and precedents governing the practice and procedure in the District Courts and the District Court Offices are for the most part contained in the Rules of Court, which are Statutory Instruments available from the Government Publications Sale Office.

The Rules of the District Court, 1997, consolidated the rules governing the District Courts.

In addition, there is a large amount of legislation which governs the administration of the District Court. Of course, almost every piece of legislation has significance for the Courts.

## Small Claims in the District Court

### General Information

The small claims procedure is a special mechanism for dealing with small claims within the District Court structure. It is designed to handle consumer claims speedily, cheaply and informally without involving a solicitor. To be eligible to use the procedure, the “Consumer” must have bought the goods (or the service) for private use from someone selling them in the course of business. The procedure includes minor damage and rent deposits but is not available for use by one business person against another. The procedure is administered by the Small Claims Registrar whose function is to process small claims and, if possible, reach a satisfactory settlement without the need of a court hearing. The Registrar will, however, bring the matter before the court if necessary. In many District Court Offices, small claims can now be processed electronically.

### Type of Claim dealt with

The Small Claims Registrar deals with consumer claims in relation to any goods or service purchased in which the amount of the claim does not exceed the sum of €2,000. Claims in respect of accidents/personal injuries or for recovery of payments under a loan or hire purchase agreement are excluded but claims in respect of goods bought on credit are included. In short, claims can be made for bad workmanship and faulty goods as far as most everyday transactions for goods and services are concerned but not for debts or personal injuries. The person making the claim will be called the “Applicant” and the person against whom the claim is made will be called the “Respondent”.

## Procedure

A small claim is made on a special application form which is available from the Small Claims Registrar at the District Court Office. Assistance in completing the form will be given.

- (a) The fee (non-refundable) for making a small claim is €15.
- (b) The completed application form together with the fee of €15 should be lodged with the Small Claims Registrar. A copy of the application form will be sent to the Respondent by the registrar. The original application form will be kept in the office.

On 6 November 2006, the online version of the system was implemented for 16 Pilot offices. This system enables members of the public to:

- Create and lodge a small claim application online;
- Pay the appropriate small claim application fee online;
- Check the status of their claim online, as it progresses through the small claims.

Subject to satisfactory completion of the Pilot, the online system will be implemented in all District Court offices nationwide.

## If the Claim is disputed

If the Small Claims Registrar receives a notice from the Respondent disputing the claim or making a counterclaim the Registrar will inform the Applicant. The Registrar may interview both parties and/or invite both parties to discuss the claim together with them to try to reach an agreement.

## If the Claim is not disputed

If the Respondent admits the claim he/she will notify the Registrar's office by returning the Acceptance of Liability Form. If within 15 days of receiving a copy of the application the Respondent does not reply then the claim will be automatically treated as undisputed and the District Court will make an order in favour of the Applicant for the amount claimed to be paid within a short specific period of time. If payment is not made within the time given then steps can be taken to have the order executed by the Sheriff. This will cost an additional €7.62 which is the Sheriff's fee, but it will be refunded if the Sheriff succeeds in executing the court order (decree).

## If the Claim is not resolved by the Small Claims

### Registrar

If the claim is disputed the Small Claims Registrar will attempt to bring about a settlement. If this fails he/she will bring the case to the District Court for a hearing. The initial fee will cover the cost of the court hearing. The date and time of the hearing and the address of the courthouse will be sent to both parties by post.

### Court Hearing

A District Judge conducts the court hearing. The court hearing may be less formal than other court hearings but the case is not heard in private. The parties may be asked to swear an oath and cross examination may take place. It is not necessary to engage a solicitor. However, both parties have the right to engage a solicitor at their own expense. If the judge requests it, the Registrar will present the case. The judge will hear the facts of the case from both parties and on the basis of the facts presented to him/her will decide on the claim. The Respondent will be notified of the courts decision, of any award made and the time allowed in which to pay.

## Corporate Services Directorate

### Freedom of Information

The administration of Freedom of Information in the Courts Service is outlined at the beginning of this reference book (at pages 3- 6). Under the Freedom of Information Act, anyone is entitled to apply for access to information not otherwise publicly available.

#### Each Person Has a Right to:

- Access (subject to the exemptions contained in the F.O.I. Act) to records held by the Service.
- Correction of personal information relating to oneself held by the Service where it is inaccurate, incomplete or misleading.
- Access to reasons for decisions made by the Service directly affecting oneself.

#### The Following Records Come Within the Scope of the Act:

- All records relating to personal information held by the Service irrespective of when created.
- All other records created from commencement date i.e. 21 April 1998 (subject to certain exemptions).
- Any other record necessary to the understanding of a current record.

The Courts Service is obliged to respond to the request within 4 weeks.

#### **Application for information under the F.O.I. Act should be addressed to:**

Ms. Miriam O'Flanagan  
Freedom of Information Officer  
The Courts Service  
15/24 Phoenix Street North  
Smithfield  
Dublin 7

Phone 01 888 6464

## Human Resources Directorate

The Human Resources Directorate operates in accordance with the following rules, practices and guidelines:

### Internal Rules and Guidelines

#### Personnel Operations

The Personnel Operations Section operates in accordance with the provisions of the Department of Finance circulars held in the Personnel Code. The rules and guidelines for the operation of the Courts Service Conciliation and Arbitration Scheme are set out in the Scheme of Conciliation and Arbitration for the Civil Service and Agreed Reports of General Council.

#### Training and Development

Staff Educational Fee Refund Scheme.

#### Entitlement

The scheme provides for academic fee refunds for employees of the Courts Service working on a non-contract basis who wish to undertake third level study.

Rules under which the scheme operates:

Department of Finance Circular 21/78: Third-level Courses of Education

#### Eligibility

Refunds are granted to staff of the Service in respect of each completed academic year provided that:

1. Attendance at the course was compatible with current work responsibilities,
2. The course is of relevance to the applicants current or future responsibilities,
3. Satisfactory attendance was given at the course, and
4. The applicant underwent the relevant examinations or other prescribed tests.



## Application Procedure

Staff interested in availing of the scheme should complete a short Notice of Intent form (available from the Training Unit, Phoenix House, 15/24 Phoenix Street North, Smithfield, Dublin 7) and submit it through his/her supervisor(s).

Applications should be made from May until September, depending on when the academic year begins. It is essential that a course prospectus is also furnished that details the subjects covered, the cost of the course and its duration. Staff are encouraged to contact the training unit in advance if they feel there is any doubt that the course might not qualify for support.

## Administration

The Training and Development Section, located at Phoenix House, 15/24 Phoenix Street North, Smithfield, Dublin 7 administers the scheme.

## Processing the Application - Internal Rules and Guidelines

### 1. Course Fees

In general, €44,440 is set aside to cover the fees for staff pursuing third level courses. The decision to make a full refund of fees is dependent on the availability of funds, the numbers of applications received and projections of likely course fees and other training commitments. The Courts Service will not pay for course books nor will it pay professional membership fees once a course has been completed.

### 2. Procedures adopted to reach a decision

Each application is examined in the first instance by a Clerical Officer. If the course chosen is within the terms of the circular and has relevance to the work of the Service, the application is approved in principle.

The decision to turn down an application is made by the section's Assistant Principal Officer. Unsuccessful applicants are notified by telephone of the decision but they can also receive this information in writing if required. Staff also have the facility to reapply straight away, should another course prove as attractive to them.

The decision to reject an application may be appealed to the Director of Human Resources. There is no time limit for making such an appeal, as the emphasis of the scheme is on finding a mutually satisfactory conclusion. Staff wishing to appeal a decision can simply telephone or write to the Human Resources Director.

## Procedures in Place Following Approval

### Duration of Payment

Academic fee refunds are approved on a year to year basis and the granting of a refund in a particular year does not imply that the same level of funding will be provided for any subsequent year of the course. Payments will only be made once in respect of any academic year or course period and under no circumstances will refunds be allowed for years or periods which are repeated.

### Conditions

Any officer to whom payment is made will be required to undertake in writing, to refund the payment in the event of leaving the Public Service before completing one year's service in respect of each academic year or course period for which payment has been made, the academic year or course period themselves not to reckon as service in this context.

### Merit Award Scheme

- A scheme to recognise exceptional performance by staff was introduced into the Civil Service in 1994 under paragraph 7.1.4 of the Administrative Budget Agreement.
- The maximum allocation which could be spent on the scheme by a department is 0.2% of the pay allocation in the Administrative Budget (Subhead A1).
- The "exceptional performance" is rewarded by way of an "ex-gratia payment" or by way of an "other award" such as meals, book tokens, theatre tickets, etc.

The rules and guidelines in operation in the Service with regard to this scheme are as follows:

- Nominations for awards are addressed to Line Managers. These nominations may be made at any time during the year and should be close in time to when the exceptional work performance has taken place. The final decision is made by the CEO.
- Nominations can be made in the following manners:
  - Directly by a Director or Head of Office. Such nomination may be of an individual or team.
  - Any member of staff may nominate a fellow staff member and the nomination must be countersigned by the relevant Head of Office and Director.

The basis for nominating a member of staff for an award is as follows:

- Performing genuinely exceptionally well in a particular task or job.
- Working longer hours than would normally be expected, without being asked or without compensation by way of payment, time off in lieu or adjustment within the flexitime system.
- Showing initiative in the work of the Directorate/ Office beyond what would be expected of an officer of the grade.
- Implementing new or improved work practices.
- The Chief Executive may make awards at Principal Officer or Director levels without specific nomination elsewhere.
- The Scheme is monitored on an ongoing basis by the Central Partnership Committee and will be reviewed after two years of its operation.

## Customer Service

The Courts Service has a formal customer complaints procedure in place. Copies of the complaints procedure leaflet are available in all of its public offices.

If you are not satisfied with the service you receive from the Courts Service, you should **make your complaint as soon as possible**.

**Contact should be made through the Quality Customer Service Officer at:**

The Courts Service  
Phoenix House  
15/24 Phoenix Street North  
Smithfield  
Dublin 7

Email: QCSO@courts.ie

## Estates and Buildings Unit

The rules, procedures, practices, guidelines and interpretations used by the Estates and Buildings Unit in carrying out its responsibilities draw heavily from general civil service and public service arrangements. Specifically these include:

- Public Procurement, 1994 edition,
- Department of Finance Circular 22/95, Tax Clearance Procedures,
- Public Sector Contracts, Engaging Consultants Guidelines for the Civil Service,
- Department of Finance, 1999,
- Public Financial Procedures, Department of Finance,
- Department of Justice Guidelines for the Appraisal and Management of Capital Expenditure Proposals in the Public Sector, February 2005.

The Courts Service has responsibility for the provision and maintenance of courthouses throughout the country. The Courts Service ensures that its tendering procedures are fully compliant with government contract procedure. A circular outlining public sector contract procedures and Courts Service procurement guidelines is available from the Estates and Buildings Unit.

### Process for Capital Works

The Courts Service has established a seven year building plan to ensure that the court building stock is brought up to a satisfactory standard consistent with that required for the proper conduct of court business. This plan was reviewed in 2007 and priorities for the upgrading of the building stock have been identified for the next five years.

In general priority is being given to refurbishing those buildings where staff are located on a permanent basis and where the highest level of court business is transacted. Where it is planned to refurbish, upgrade or construct new court facilities a protocol for consultation with court users is implemented.

Generally these projects are undertaken on our behalf by the Office of Public Works. The appointment of the design team is made by the Office of Public Works in consultation with the Service.

Once the design team has been selected the Service in conjunction with the Office of Public Works briefs the architects in relation to modern courthouse accommodation requirements. A Courthouse Design Guide has been prepared which is used by the Design Team to facilitate the requirements of the Courts Service and to design the building accordingly. As many of our court buildings

date from the 1800's, it is also necessary to take account of the heritage issues involved and the legislation regarding protected structures. It is also a priority for the Courts Service that all works are carried out in accordance with the Safety, Health and Welfare at Work legislation and that all new or refurbished buildings are fully accessible to persons with disabilities.

When plans have been drawn up by the architects, agreed following consultation with the various parties involved and signed off by the Chief Executive of the Service, the Office of Public Works goes to tender to have the work carried out. A copy of the Protocol for Consultation with Users in relation to refurbishment, upgrading and/or rebuilding of court buildings and facilities is available from the Estates and Buildings Unit. This outlines the range of interest groups consulted.

Generally contractors are engaged by the Office of Public Works. Depending on the value of the contract it may be necessary to advertise in the Official Journal of the E.U. The tenders are evaluated by the Office of Public Works and their recommendation is submitted to the Service for approval. If the lowest tender is not selected, the approval of the Government Contracts Committee must be obtained.

The project is supervised by the design team and representatives of the Service and the Office of Public Works as appropriate. All payments in respect of the project are made by the Office of Public Works which are then recouped by the Courts Service.

## Process for Temporary Accommodation for Courts and Court Offices

Generally when a refurbishment project in respect of a courthouse is undertaken it is necessary to find an alternative location for court sittings and alternative accommodation for the staff. Pending a detailed review of procedures in this area the Service has continued to draw on the assistance of local authorities and the Office of Public Works as appropriate. The Service also pursues the location of temporary accommodation through local enquiries by the District Court Clerk, the County Registrar or Regional Managers on what might be suitable and available. Every effort is made to provide the office accommodation at the same location as the courtrooms or as close as possible.

When a suitable location has been identified, the premises are inspected by the Office of Public Works to ensure that they meet requirements and comply with building regulations and Safety, Health and Welfare at Work legislation. Fees are then negotiated with the landlord. When agreement is reached on the fees, a lease is drawn up and is sent for approval to the Service's solicitor before signature by both parties.

When the temporary accommodation has been obtained it is usually necessary to carry out some minor works to provide public counters and a suitable office arrangement for the staff. It is also necessary to have furniture and files, etc., transferred from the courthouse to the temporary offices and this is organised by the Regional Manager locally, having obtained the requisite tenders to have a contractor carry out the removal work. It is also necessary to have the telephone system transferred to the new offices and this is arranged by the Regional Manager.

## Process for Maintaining Services

In court venues which share accommodation with local authorities or other public service organisations the Service seeks to continue the use of existing local authority and Office of Public Works maintenance services and to recoup the costs involved.

In court venues which are rented from the private sector, maintenance services are provided by the landlord. In other venues which are solely occupied by the Service, the Estates and Buildings Unit has agreed with the Office of Public Works to carry out maintenance services through their regional office network.

The Service is particularly committed to establishing a uniform standard of maintenance services which meets the full requirements of court premises nationally. As a first step in this process the Service has entered into arrangements with the Office of Public Works to provide these services in venues which are exclusively used by the courts and which are being transferred from local authority and Office of Public Works ownership to the Courts Service.

## Process for Cleaning Contracts for Courthouses

The cleaning of courthouses is the responsibility of the Service. General cleaning for the Four Courts complex in Dublin is provided by cleaners in the employment of the Courts Service and contract cleaners. In other locations in Dublin, cleaning services are provided on contract only. The cleaning contracts for the Dublin venues are placed following advertisement in the national press seeking tenders for these contracts. The contract is awarded in accordance with government contract procedures.

Elsewhere in the Courts Service cleaning is provided with the assistance of local authorities or the Office of Public Works. Where such cleaners are in the employment of the local authority the Service recoups the cost to the local authority. Where the local authorities or the Office of Public Works have provided

such services by contract in the past the service is arranging to take over such contracts and will place new contracts by tender when current contracts expire. Tendering procedures for these local cleaning services will be adopted in compliance with Government contract procedures.

## Security Contracts at the Four Courts Complex

The Estates and Buildings Unit is responsible for security at the Four Courts. Security at courthouses throughout the country is the responsibility of the local Regional Manager.

## Safety Health and Welfare

The Courts Service has appointed a Health and Safety Co-ordinator to advise the Service in respect of Health and Safety issues and to ensure compliance with the relevant legislation.

Notification of alleged incidents involving staff, court users or members of the public are received from local offices or directly from persons involved. Sometimes the Office of Public Works or the local authority will notify such matters to the Service.

On receipt of notification the Estates and Buildings Unit will initiate enquiries into the incident and will elicit a report on the matter from the Regional Manager, County Registrar or the Court Clerk. The Health and Safety Co-ordinator is notified of all incidents and the Health and Safety Authority are notified where appropriate. When details of the case come to hand any necessary measures to comply with health and safety requirements are pursued by the Unit and the local office concerned. Where claims are pursued against the Service in respect of such incidents, these are processed through the State Claims Agency.

In the event that the case is settled the requisite Department of Finance sanction is applied for and payment of the claim is effected by payable order for issue by the solicitor.

## Finance Directorate

The rules, procedures and guidelines under which the Finance Directorate operates are as follows:

- Public Financial Procedures
- Public Procurement
- An Outline of Government Contracts Procedures
- Prompt Payment of Accounts Act, 1997

These publications are available from the Government Publications Sale Office, Molesworth St., Dublin 2, Tel: 01 671 0309

**The following documents are also relevant:**

### Administrative Budget Agreement

The administrative budget is an agreement between the Department of Justice, Equality and Law Reform, the Department of Finance and the Courts Service. It provides for greater delegation of authority to the Chief Executive Officer from the Minister for Finance and the Minister for Justice, Equality and Law Reform in the expenditure of monies voted to the Courts Service by the Dáil.

#### **EU Procurement Directives**

#### **Revenue Legislation for Tax Clearance certificates**

#### **Courts Service Three Year Strategic Plan**

#### **Annual Revised Book of Estimates (available from the Government Publications Sale Office)**

#### **Superior Court, Circuit Court and District Court Rules (available from the Government Publications Sale Office)**

#### **Engaging Consultants - Guidelines to the Civil Service produced by the Department of Finance**

#### **Internal Audit Standards (13/92) produced by the Department of Finance**

#### **Court Fees Orders**

### *Courts Accounting*

#### **Court Returns/ Internal Controls**

The Finance Directorate has responsibility for all financial returns from court offices and is, therefore, responsible for overseeing the accounting systems that are in place.



**These offices make returns on the following basis:**

## High & Supreme Courts

High Court returns on all fines imposed.

## Circuit Court

All Circuit Court offices provide an extract return each quarter giving details of the value of any fines received and their allocation. In addition, Circuit Court offices provide details annually of equity accounts held, i.e. monies invested on behalf of minors and these records are maintained by the Finance Directorate.

## District Court

Each District Court office makes a monthly return in respect of monies that it has lodged weekly to the Court Fines and Fees accounts (see also Court Fines and Fees below). These returns also provide details of receipts and payments in relation to other financial transactions such as bail, family law etc. These returns are checked and reconciled against the daily bank statements received in the Directorate. Annually, the District Court offices supply details of all minors' investment accounts and poor box statistics and these records are maintained by the Directorate.

## Other Returns - Dormant Accounts

Every three years a list of dormant accounts in Circuit Court Offices is compiled and published in Iris Oifigiúil.

## Court Fines

The Service maintains fines accounts for all court fines received. Courts Service offices make weekly lodgements of fines collected to the Courts Service Fines Bank Account. The bank sends daily statements with lodgement slips to the Finance Directorate. The amount to be transferred each week to the Paymaster General (P.M.G.) by the Directorate is calculated from this information and transmitted. When the District monthly returns and Circuit Court quarterly returns are received, the fines account is reconciled against the bank statements and the breakdown of fines paid in the previous quarter is calculated. The Finance Directorate then instructs the Finance Division of the Department of Justice, Equality and Law Reform to transfer funds from the fines suspense account as follows:

- (i) Pay fines for motor offences (Road Fund) to the Department of Finance for the Central Fund;
- (ii) Pay fishery fines to the Department of the Marine, one payable order in respect of District Court fines (Inland Fisheries) and a separate payable order in respect of Circuit Court fines (Sea Fisheries);

- (iii) Pay fines for revenue officers to the Revenue Commissioners;
- (iv) Transfer fines for all other offences (exchequer allocation) to the Courts Vote.

## Court Fees

Court fees are payable on certain court documents and applications. These documents and applications and the fees payable thereon are set out in the various court fees orders. Court fees stamps are impressed on the documents by a special court fee franking machine in a similar manner to a post office frank. Each District Court office (and Wicklow Circuit Court Office) has a court fee franking machine. In addition, a number of solicitors have been licensed to operate a court fee franking machine on behalf of the Minister for Justice, Equality and Law Reform. All relevant offices including solicitors forward a monthly return to the Finance Directorate showing the usage on the machine in the month in question and accounting for the fees received. They also lodge the amount equivalent to the usage to the Courts Service fees bank account. The Finance Directorate oversees the operation of the Service fees accounts and accounting for all court fees received.

The bank sends daily statements with lodgement slips to the Finance Directorate. Payments transferred to the Service's fees account are subsequently transferred to the P.M.G. account in the Central Bank. The amount to be transferred each week to the P.M.G. by the Directorate is calculated from this information and transmitted. At the end of each month, and based on the returns received from the various court offices and solicitors and, having allowed for any refund applications processed during the month, the Finance Directorate instructs the Finance Division of the Department of Justice, Equality and Law Reform to transfer funds from the Fees Suspense account as follows:

- (i) To the Property Registration Authority Vote in respect of land registry fees paid into court offices (quarterly);
- (ii) To the Revenue Commissioners in respect of excise duty paid into court offices in licensing matters; and
- (iii) To the Central Fund in respect of court fees paid on court documents.

## Monitoring the Use of the Machines/ Compliance with Terms of Licences

The Finance Directorate monitors the use of the franking machines to ensure that returns and payments are made on time. In the event of continual late filing of returns/payments by a licensee, the license will be revoked.

Visits to court/solicitors' offices will be undertaken by Finance Directorate staff and staff in regional offices to ensure that returns filed accurately reflect usage of machines. Offices are also subject to visits from Internal Audit and the Comptroller & Auditor General.

## Processing Applications for Refunds of Court Fees

If a stamped document is not used, an application can be made within six years of the date of stamping of the document for a refund of the duty paid. In order to claim a refund the relevant document must be certified fit for refund by the court office. It should then be sent to the Finance Directorate for authorisation of payment of the refund. When authorised the application is forwarded to the Finance Division of the Department of Justice, Equality and Law Reform for payment.

## Control of Public Bank Accounts and Internal Financial Procedures

The Finance Directorate is also responsible for the control of signatories on all courts public bank accounts and for the development of internal financial control procedures generally.

### **Poor Box**

The Finance Directorate compiles statistics on the poor box annually based on returns submitted by each court office.

### **Fees Orders**

The Finance Directorate can submit revised fees orders to the Minister for Finance and the Minister for Justice, Equality and Law Reform from time to time as appropriate.

### **Internal Financial Procedures and Controls**

The Finance Directorate is responsible for the development and implementation of financial controls and procedures in all court offices.

## Financial/ Management Accounting Appropriation Accounts

The Courts Service, as an independent State agency, is required to prepare an annual Appropriation Account for submission to the Comptroller and Auditor General.

## Preparation of Estimates

To obtain government funding for its operations the Courts Service submits, by mid July each year, an annual estimate of expenditure to the Department of Justice, Equality and Law Reform for the following year. This submission is prepared by the Finance Directorate following a consultation process with all other directorates and the Chief Executive Officer.

## Financial Management System Authorising Officers on the Financial Management System

The Financial Management System (FMS) allows for designated officers to authorise payments. The relevant names must be notified to the Finance Division of the Department of Justice, Equality and Law Reform in Killarney, where the FMS is located. A form (FMS10) must be completed showing the cost centre codes under which the officer is allowed to authorise payments. This form is then signed by a senior officer in the relevant directorate and forwarded to the Finance Division of the Department of Justice, Equality and Law Reform.

## Audit Queries

The Directorate can receive an audit query from either the Comptroller & Auditor General or the Internal Audit Unit. In such event the Directorate would compile all the relevant information relating to the query either from its own records and/or other offices of the Service. A response would be drafted and agreed, if appropriate, with other offices and forwarded to the Comptroller and Auditor General or Internal Audit Unit. The Directorate would also handle any follow-up that might arise.

## Policy Statements

The Directorate has published a number of policy statements for internal use. These cover extra attendance, travel and subsistence, fixed assets, cost centre and chart of accounts, delegated budgetary sanction, procurement, official entertainment and petty cash. The purpose of such statements is to set out detailed guidelines for the authorisation and approval of expenditure. Responsibility for expenditure in a limited number of categories has been devolved to Regional Managers.

## Reports to Senior Management and Finance and Audit Committee

A detailed quarterly report of expenditure from the Courts Vote for the year to date is prepared by the Directorate based on information provided by the Finance Division of the Department of Justice, Equality and Law Reform and as appropriate, from court offices. These reports are circulated to the Chief Executive Officer, Directors and Regional Managers.

## Department of Finance Reports

Each month, as required under government financial procedures, a report of expenditure from the Courts Service Vote is produced in a standard format by the Finance Directorate. It is signed by the Chief Executive Officer (Accounting Officer) and is then forwarded to the Department of Finance and copies retained in the Directorate. These reports must be submitted to the Department of Finance within 10 days of the end of each month.

## Tax Clearance Certificates

The Directorate retains a central register of all tax clearance certificates obtained by the Courts Service from its customers in the course of its business. The register is made available to court offices as appropriate.

## Petty Cash Account

The Directorate retains a small interest account that services all offices in the Courts Service head office.

## Service Level Agreement

A service level agreement has been put in place with the Finance Division of the Department of Justice, Equality and Law Reform in respect of the services it provides to the Courts Service in respect of payroll and accounts payable in particular.

## Miscellaneous

### Engaging Consultancy Services

Under the Courts Service Administrative Budget Agreement 2006 – 2008, Section 8.7, Consultancy Service, and having regard to the provisions of Section 6 (2) (h) of the Courts Service Act, 1998, sanction to incur non-I.T.-related consultancy services is delegated to the Chief Executive of the Courts Service subject to the following guidelines:

- General best practice principles governing the engagement of consultants in the civil service as outlined in the “Guidelines for Engagement of Consultants in the Civil Service” issued by the Department of Finance to all Departments/Offices. This document is also available from the Department of Finance website [www.finance.gov.ie](http://www.finance.gov.ie).
- The general procedures governing the award of public contracts as set out on the Public Sector Procurement Portal on [www.e-tender.gov.ie](http://www.e-tender.gov.ie).
- The Department of Finance Circular 16/97: New Delegation Arrangements for I.T.-related Expenditure (including Office Machinery).
- The “Additional Guidelines Approved for Certain Consultancy Contracts” as issued by the Department of the Taoiseach following the Quigley Report. These are available from the Department of the Taoiseach website [www.taoiseach.gov.ie](http://www.taoiseach.gov.ie).

The Courts Service is obliged to (i) maintain computer registers of its consultancies and (ii) transfer the information contained therein quarterly to the central database located in the Department of Finance. This reporting requirement relates to all consultancies.

### Procurement of Goods & Services

The awarding of contracts (including I.T. contracts) by the Courts Service is in accordance with procedures outlined in the Department of Finance publications on “Public Procurement Guidelines-Competitive Process” which replaces “Public Procurement – 1994 Edition” (Green Book).

Public Procurement can be defined as the acquisition, whether under formal contract or not, of works, supplies and services by public bodies. It ranges from the purchase of routine supplies or services to formal tendering and placing of contracts for large infrastructural projects by a wide and diverse range of contracting authorities.

The Courts Service is a contracting authority under EU Directives as a body governed by Public law. As a contracting authority, Courts Service procurement is governed by the revised EU Public Procurement Directives, Dir 2004/18/EC of 31<sup>st</sup> March 2004 as transposed into law by Statutory Instrument 329 of June 2006. In addition, the Courts Service follows the Department of Finance Guidelines on Competitive Tendering (2004) where appropriate and has launched its own Procurement Policy in March 2007.

### Data Protection Acts 1988 & 2003

The Courts Service endeavours to be fully compliant with Data Protection Legislation, and has published a policy statement and guidelines for staff on Data Protection.

# Part 3

## *Appendices*



## Appendix 1 - Seniority List of Judges

### Supreme Court

**The Hon. Mr. Justice John L. Murray, Chief Justice**

The Hon. Mrs. Justice Susan Denham  
The Hon. Mr. Justice Adrian Hardiman  
The Hon. Mr. Justice Hugh Geoghegan  
The Hon. Mr. Justice Nial Fennelly  
The Hon. Mr. Justice Nicholas Kearns  
The Hon. Mrs. Justice Fidelma Macken  
The Hon. Mr. Justice Joseph Finnegan

### High Court

**The Hon. Mr. Justice Richard Johnson, President**

The Hon. Mr. Justice Vivian Lavan  
The Hon. Mr. Justice Paul Carney  
The Hon. Mr. Justice Declan Budd  
The Hon. Ms. Justice Mary Laffoy  
The Hon. Mr. Justice Michael Moriarty  
The Hon. Mr. Justice Peter A. Kelly  
The Hon. Mr. Justice Kevin C. O'Higgins  
The Hon. Mr. Justice John Quirke  
The Hon. Mr. Justice Iarfhlaith O'Neill  
The Hon. Mr. Justice Roderick Murphy  
The Hon. Mr. Justice Paul Butler  
The Hon. Mr. Justice Daniel Herbert  
The Hon. Mr. Justice Liam McKechnie  
The Hon. Mr. Justice Henry Abbott  
The Hon. Mr. Justice Eamon de Valera  
The Hon. Ms. Justice Mary Finlay Geoghegan  
The Hon. Mr. Justice Michael Peart  
The Hon. Mr. Justice Barry White  
The Hon. Mr. Justice Paul Gilligan  
The Hon. Mr. Justice Sean Ryan  
The Hon. Mrs. Justice Elizabeth Dunne  
The Hon. Mr. Justice Michael Hanna  
The Hon. Mr. Justice John MacMenamin  
The Hon. Mr. Justice Frank Clarke

The Hon. Mr. Justice Kevin Haugh  
The Hon. Mr. Justice Kevin Feeney  
The Hon. Mr. Justice Brian McGovern  
The Hon. Mr. Justice Peter Charleton  
The Hon. Ms. Justice Maureen Clark  
The Hon. Mr. Justice John Hedigan  
The Hon. Mr. Justice Bryan McMahon  
The Hon. Mr. Justice George Birmingham  
The Hon. Ms. Justice Mary Irvine  
The Hon. Mr. Justice John Edwards  
The Hon. Mr. Justice Patrick McCarthy  
The Hon. Mr. Justice Garrett Sheehan  
The Hon. Mr. Justice Daniel O’Keeffe

## Circuit Court

### **The Hon. Mr. Justice Matthew F. Deery, President**

The Hon. Mr. Justice Esmond Smyth  
His Honour Judge Patrick J. Moran  
His Honour Judge Harvey Kenny  
His Honour Judge Anthony Kennedy  
Her Honour Judge Alison Lindsay  
His Honour Judge Raymond Gerard T. Groarke  
His Honour Judge P. Frank O’Donnell  
His Honour Judge Michael White  
Her Honour Judge Olive Buttimer  
His Honour Judge Joseph Gerard Matthews  
His Honour Judge Patrick John McCartan  
His Honour Judge Carroll Moran  
Her Honour Judge Jacqueline Linnane  
His Honour Judge John D. O’Hagan  
Her Honour Judge Yvonne Murphy  
His Honour Judge Desmond P. Hogan  
His Honour Judge Michael O’Shea  
His Honour Judge Sean O’ Donovan  
Her Honour Judge Katherine Delahunt  
His Honour Judge Alan Mahon  
Her Honour Judge Mary Faherty  
His Honour Judge Gerard Keys  
Her Honour Judge Patricia Ryan  
Her Honour Judge Miriam Reynolds-Buckley

His Honour Judge James O'Donohoe  
Her Honour Judge Alice Doyle  
Her Honour Judge Doirbhile Flanagan  
His Honour Judge Donagh MacDonagh  
His Honour Judge Cornelius Murphy  
His Honour Judge Terence O'Sullivan  
His Honour Judge Thomas Teehan  
His Honour Judge Anthony Hunt  
His Honour Judge Rory MacCabe  
His Honour Judge Martin Nolan  
His Honour Judge Gerard Griffin  
Her Honour Judge Petria McDonnell  
His Honour Judge Raymond Fullam

## District Court

### **Her Honour Judge Miriam Malone, President**

Judge Oliver McGuinness  
Judge John F. Neilan  
Judge Mary Martin  
Judge Joseph Mangan  
Judge Flannan Brennan  
Judge William Hamill  
Judge James Paul McDonnell  
Judge Thomas Fitzpatrick  
Judge William Harnett  
Judge Donnchadh O'Buachalla  
Judge Michael Pattwell  
Judge Uinsin MacGruairc  
Judge John Brophy  
Judge Gerard Haughton  
Judge Terence Finn  
Judge Mary O'Halloran  
Judge Clare Leonard  
Judge Murrough Connella  
Judge Mary Fahy  
Judge William Early  
Judge John O'Neill  
Judge David Riordan  
Judge Catherine Murphy  
Judge Mary Collins  
Judge Constantine O'Leary

Judge James Scally  
Judge James O'Connor  
Judge David Anderson  
Judge Mary Devins  
Judge Thomas O'Donnell  
Judge Patrick Brady  
Judge Timothy Lucey  
Judge Seán MacBride  
Judge Leo Malone  
Judge Gerard Furlong  
Judge James McNulty  
Judge Conal Gibbons  
Judge Bridget Reilly  
Judge Geoffrey Browne  
Judge Cormac Donal Dunne  
Judge Bryan Cornelius Smyth  
Judge Anne Watkin  
Judge John Coughlan  
Judge Aingeal Ní Chondúin  
Judge Hugh O'Donnell  
Judge Ann Ryan  
Judge Patrick Clyne  
Judge Derek McVeigh  
Judge Brian Sheridan  
Judge Aeneas McCarthy  
Judge Dympna Cusack  
Judge Patrick McMahon  
Judge Desmond Zaidan  
Judge Anthony Halpin  
Judge John Lindsay  
Judge Eamon O'Brien  
Judge Elizabeth MacGrath  
Judge Denis McLoughlin  
Judge David McHugh  
Judge Kevin Kilrane

## Appendix 2

### Courts Service Board

<b>The Hon. Mr. Justice John L. Murray</b>	Chief Justice and Chairperson of the Board
<b>The Hon. Mr. Justice Richard Johnson</b>	President of the High Court
<b>The Hon. Mrs. Justice Susan Denham</b>	Elected by the Ordinary Judges of the Supreme Court
<b>The Hon. Mr. Justice John Quirke</b>	Nominated by the Chief Justice
<b>The Hon. Mr. Justice Iarlaith O'Neill</b>	Elected by the Ordinary Judges of the High Court
<b>The Hon. Mr. Justice Matthew Deery</b>	President of the Circuit Court
<b>His Honour Judge Patrick Moran</b>	Elected by the Ordinary Judges of the Circuit Court
<b>Her Honour Judge Miriam Malone</b>	President of the District Court
<b>Judge Flannan Brennan</b>	Elected by the Ordinary Judges of the District Court
<b>Mr. P.J. Fitzpatrick</b>	Chief Executive of the Courts Service
<b>Mr. Eoghan Fitzsimons</b>	Nominated by the Chairman of the Bar Council
<b>Mr. Owen M. Binchy</b>	Nominated by the President of the Law Society
<b>Mr. Kevin Fidgeon</b>	Elected by the Staff of the Courts Service
<b>Mr. Noel Waters</b>	Official of the Department of Justice, Equality and Law Reform nominated by the Minister for Justice, Equality and Law Reform
<b>Ms. Olive Braiden</b>	Nominated by the Minister for Justice, Equality and Law Reform to represent consumers of the services provided by the Courts
<b>Ms. Esther Lynch</b>	Nominated by the Irish Congress of Trade Unions
<b>Mr. Liam Farrell</b>	Nominated by the Minister for Justice, Equality and Law Reform

## Appendix 3

### Court Rules Committees

#### Superior Courts Rules Committee

The Chief Justice, The Hon. Mr. John L. Murray (Chairperson).

The President of the High Court, The Hon. Mr Justice Richard Johnson (Vice Chairman).

The Hon. Mr. Justice Adrian Hardiman, Judge of the Supreme Court.

The Hon. Mr. Justice Joseph Finnegan, Judge of the Supreme Court.

The Hon. Mr. Justice Liam McKechnie, Judge of the High Court.

The Hon. Ms. Justice Elizabeth Dunne, Judge of the High Court.

The Master of the High Court, Mr. Edmond W. Honohan S.C.

Mr. Lyndon McCann, S.C. nominated by the Council of the Bar of Ireland.

Mr. Tony Hunt, B.L., nominated by the Council of the Bar of Ireland.

Mr. Patrick Groarke, Solicitor, nominated by the Law Society of Ireland.

Mr. Patrick O' Connor, Solicitor, nominated by the Law Society of Ireland.

Ms. Mary Cummins, Office of the Chief State Solicitor, appointed to act in place of the Attorney General.

Mr. Noel Rubotham, Director, Courts Service Board (Nominee of the Chief Executive).

#### Circuit Court Rules Committee

The President of the Circuit Court, The Hon. Mr. Justice Matthew Deery (Chairperson).

Her Honour Judge Katherine Delahunty, Judge of the Circuit Court.

Her Honour Judge Alison Lindsay, Judge of the Circuit Court.

Mr. Patrick Hunt, S.C., nominated by the Council of the Bar of Ireland.

Mr. Fergal Foley, B.L., nominated by the Council of the Bar of Ireland.

Mr. Gerard J. Doherty, Solicitor, nominated by the Law Society of Ireland.

Mr. Joseph T. Deane, Solicitor, nominated by the Law Society of Ireland.

Ms. Ann Spaine, B.L., nominated by the Attorney General.

Mr. Noel Rubotham, Courts Service Board (Nominee of the Chief Executive).

## District Court Rules Committee

The President of the District Court, Her Honour Miriam Malone (Chairperson).

Judge Uinsin MacGruairc, Judge of the District Court.

Judge Mary Devins, Judge of the District Court.

Judge Tom O'Donnell, Judge of the District Court.

Judge Brian Sheridan, Judge of the District Court.

Mr. Hugh O'Neill, Solicitor, nominated by the Law Society of Ireland.

Ms. Fiona Twomey, Solicitor, nominated by the Law Society of Ireland.

Mr. Joe Jeffers, B.L., nominated by the Council of the Bar of Ireland.

Mr. Noel A. Doherty, Courts Service Board (Nominee of the Chief Executive).

## Appendix 4

### Courts Service Chief Executive and Directors

Office	Name	Address
Chief Executive Officer	Mr. P.J. Fitzpatrick	15/24 Phoenix St. Nth, Smithfield, Dublin 7.
<b>Directors</b>		
Supreme and High Courts Operations	Ms. Nuala Mc Loughlin	15/24 Phoenix St. Nth, Smithfield, Dublin 7.
Circuit and District Courts Operations	Vacancy	15/24 Phoenix St. Nth, Smithfield, Dublin 7.
Corporate Services	Mr. Brendan Ryan	15/24 Phoenix St. Nth, Smithfield, Dublin 7.
Human Resources	Ms. Olive Caulfield (Principal Officer)	15/24 Phoenix St. Nth, Smithfield, Dublin 7.
Finance Directorate	Mr. Sean Quigley	15/24 Phoenix St. Nth, Smithfield, Dublin 7.
Reform and Development Directorate	Mr. Noel Rubotham	Green Street Courthouse, Halston Street, Dublin 7.
Courts I.C.T. Division	Mr. John Coyle	15/24 Phoenix St. Nth, Smithfield, Dublin 7.



## Regional Managers

Regional Manager	Office	Region
<b>Western</b> Mr. Brendan McDonald	Courts Service, The Mall, Castlebar, Co. Mayo.	Galway Mayo Clare and Sligo
<b>Southern</b> Mr. Eamon Kiely	Courts Service, Unit 74, Penrose Wharf, Penrose Quay, Cork.	Cork Kerry Limerick Tipperary Waterford
<b>Northern</b> Ms. Paula Lyons	Courts Service, Courthouse, Monaghan.	Leitrim Cavan Monaghan Donegal and Louth
<b>Eastern</b> Mr. Gerard Nugent	Courts Service, Courthouse, Naas, Co. Kildare.	Carlow Kilkenny Kildare Wicklow and Wexford
<b>Midland</b> Mr. Barry Conroy	Courts Service, Midland Regional Office, Charleville Road, Tullamore, Co. Offaly.	Laois Longford Meath Offaly Roscommon Westmeath

## Appendix 5

### Circuit Court Circuits and County Registrars

Circuit	County	County Registrar
Dublin	Dublin	Ms. Susan Ryan
Cork	Cork	Ms. Deirdre O' Mahony
Northern	Cavan, Donegal, Leitrim, Monaghan.	Mr. Joseph Smith Ms. Geraldine O' Connor Mr. Kevin Doherty Ms. Josephine Duffy
Midland	Laois, Longford, Offaly, Roscommon, Sligo, Westmeath.	Mr. Paul Fetherstonhaugh Ms. Imelda Branigan Ms. Verona Lambe Mr. William Lyster Mr. Kieran Mc Dermott Ms. Elizabeth Sharkey
Eastern	Kildare, Louth, Meath, Wicklow.	Ms. Eithne Coughlan Ms. Mairead Ahern Ms. Máire Tehan Ms. Breda Allen
South Western	Clare, Kerry, Limerick.	Mr. Patrick Wallace Mr. Pdraig Burke Mr. Patrick Meghan
South Eastern	Carlow, Kilkenny, Tipperary, Waterford, Wexford.	Ms. Patricia Casey Ms. Mary Enright Ms. Mary Delahanty Mr. Niall Rooney Ms. Marie Garahy
Western	Galway, Mayo.	Ms. Marian Chambers Higgins Mr. Fintan Murphy

## Appendix 6

### Dublin Metropolitan District Courts

Court No.	Business Transacted	Days on which Court sits
<b>20</b>	Child Care Cases	Monday to Friday
<b>40</b>	Civil business and Small Claims	
<b>41</b>	Family law	Monday to Friday
<b>44</b>	Criminal charge sheets	Monday to Saturday
<b>45</b>	Criminal charge sheets	Monday to Friday
<b>46</b>	Criminal charge sheets	Monday to Friday
<b>47</b>	Family law	Monday to Friday
<b>49</b>	Civil business and Prosecutions by Government Departments and Other State Bodies	Monday to Friday
<b>50</b>	Criminal charge sheets (for hearing cases only)	Monday to Friday
<b>51</b>	Parking and summons Assault and Public order summonses	Monday to Friday
<b>52</b>	Licensing and public order charge sheets Drink Driving cases for mention	Monday to Friday
<b>53</b>	Road Traffic and other summonses	Monday to Friday
<b>54</b>	Drink Driving offences and driving licence restorations	Monday to Friday
<b>55</b>	Children's court	Monday to Friday
<b>56</b>	Occasional lengthy cases	As required
<b>Kilmainham</b>	Criminal charge sheets	Monday to Friday
<b>Tallaght</b>	Criminal charge sheets and summonses Juvenile business	Monday to Friday Tuesdays only
<b>Swords</b>	Family law, criminal, licensing, civil and enforcement, small claims	Monday, Tuesday and Wednesday
<b>Balbriggan</b>	Family law, criminal, licensing, civil and enforcement	Every Thursday
<b>Dún Laoghaire</b>	Civil, family law, criminal, licensing	Monday to Friday
<b>Cloverhill</b>	Criminal (remand court)	Monday to Friday
<b>Drugs Treatment Court</b>	Richmond Court Complex	Tuesday (pm) and Thursday (pm)

## Appendix 7

### Provincial District Court Districts and District Court Areas

District Number	Court Areas in District	
<b>District No. 1</b> <b>Judge Assigned:</b> <b>Judge Kevin Kilrane</b>	Ballyshannon Buncrana Carndonagh Donegal	Na Gleannta Letterkenny An Fal Carrach An Clochan Liath
<b>District No. 2</b> <b>Judge Assigned:</b> <b>Judge Oliver McG uinness</b>	Ballymote Boyle Easky Grange Inniscrone	Manorhamilton Riverstown Sligo Tubbercurry Ballinamore
<b>District No. 3</b> <b>Judge Assigned:</b> <b>Judge Mary Devins</b>	Acaill Ballina Ballinrobe Ballycastle Ballycroy Béal an Mhuirtheach	Castlebar Foxford Kiltimagh Swinford Westport
<b>District No. 4</b> <b>Judge Assigned:</b> <b>Judge Geoffrey Browne</b>	Ballaghaderreen Ballyhaunis Claremorris Carrick-on-Shannon Castlerea	Charlestown Dunmore Glenamaddy Roscommon Strokestown
<b>District No. 5</b> <b>Judge Assigned:</b> <b>Judge Sean McBride</b>	Arva Bailieborough Ballyconnell and Swanlinbar Castleblayney Carrickmacross	Cootehill Cavan Clones Monaghan Virginia
<b>District No. 6</b> <b>Judge Assigned:</b> <b>Judge Flannan Brennan</b>	Drogheda Dundalk	

District Number	Court Areas in District	
<b>District No. 7</b> <b>Judge Assigned:</b> <b>Judge Mary Fahy</b>	Carna Clifden Doire an Fheich Galway Headford	Cill Rónáin Oughterard An Spidéal Tuam
<b>District No. 8</b> <b>Judge Assigned:</b> <b>Vacancy</b>	Athlone Ballinasloe Banagher Birr Borrisokane Kilcormac	Loughrea Mount Bellew Nenagh Portumna Eyrecourt
<b>District No. 9</b> <b>Judge Assigned:</b> <b>Judge John Neilan</b>	Castlepollard Edenderry Granard, Killucan	Longford Mullingar Tullamore
<b>District No. 10</b> <b>Judge Assigned:</b> <b>Judge Thomas Fitzpatrick</b>	Ardee Dunshaughlin Kells	Navan Trim
<b>District No. 12</b> <b>Judge Assigned:</b> <b>Judge Joseph Mangan</b>	Athenry Corofin Ennis Ennistymon Gort Kildysart Kilkee Killaloe	Kilrush Kinvara Lisdoonvarna Miltown Malbay Scarriff Shannon Tulla
<b>District No. 13</b> <b>Judge Assigned:</b> <b>Judge Mary O' Halloran</b>	Abbeyfeale Bruff Kilmallock	Listowel Newcastle West Rathkeale
<b>District No. 14</b> <b>Judge Assigned:</b> <b>Judge Thomas O' Donnell</b>	Limerick City Newport Thurles	
<b>District No. 15</b> <b>Judge Assigned:</b> <b>Judge Mary Martin</b>	Portarlinton Portlaoise	Roscrea Templemore
<b>District No. 16</b> <b>Judge Assigned:</b> <b>Judge Murrough Connellan</b>	Arklow Baltinglass Bray	Wicklow

District Number	Court Areas in District	
<b>District No. 17</b> <b>Judge Assigned:</b> <b>Judge James O'Connor</b>	Cahirciveen Castleisland An Daingean Kenmare	Killarney Killorglin Tralee
<b>District No. 18</b> <b>Judge Assigned:</b> <b>Judge James McNulty</b>	Bandon Bantry Castletownbere Clonakilty Coachford Dunmanway	Kinsale Macroom Millstreet Schull Skibbereen
<b>District No. 19</b> <b>Judges Assigned:</b> <b>Judge Uinsin MacGruairc</b> <b>Judge Constantine O'Leary</b> <b>Judge David Riordan</b>	Cork City	
<b>District No. 20</b> <b>Judge Assigned:</b> <b>Judge Michael Pattwell</b>	Cobh Fermoy Kanturk	Mallow Middleton Mitchelstown
<b>District No. 21</b> <b>Judge Assigned:</b> <b>Judge Terence Finn</b>	Cahir Cappoquin Carrick On Suir Cashel Clonmel Dungarvan	Killenaule Lismore Tallow Tipperary Youghal
<b>District No. 22</b> <b>Judge Assigned:</b> <b>Judge William Harnett</b>	Carlow Castlecomer Kilkenny	
<b>District No. 23</b> <b>Judge Assigned:</b> <b>Judge Donnchadh Ó Buachalla</b>	Enniscorthy Gorey New Ross	Wexford
<b>District No. 24</b> <b>Judge Assigned:</b> <b>Vacancy</b>	Waterford City	
<b>District No. 25</b> <b>Judge Assigned:</b> <b>Judge Desmond Zaidan</b>	Athy Kilcock	Kildare Naas

## Appendix 8

### Provincial District Court Clerkships, Court Districts and Court Areas Served

Location of Court Office	Chief Clerk	Courts Areas / District No. Served by Court Office
<b>Athlone, Co. Westmeath</b>	Mr. Martin Conlon	Athlone (8), Kilcormac (8)
<b>Ballina, Co. Mayo</b>	Ms. Siobhan Terry	Ballina (3), Béal an Mhuirthead (3), Ballycastle (3), Foxford (3), Easky (2), Inniscrone (2), Ballycroy (3), Swinford (3)
<b>Ballinasloe, Co. Galway</b>	Mr. Eugene Noonan	Ballinasloe(8), Mount Bellew (8), Banagher (8), Eyrecourt (8), Glenamaddy (4)
<b>Clonakilty, Co. Cork</b>	Mr. Denis Noonan	Bandon (18), Macroom (18), Dunmanway (18), Clonakility (18), Skibbereen (18), Schull (18), Bantry (18)
<b>Bray, Co. Wicklow</b>	Mr. Alan Donnellan	Arklow (23), Bray (16), Rathdrum (23), Wicklow (23)
<b>Carlow</b>	Mr. Ray Keyes	Carlow (15), Athy (15), Tullogh (23), Baltinglass (16)
<b>Carrick-on-Shannon, Co. Leitrim</b>	Mr. Leo Mulvey	Ballinamore (5), Boyle (2), Carrick-on-Shannon (4)
<b>Castlebar, Co. Mayo</b>	Mr. Peter Mooney	Castlebar (3), Acaill (3), Westport (3), Claremorris (4), Kiltimagh (3)
<b>Cavan</b>	Mr. Noel Brennan	Cavan (5), Arva (5), Bailieborough (5), Virginia (5), Cootehill (5), Ballyconnell and Swanlinbar (5)
<b>Clonmel, Co. Tipperary</b>	Mr. Peter Golden	Clonmel, Cahir, Tipperary, Cashel, Killenaule, Cappoquin (All District No. 21)

Location of Court Office	Chief Clerk	Courts Areas / District No. Served by Court Office
<b>Cork</b>	Mr. Finbarr Bracken	Cork City (19), Cobh (20), Coachford (18), Kinsale (18)
<b>Doire an Fhéich, Co. Galway</b>	Mr. John Browne	Doire an Fhéich (7), An Spidéal (7), Clifden, Carna, Oughterard, Cill Rónáin (7), Na Gleannta (1)
<b>Donegal</b>	Mr. Joe O'Grady	Donegal, Glenties, An Clochán Liath, Ballyshannon, Dungloe (All District No.1)
<b>Drogheda, Co. Louth</b>	Mr. Frank Dunne	Drogheda, Dunleer (All District No.6)
<b>Dundalk, Co. Louth</b>	Mr. Daniel Doyle	Dundalk Carlingford, Ardee (All District No. 6)
<b>Ennis, Co. Clare</b>	Ms. Josephine Tone	Ennis, Kilrush, Kilkee, Kildysart, Tulla, Killaloe, Corofin, Lisdoonvarna, Ennistymon, Miltown Malbay, Shannon (All District No. 12)
<b>Fermoy, Co. Cork</b>	Mr. Tomás De Brún (Thomas Browne)	Fermoy (20), Lismore (21), Mitchelstown (20), Tallow (21)
<b>Galway</b>	Mr. Peter Raftery	Galway (7), Athenry (12), Gort (12), Kinvara (12), Headford (7)
<b>Kilkenny</b>	Mr. Liam Nolan	Kilkenny (22), Thomastown (22)
<b>Killarney, Co. Kerry</b>	Mr. Aidan Mac Amhlaoi	Killarney (17), Killorglin (17), Cahirciveen (17), Kenmare (17), Castletownbere (18)
<b>Letterkenny, Co. Donegal</b>	Mr. Val Cronin	Letterkenny, Buncrana, An Fál Carrach, Carndonagh (All District No. 1)
<b>Limerick</b>	Mr. Noel Chambers	Limerick City (14), Newport (14), Kilmallock (13), Bruff (13), Rathkeale (13)



<b>Location of Court Office</b>	<b>Chief Clerk</b>	<b>Courts Areas / District No. Served by Court Office</b>
<b>Listowel, Co. Kerry</b>	Mr. Peter Cotter	Listowel, Newcastlewest, Abbeyfeale (All District No. 13)
<b>Longford</b>	Mr. Kevin Murphy	Longford, Granard (All District No. 9)
<b>Loughrea, Co. Galway</b>	Ms. Josephine Mulherrin	Loughrea (8), Portumna (8), Borrisokane (8), Scarriff (12)
<b>Mallow, Co. Cork</b>	Mr. Michael Mc Evoy	Mallow (20), Kanturk (20), Millstreet (18)
<b>Monaghan, Co. Monaghan</b>	Mr. Brendan Cleary	Monaghan (5), Clones (5), Castleblaney (6), Ballybay (6), Carrickmacross (6)
<b>Mullingar, Co. Westmeath</b>	Mr. Pat Kelly	Mullingar (9), Castlepollard (9), Killucan (9)
<b>Naas, Co. Kildare</b>	Mr. Conor Delahunty	Naas (16), Kilcock (10), Kildare (16), Dunlavin (16)
<b>Nenagh, Co. Tipperary</b>	Mr. John Buckley	Nenagh (8), Birr (8)
<b>Portlaoise, Co. Laois</b>	Ms. Catherine Magner	Portlaoise, Portarlinton, Castlecomer (All District No. 15)
<b>Roscommon</b>	Ms. Ita Scanlon	Roscommon (4), Castlerea incorporating Harristown (4), Strokestown (4), Ballaghaderreen (4)
<b>Sligo</b>	Mr. Bill Cashell	Sligo (2), Ballymote (2), Grange (2), Tubbercurry (2), Riverstown (2), Charlestown (4), Manorhamilton (2)
<b>Thurles, Co. Tipperary</b>	Mr. Martin Hanton	Thurles (14), Templemore (15), Roscrea (15)
<b>Tralee, Co. Kerry</b>	Mr. Richard McElligott	Tralee, Castleisland, An Daingean (All District No. 17)

Location of Court Office	Chief Clerk	Courts Areas / District No. Served by Court Office
<b>Trim, Co. Meath</b>	Ms. Audrey Cadden, Ms. Noeleen Halpin	Trim, Dunshaughlin, Navan, Kells (All District No. 10)
<b>Tuam, Co. Galway</b>	Ms. Patricia Mulkerrin	Tuam (7), Ballinrobe (3), Dunmore (4), Ballyhaunis (4)
<b>Tullamore, Co. Offaly</b>	Mr. Denis O'Leary	Tullamore (9), Edenderry (9)
<b>Waterford</b>	Mr. Jack Purcell	Waterford (22), Kilmacthomas (22), Carrick on Suir (21)
<b>Wexford</b>	Mr. Pat Looney	Enniscorthy, Gorey, New Ross, Wexford (All District No. 23)
<b>Youghal, Co. Cork</b>	Ms. Máiread O' Neill	Youghal (21), Dungarvan (20), Midleton (20)

## Appendix 9

### District Probate Offices and Fees Payable

#### District Probate Office

Castlebar Circuit Court Office  
 Cavan Circuit Court Office  
 Clonmel Circuit Court Office  
 Cork Circuit Court Office  
 Letterkenny Circuit Court Office  
 Dundalk Circuit Court Office  
 Galway Circuit Court Office  
 Kilkenny Circuit Court Office  
 Limerick Circuit Court Office  
 Mullingar Circuit Court Office  
 Sligo Circuit Court Office  
 Tralee Circuit Court Office  
 Waterford Circuit Court Office  
 Wexford Circuit Court Office

#### County Covered

Mayo  
 Cavan and Longford  
 Tipperary  
 Cork  
 Donegal  
 Louth and Monaghan  
 Galway and Roscommon  
 Carlow, Kilkenny and Laois  
 Limerick and Clare  
 Offaly and Westmeath  
 Leitrim and Sligo  
 Kerry  
 Waterford  
 Wexford

When a Solicitor applies on behalf of a client for a Grant of Representation the Fees Payable on or after 1st August 2004 on a Primary Grant of Representation are set out below (Supreme Court and High Court (*Fees*) Order, 2003) (S.I. No. 444 of 2004):

Where the net value does not exceed:	
€1,250	€10
€3,000	€20
€6,250	€30
€9,500	€40
€12,500	€50
€25,000	€60
€37,500	€70
€50,000	€80
€62,000	€90
€75,000	€100
€87,500	€110
€100,000	€120
€112,500	€125
€125,000	€135
For every further €31,250 or fraction thereof a further fee of €12 applies.	

## Personal Applications

**Fees Payable on or after 1st August 2004 on a Primary Grant of Representation  
(Supreme and High Court (Fees) Order 2004) (S.I. No. 444 of 2004)**

<b>Euro</b>	<b>Fee</b>	<b>Euro</b>	<b>Fee</b>
€1,250	€20	€375,000	€462
€3,000	€40	€406,250	€486
€6,250	€60	€468,750	€534
€9,500	€80	€500,000	€558
€12,500	€100	€531,000	€582
€25,000	€120	€562,000	€606
€37,500	€140	€593,750	€630
€50,000	€160	€625,000	€654
€62,500	€180	€656,250	€678
€75,000	€200	€687,500	€702
€87,500	€220	€718,750	€726
€100,000	€240	€750,000	€750
€112,000	€250	€781,250	€774
€125,000	€270	€812,500	€798
€156,250	€294	€843,750	€822
€187,500	€318	€875,000	€846
€218,750	€342	€906,250	€870
€250,000	€366	€937,500	€894
€281,000	€390	€968,750	€894
€312,000	€414	€1,000,000	€942
€343,000	€438		

## General Office Fees

Official Copy Grant	€6
Official Copy Will	€6
Certified Copy Grant	€10
Certified Copy Will	€10
Certified Copy Will and Grant	€15
Sealed and Certified Copy Grant	€10
Sealed and Certified Copy Will	€10
Sealed and Certified Copy Will and Grant	€15
Official Copy Will/ Grant bespoke with papers	€3
Schedule of Assets	€10
Certified Copy Renunciation Form, Oath, unproved Wills etc.	€10
Search fee for each search made	€5
Search fee for each search made through the post	€10

## Rules Office Fees

To Lodge:	Notice of Application	€15
	Notice of Motion	€15
	Affidavit	€15
	Caveats	€10
	Warning	€10
	Citation	€10
	Subpoena	€10
	Appearance	€10
	Consent	€10
To Withdraw:	Caveat	€5
	Application	€5
To Collect:	Court Order	€15
	Side Bar Order	€15
	Consent Order	€15
	Cert of No Appearance	€10
	Probate Officer's Order	€20
	Judge's Certificate	€20

## Appendix 10

### Contact Names

#### Head Office and Directorates

Office	Located at:	Name	Phone No.	Fax No.
Office of the Chief Executive	15/24 Phoenix St. Nth, Smithfield, Dublin 7.	Ms. Brenda Casey	(01) 888 6426	(01) 873 5242
<b>Directorates</b>				
Supreme and High Courts Operations	15/24 Phoenix St. Nth, Smithfield, Dublin 7.	Ms. Joanne Mc Carthy	(01) 888 6087	(01) 872 5669
Circuit and District Courts Operations	15/24 Phoenix St. Nth, Smithfield, Dublin 7.	Ms. Claire Fitzpatrick	(01) 888 6071	(01) 888 6063
Corporate Services	15/24 Phoenix St. Nth, Smithfield, Dublin 7.	Ms. Debby Mc Adams	(01) 888 6434	(01) 873 5242
Human Resources	15/24 Phoenix St. Nth, Smithfield, Dublin 7.	Mr. Eamonn Casey	(01) 888 6824	(01) 888 6090
Finance Directorate	15/24 Phoenix St. Nth, Smithfield, Dublin 7.	Mr. Ujen Naidoo	(01) 888 6059	(01) 888 6006
Courts I.C.T. Division	15/24 Phoenix St. Nth, Smithfield, Dublin 7.	Mrs. Jean Lynch	(01) 888 6714	(01) 872 4045
Reform and Development Directorate	Green Street Courthouse, Green Street, Dublin 1	Mr. Bernard Regan	(01) 888 6763	(01) 888 6768
<b>Other Useful Contact Numbers</b>				
Estates and Buildings	15/24 Phoenix St. Nth, Smithfield, Dublin 7.	Ms. Aisling Byrne	(01) 888 6052	(01) 888 6005
Training	15/24 Phoenix St. Nth, Smithfield, Dublin 7.	Ms. Fiona Farrell	(01) 888 6041 (01) 888 6009	(01) 872 6619
Information Office	15/24 Phoenix St. Nth, Smithfield, Dublin 7.	Ms. Helen Priestley	(01) 888 6431	(01) 873 5242
Internal Audit	15/24 Phoenix St. Nth, Smithfield, Dublin 7.	Ms. Aisling McKeon	(01) 888 6062	(01) 873 5242

## Regional Offices

Region	Office Located at:	Name	Phone No.	Fax No.
<b>Western</b> Galway Mayo Clare Sligo	Court Service, The Mall, Castlebar, Co. Mayo.	Mr. Pat Conlon	(094) 904 3803	(094) 902 7380
<b>Southern</b> Cork Kerry Limerick Tipperary Waterford	Courts Service, Unit 74, Penrose Wharf, Penrose Quay, Cork.	Ms. Michelle Barrett  Mr. David Colbert	(021) 427 0542	(021) 422 2819
<b>Northern</b> Leitrim Cavan Monaghan Donegal Louth	Courts Service, Courthouse, Monaghan.	Mr. Brian Maguire	(04738100	(047) 38101
<b>Eastern</b> Carlow Kilkenny Kildare Wicklow Wexford	Courts Service, Courthouse, Naas, Co. Kildare.	Ms. Mary McManus	(045) 980 100	(045) 980 101
<b>Midland</b> Laois Longford Meath Offaly Roscommon Westmeath	Courts Service, Midland Regional Office, Sheena House, Charleville Road, Tullamore, Co. Offaly.	Mr. Don Hegarty	(057) 932 9140	(057) 932 9103

## Supreme Court & High Court Offices

<b>Supreme &amp; High Court Offices Official Address</b>	<b>Name</b>	<b>Phone No.</b>	<b>Fax No.</b>
<b>Supreme Court,</b> The Four Courts, Dublin 7.	Mr. Stephen McCartney	(01) 888 6569	(01) 873 2332
<b>Court of Criminal Appeal,</b> The Four Courts, Dublin 7.	Ms. Sinead Hogan	(01) 888 6560	(01) 878 3010
<b>Master of the High Court,</b> The Four Courts, Dublin 7.	Ms. Angela Denning	(01) 888 6454	
<b>High Court,</b> The Four Courts, Dublin 7.	Mr. Michael Ryan	(01) 888 6505	(01) 872 2554
<b>Official Assignees' Office,</b> 2nd Floor, 15/24 Phoenix St. North, Smithfield, Dublin 7.	Ms. Mary Murphy Ms. Lynda Hoban Ms. Imy Mullarkey	(01) 888 6166 (01) 888 6723	(01) 873 3835
<b>Probate Office,</b> 1st Floor, 15/24 Phoenix St. North, Smithfield, Dublin 7.	Ms. Bernadette Rainsford Ms. Mary Quinlan Ms. Anne Mc Givern	(01) 888 6174	(01) 873 0306
<b>Taxing Masters' Office,</b> Merchants House, Merchants Quay, Dublin 7.	Mr. Brendan Minnock Ms. Ronan Power	(01) 888 6321 (01) 888 6322	(01) 872 6761
<b>Examiner's Office,</b> 2nd Floor, 15/24 Phoenix St. North, Smithfield, Dublin 7.	Ms. Emer Griffin	(01) 888 6298	(01) 873 5260
<b>Accountant's Office,</b> 3rd Floor, 15/24 Phoenix St. North, Smithfield, Dublin 7.	Mr. Tony Kilkenny	(01) 888 6742	(01) 873 0460



<b>Supreme &amp; High Court Offices Official Address</b>	<b>Name</b>	<b>Phone No.</b>	<b>Fax No.</b>
<b>Office of the Wards of Court,</b> 3rd Floor, 15/24 Phoenix St. North, Smithfield, Dublin 7.	Mr. Alan Byrne	(01) 888 6201	(01) 872 4063
<b>Judges' Library,</b> The Four Courts, Dublin 7.	Ms. Frances Keaney, Librarian	(01) 888 6790	(01) 872 6821
<b>Office of the General Solicitor for Minors and Ward,</b> 2nd Floor, 15/24 Phoenix St. North, Smithfield, Dublin 7.	General Solicitor Ms. Margaret Moloney	(01) 888 6231	(01) 872 2681
<b>Central Criminal Court,</b> Public Records Building, The Four Courts, Dublin 7.	Mr. Liam Convey	(01) 888 6328	(01) 872 8817
<b>Special Criminal Court,</b> Green Street, Courthouse, Green Street, Dublin 7.	Mr. Colin Gaffney	(01) 888 6607	(01) 872 2649

## Circuit Court Offices - Dublin

<b>Dublin Circuit Court Office</b>	<b>County Registrar</b>	<b>Phone No.</b>	<b>Fax No.</b>
Circuit Court Office, Áras Uí Dhálaigh, Inns Quay, Dublin 7.	Ms. Susan Ryan	(01) 888 6000	(01) 878 3218

<b>Dublin Circuit Court Office</b>	<b>Name</b>	<b>Phone No.</b>	<b>Fax No.</b>
Circuit Court Office- Civil, Áras Uí Dhálaigh, Inns Quay, Dublin 7.	Mr. Kevin Fidgeon	(01) 888 6152	(01) 878 3218 (01) 872 9752
Circuit Court Office- Criminal, Old Public Records Buildings, Four Courts Dublin 7.	Ms. Jeanette Troy	(01) 888 6888	(01) 872 8817
Circuit Court Office- Family Law, Phoenix House, 15/24 Phoenix Street North, Smithfield Dublin 7.	Mr. Eamon Doherty	(01) 888 6815	(01) 677 1430

## Circuit Court Offices - Provincial

Provincial Circuit Court Offices	County Registrar	Phone No.	Fax No.
The Circuit Court Office, The Courthouse, <b>Carlow</b> , Co. Carlow.	Ms. Patricia Casey	(059) 914 3104	(059) 914 3104
The Circuit Court Office, The Courthouse, <b>Carrick-on-Shannon</b> , Co. Leitrim.	Mr. Kevin Doherty	(071) 962 0002	(071) 962 0788
The Circuit Court Office, The Courthouse, <b>Castlebar</b> , Co. Mayo.	Mr. Fintan Murphy	(094) 904 3802	(094) 902 4242
The Circuit Court Office, The Courthouse, <b>Cavan</b> .	Mr. Joseph Smith	(049) 433 1530	(049) 433 1089
The Circuit Court Office, The Courthouse, <b>Clonmel</b> , Co. Tipperary.	Ms. Mary Delehanty	(052) 29183	(052) 21258
The Circuit Court Office, The Courthouse, Camden Quay, <b>Cork</b> .	Ms. Deirdre O'Mahony	(021) 427 0508	(021) 427 3618
The Circuit Court Office, The Courthouse, <b>Dundalk</b> , Co. Louth.	Ms. Mairead Ahern	(042) 933 4066	(042) 933 1455
The Circuit Court Office, The Courthouse, <b>Ennis</b> , Co. Clare.	Mr. Patrick Wallace	(065) 682 1041	(065) 682 2499
The Circuit Court Office, The Courthouse, <b>Galway</b> .	Ms. Marian Chambers Higgins	(091) 562 340	(091) 565 079

Provincial Circuit Court Offices	County Registrar	Phone No.	Fax No.
The Circuit Court Office, The Courthouse, <b>Kilkenny</b> , Co. Kilkenny.	Ms. Mary Enright	(056) 772 2073	(056) 775 1044
The Circuit Court Office, The Courthouse, <b>Letterkenny</b> , Co. Donegal.	Ms. Geraldine O'Connor	(074) 912 8711	(074) 912 1097
The Circuit Court Office, The Courthouse, Merchants Quay, <b>Limerick</b> .	Mr. Patrick Meghan	(061) 414655	(061) 319 819
The Circuit Court Office, The Courthouse, Main Street, <b>Longford</b> , Co. Longford.	Ms. Imelda Branigan	(043) 46410	(043) 45699
The Circuit Court Office, The Courthouse, <b>Monaghan</b> .	Ms. Josephine Duffy	(047) 82388	(047) 82364
The Circuit Court Office, The Courthouse, <b>Mullingar</b> , Co. Westmeath.	Ms. Elizabeth Sharkey	(044) 934 8315	(044) 934 1776
The Circuit Court Office, The Courthouse, <b>Naas</b> , Co. Kildare.	Ms. Eithne Coughlan	(045) 897 348	(045) 897 216
The Circuit Court Office, The Courthouse, <b>Portlaoise</b> , Co. Laois.	Mr. Paul Fetherstonhaugh	(057) 867 4650	(057) 862 2606
The Circuit Court Office, The Courthouse, <b>Roscommon</b> .	Mr. William Lyster	(0906) 662 6132	(0906) 27628
The Circuit Court Office, The Courthouse, <b>Sligo</b> .	Mr. Kieran McDermott	(071) 914 2228	(071) 916 2915

<b>Provincial Circuit Court Offices</b>	<b>County Registrar</b>	<b>Phone No.</b>	<b>Fax No.</b>
The Circuit Court Office, The Courthouse, <b>Tralee,</b> Co. Kerry.	Mr. Padraig Burke	(066) 712 1998	(066) 712 1850
The Circuit Court Office, The Courthouse, <b>Trim,</b> Co. Meath.	Ms. Mary O'Malley	(046) 948 1200	(046) 943 1655
The Circuit Court Office, The Court House, <b>Tullamore,</b> Co. Offaly.	Mr. Verona Lambe	(057) 932 1205	(057) 935 2921
The Circuit Court Office, The Courthouse, Catherine St., <b>Waterford.</b>	Mr. Niall Rooney	(051) 874 144	(051) 876 084
The Circuit Court Office, The Courthouse, <b>Wexford.</b>	Ms. Marie Garahy	(053) 912 2329	(053) 912 4560
The Circuit Court Office, The Courthouse, <b>Wicklow.</b>	Ms. Breda Allen	(0404) 67361	(0404) 67422

## District Court Offices - Dublin

Dublin District Court Offices	Official Address	Clerk in charge	Phone No.	Fax No.
Chief Clerk, Dublin Metropolitan District	Dolphin House, East Essex Street, Dublin 2.	Mr. John Molloy	(01) 888 6000	(01) 872 9063
Summons Office	Richmond Courthouse, North Brunswick Street, Dublin 7.	Ms. Mary O'Mara	(01) 888 6294	(01) 888 6725
Fines Office	Áras Uí Dhálaigh, Inns Quay, Dublin 7.	Ms.Hilda McDermott	(01) 888 6000	(01) 872 2873
Appeals Office	Áras Uí Dhálaigh, Inns Quay, Dublin 7.	Mr. Eoin Manning	(01) 888 6000	(01) 872 2873
Licensing Office	Áras Uí Dhálaigh, Inns Quay, Dublin 7.	Ms. Geraldine Keogh	(01) 888 6123	(01) 872 2873
Stamp Office	Áras Uí Dhálaigh, Inns Quay, Dublin 7.	Mr. Eoin Manning	(01) 888 6000	(01) 872 2873
Small Claims Registrar	Dolphin House, East Essex Street, Dublin 2.	Mr. Brian Battelle	(01) 888 6340	(01) 872 9063
Custody Office (criminal court cases)	Chancery Street, Dublin 7.	Ms.Teresa Brophy	(01) 888 6000	(01) 872 4026
Children's Court	The Children's Court, Smithfield, Dublin 7.	Ms. Kitty Harvey	(01) 888 6000 (01) 872 2062	(01) 872 2844 (01) 872 4026
Family Law Office	Dolphin House, East Essex Street, Dublin 2.	Ms. Madeline Moore	(01) 888 6000	(01) 671 7903
Civil Office	Dolphin House, East Essex Street, Dublin 2.	Mr. Brian Battelle	(01) 888 6340	(01) 677 3068

<b>Dublin District Court Offices</b>	<b>Official Address</b>	<b>Clerk in charge</b>	<b>Phone No.</b>	<b>Fax No.</b>
Richmond Courthouse Drug Treatment Court	North Brunswick Street, Dublin 7.	Ms. Mary O'Mara	(01) 888 6294	(01) 878 7728
Cloverhill District Court	Cloverhill Courthouse, Cloverhill, Clondalkin, Dublin 22.	Ms. Tina Haughton	(01) 630 4910	(01) 630 4909
Dún Laoghaire District Court	The Courthouse, Dún Laoghaire, Co. Dublin.	Ms. Catherine Murphy	(01) 280 0038	(01) 284 5019
Swords District Court	4 Bridge Street, Swords, Co. Dublin.	Mr. Dermot O'Byrne	(01) 840 3187	(01) 890 1714

## District Court Offices - Provincial

Official Address	Clerk in Charge	Phone No.	Fax No.
The District Court Office, Courthouse, <b>Athlone</b> , Co. Westmeath.	Mr. Martin Conlon	(090) 649 2271	(090) 649 3385
The District Court Office, Courthouse, <b>Ballina</b> , Co. Mayo.	Ms. Siobhan Terry	(096) 72940	(096) 72944
The District Court Office, Courthouse, <b>Ballinasloe</b> , Co. Galway.	Mr. Eugene Noonan	(090) 964 2342	(090) 964 2342
The District Court Office, Courthouse, <b>Bray</b> , Co. Wicklow.	Mr. Alan Donnellan	(01) 274 4800	(01) 274 4801
The District Court Office, Courthouse, <b>Carlow</b> .	Mr. Ray Keyes	(059) 913 1225	(059) 913 1325
The District Court Office, Courthouse, <b>Carrick-On-Shannon</b> , Co. Leitrim.	Mr. Leo Mulvey	(071) 962 0481	(071) 962 2061
The District Court Office, The Courthouse, <b>Castlebar</b> , Co. Mayo.	Mr. Peter Mooney	(094) 904 3801	(094) 902 1990
The District Court Office, Courthouse, <b>Cavan</b> .	Mr. Noel Brennan	(049) 433 1585	(049) 433 1590
The District Court Office, Courthouse, Lamb Street, <b>Clonakilty</b> , Co. Cork.	Mr. Denis Noonan	(023) 35759	(023) 35767
The District Court Office Courthouse, <b>Clonmel</b> , Co. Tipperary.	Vacancy	(052) 29220	(052) 28699



Official Address	Clerk in Charge	Phone No.	Fax No.
The District Court Office, Courthouse, Anglesea Street, <b>Cork.</b>	Mr. Finbarr Bracken	(021) 431 9610	(021) 431 9614
The District Court Office, Courthouse, Doire an Fhéich, <b>Costello,</b> Co. Galway.	Mr. Michael Considine	(091) 572 202	(091) 572 078
The District Court Office, Courthouse, <b>Donegal.</b>	Mr. Joe O Grady	(074) 972 1532	(074) 972 1947
The District Court Office, Old Library, Fair Street, <b>Drogheda,</b> Co. Louth.	Mr. Frank Dunne	(041) 983 8313	(041) 983 8282
The District Court Office, The Courthouse, <b>Dundalk,</b> Co. Louth.	Mr. Brendan Cleary	(042) 939 2350	(042) 939 2399
The District Court Office, The Courthouse, <b>Ennis,</b> Co. Clare.	Ms. Josephine Tone	(065) 682 1682	(065) 682 1908
The District Court Office, Courthouse, <b>Fermoy,</b> Co. Cork.	Mr. Tomás De Brún (Mr. Thomas Browne)	(025) 31160	(025) 33656
The District Court Office, The Courthouse, <b>Galway.</b>	Mr. Peter Raftery	(091) 562 560	(091) 562 494
The District Court Office, The Courthouse, <b>Kilkenny.</b>	Mr. Liam Nolan	(056) 772 1019	(056) 772 3260
The District Court Office, Rushbrook House, Upper Lewis Road, <b>Killarney,</b> Co. Kerry.	Mr. Aidan Mac Amhlaoi	(064) 31142	(064) 30233

Official Address	Clerk in Charge	Phone No.	Fax No.
The District Court Office, Courthouse, <b>Letterkenny</b> , Co. Donegal.	Mr. Val Cronin	(074) 912 1909	(074) 912 6613
The District Court Office, Courthouse, Merchant's Quay, <b>Limerick</b> .	Mr. Noel Chambers	(061) 414 300	(061) 414 926
The District Court Office, Courthouse, <b>Listowel</b> , Co. Kerry.	Mr. Peter Cotter	(068) 21220	(068) 23825
The District Court Office, Church Street, <b>Longford</b> .	Mr. Kevin Murphy	(043) 46491	(043) 45449
The District Court Office, Courthouse, <b>Loughrea</b> , Co. Galway.	Mr. Josephine Mulherin	(091) 841 463	(091) 847 272
The District Court Office, Courthouse, <b>Mallow</b> , Co. Cork.	Mr. Michael Mc Evoy	(022) 21486	(022) 21249
The District Court Office, Courthouse, <b>Monaghan</b> .	Ms. Bernie Smith	(047) 81417	(047) 81542
The District Court Office, Courthouse, <b>Mullingar</b> , Co. Westmeath.	Mr. Pat Kelly	(044) 934 8364	(044) 934 8716
The District Court Office, Courthouse, <b>Naas</b> , Co. Kildare.	Mr. Conor Delahunty	(045) 897 430	(045) 866 731
The District Court Office, Courthouse, <b>Nenagh</b> , Co. Tipperary.	Vacancy	(067) 31319	(067) 41405

Official Address	Clerk in Charge	Phone No.	Fax No.
The District Court Office, ESB Offices, Abbeyleix Road, <b>Portlaoise</b> , Co. Laois.	Ms. Catherine Magner	(057) 862 1158	(057) 862 0828
The District Court Office, Courthouse, <b>Roscommon</b> .	Ms. Ita Scanlon	(090) 662 6174	(090) 662 5833
The District Court Office, The Courthouse, <b>Sligo</b> .	Mr. Bill Cashell	(071) 914 2429	(071) 914 2297
The District Court Office, The Courthouse, <b>Thurles</b> , Co. Tipperary.	Mr. Martin Hanton	(0504) 21343	(0504) 22289
The District Court Office, The Courthouse, <b>Tralee</b> , Co. Kerry.	Mr. Richard McElligot	(066) 712 1187	(066) 718 0250
The District Court Office, The Courthouse, <b>Trim</b> , Co. Meath.	Ms. Audrey Cadden Ms. Noeleen Halpin	(046) 948 1250	(046) 943 1794
The District Court Office, Shambles, Vicar Street, <b>Tuam</b> , Co. Galway.	Ms. Patricia Mulkerrin	(093) 24318	(093) 70234
The District Court Office, Courthouse, <b>Tullamore</b> , Co. Offaly.	Mr. Denis O'Leary	(057)932 1153	(057)932 1626
The District Court Office, Courthouse, Catherine Street, <b>Waterford</b> .	Mr. Jack Purcell	(051) 874 657	(051) 876 852

Official Address	Clerk in Charge	Phone No.	Fax No.
The District Court Office, Courthouse, County Hall, <b>Wexford.</b>	Mr. Pat Looney	(053) 912 2097	(053) 912 4798
The District Court Office, Town Hall, <b>Youghal,</b> Co. Cork.	Ms. Máiread O'Neill	(024) 92175	(024) 92889

## Appendix 11

### Glossary of Legal Terms

<b>Administration suit:</b>	A form of proceeding taken in order to establish who is entitled to share in the estate (that is the property) of a deceased person and/or to have the estate administered by the court where questions arise in respect of the estate.
<b>Affidavit:</b>	A written statement made on oath.
<b>Appeal:</b>	A proceeding taken by a party to a case dissatisfied with a decision made, to a court having authority to review or set aside that decision.
<b>Caveat:</b>	A written notice to the court requesting that nothing be done regarding the estate of a deceased person without notice to the party who entered the caveat or his/her solicitor.
<b>Citations:</b>	The calling upon a person who is not a party to an action or proceedings to appear before the court e.g. a person interested in the estate of a deceased may issue a citation requiring the executor to prove the will where he has failed to do so.
<b>Civil Bills:</b>	The legal document whereby civil proceedings are commenced in the Circuit Court.
<b>Courts-Martial Appeal Court:</b>	The name applied to the Court of Criminal Appeal when hearing appeals from courts martial (military tribunals for the trial of members of the defence forces on active service).
<b>Decree:</b>	An order of the court.
<b>Deed Poll:</b>	A deed completed by one party only, often used to declare an intention to change a surname.
<b>Default Judgment:</b>	A judgment of a court in default of appearance or defence on the part of the defendant.

<b>Enduring Power of Attorney:</b>	A document providing for the management of a person's affairs in the event of his/her becoming mentally incapacitated.
<b>Ex-officio:</b>	By virtue of his/her office.
<b>Ex-parte:</b>	An application made in a judicial proceeding without notice to any other party.
<b>Fi-fa (fieri facias):</b>	Cause to be made.
<b>In Camera:</b>	A court hearing to which the public is not admitted.
<b>Indictment:</b>	A formal document setting out certain kinds of charges against an accused person or the process by which those charges are presented against the accused.
<b>Indictable offence:</b>	An offence which, if committed by an adult, is triable on indictment.
<b>Judicial Review:</b>	A legal remedy available in situations where a body or tribunal has acted in excess of legal authority or contrary to its duty.
<b>Jurisdiction:</b>	(a) The power of a court or judge to hear an action, petition or other proceeding, or (b) the geographical area within which such power may be exercised.
<b>Litigation:</b>	Legal action by parties.
<b>Long Vacation:</b>	Begins on 1st August and ends on 30th September.
<b>Motions:</b>	An application to a court or to a judge for an order directing something to be done in the applicant's favour.
<b>Mortgage suit:</b>	A form of proceeding to recover a debt by forcing a sale of property available to the holder of security on that property (usually a judgment mortgage or an equitable mortgage).
<b>Notary Public:</b>	A legal practitioner, usually a solicitor, who witnesses the signing of documents or makes copies of them in order to verify their authenticity, especially for use abroad.
<b>Oath:</b>	A form of words by which a person calls his/her God to witness that what he/she says is the truth, or that what he/she promises to do he/she will do.

<b>Original actions:</b>	Actions commenced in the court of hearing (as opposed to cases appealed from a lower court).
<b>Precedents:</b>	A judgment or decision of a court of law which is cited as an authority to justify a decision in a case involving a similar set of facts.
<b>Power of Attorney:</b>	A deed by which one person allows another to represent him/her, or act in his/her place either generally or for specified purposes.
<b>Short Vacation:</b>	Christmas, Easter and Whitsun vacations, details of which are set out in the Rules of the Superior Courts 1986 Order No. 118.
<b>Subpoenas:</b>	An order issued in an action or arbitration requiring the person to whom it is directed to be present at a specified place and time and for a specified purpose under penalty.
<b>Summary Judgment:</b>	Judgment for a claim in respect of a debt or liquidated monetary demand which is undefended where the judgment is given to the Plaintiff against the Defendant in a court office without the need to bring the claim to court.
<b>Transcript:</b>	The reproduction in longhand of the notes taken (usually in shorthand) of the proceedings at a hearing. The transcript must be certified by the trial judge.
<b>Warrant:</b>	A document authorising some action e.g. payment of money.









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