ANNUAL REPORT 2022

THE HIGH COURT OFFICE OF THE LEGAL COSTS ADJUDICATORS



Supporting Access to Independent, Impartial and Objective Resolution of Legal Costs Disputes

in a modern digital Ireland

Annual Report Published by the Chief Legal Costs Adjudicator with the support of the Courts Service

Editors:

Chief Legal Costs Adjudicator
Paul M. Behan
Assistant Principal Officer to the Chief Legal Costs Adjudicator
Sarah Ann Behan



FOREWORD



Foreword by the Chief Legal Costs Adjudicator

In accordance with the obligations imposed by s. 146 of the Legal Services Regulation Act, 2015, I am pleased to present my Annual Report of the activities of the Office of the Legal Costs Adjudicators, which covers activities for the year ending 31st December 2022. The Office of the Legal Costs Adjudicators was established by the commencement of Part 10 of the 2015 Act, on 7th October 2019.

In keeping with strategies introduced during the public health restrictions arising from Covid 19, the Office continues to maintain facilities for remote hearings. The Office continues to adopt best practices, by staggering hearing times, availing of remote hearings when Adjudications are suitable for such. The call over of cases and routine listing of Adjudications of cases which are under active negotiation or case management continue to assist parties, without adding additional costs and expenses.

The number of applications filed for Adjudication in 2022, was 943, of which 902 were approved as being valid. A 7% increase on 2021 (874), 2020 (830)

The waiting times for securing a hearing date was consistent with last year, being about 7 weeks from the date of an approved adjudication application.

The monetary value of valid applications filed for adjudication, in 2022 was €192,449,390. a significant increase over adjudications lodged in prior years. 2021 (€110,339,050), 2020 (€113,211,333).

The Office had cases on hand at year end 2022, at a value of €178,379,715, (2021 €173,236,066), (2020 €146,801,262).

We continue to strive to achieve the aims set out in our Mission Statement which is to perform our

functions with independence, fairness, integrity, professionalism, innovation and accountability. The

Mission Statement, contains a commitment to improving services, adapting innovative processes,

adherence to best practices and developing strategies for improvement. We have continued to engage

with Courts ICT personnel and have successfully completed the Courts Service Desktop Migration

Project.

We continue to develop the Register of Determinations, in accordance with s.140 of the 2015 Act.

I would also like to record my appreciation to the staff with the Office. They are a true embodiment of

public service. I thank them deeply for the commitment, adaptability and willingness of the staff to react

to each new circumstance and unfailingly deliver at each and every hands turn. Genuinely, the business

of the office could not have functioned and adapted as it did, without the exceptional effort displayed by

each of them. I am truthfully indebted to each of them.

It would be remiss of me not to thank the other offices within the Courts Service, with who we have

engaged with over the year, including the Senior Management Team, Estates Management Unit, ICT

unit, Courts IT and others, who assist us in our work.

On behalf of the Office of the Legal Costs Adjudicators, I am pleased to present the Annual Report for

2022.

Paul M. Behan

Dem. Al

Chief Legal Costs Adjudicator

April 2023





CONTENTS

| Chapter 1. About the Office of the Legal Costs Adjudicators | 8 |
|---|----|
| Chapter 2. The Year in Review | 9 |
| Chapter 3. Governance and Management Structures | 12 |
| Chapter 4. Activity | 13 |
| Chapter 5. County Registrars Summary Report | 21 |
| 2022 at a Glance | 24 |



THE HIGH COURT

OFFICE OF THE LEGAL COSTS ADJUDICATORS



Our Mission

The Office of the Legal Costs Adjudicators mission is to enable access to independent, impartial and objective resolution of legal costs disputes, through the provision of a courteous and professional service in the performance of its statutory function. To maintain and provide transparency throughout the process from inception to completion, with reasoned outcomes being published, in so far as is permitted by the law, and accessible via the register of determinations, so as to inform both legal practitioners and the public. It is our mission to provide this service in a timely manner, providing and supporting access to justice.

In support of this mission, the Office pursues two high level strategic goals:

• Supporting the Legal Costs Adjudicators

Supporting the Chief Legal Costs Adjudicator and the Legal Costs Adjudicators is a statutory obligation of the Courts Service and by extension the Office and is central to our mission. As well as being a key strategic priority in its own right, it is also key to the achievement of all our strategic priorities.

• Providing High Quality Service to Court Users

A core part of our mission is the provision of a consistent, impartial, timely and excellent service to court users, consistent with the limitation of the Office's statutory remit.

Our Vision

Over time, as the number of adjudications are completed and the register of determinations is updated, a body of information will be publicly available to inform the public and practitioners of the range of legal costs, the manner in which they are determined and the reasons underlying the determination.

Our Values

We are committed, in performing our functions and fulfilling our responsibilities, to independence, fairness, integrity, professionalism, innovation and accountability. Our strengths derive from the expertise of the staff within the office. With a commitment to improving services, adapting innovative processes and adherence to best practices and developing strategies for improvement.



CHAPTER 1 - About the Office of the Legal Costs Adjudicators

Part 10 of The Legal Services Regulation Act, 2015 was commenced on 7th October 2019 (Commencement of Certain Provisions) (No.2) Order 2019. S.I.No. 502 of 2019. This resulted in the establishment of a new regime for the adjudication of legal costs, with the abolition of the Office of the Taxing Master and the work of that Office being transferred to the Office of the Legal Costs Adjudicators.

The statutory powers, functions and duties of the Office, derive from Part 10 and Schedule 1 of the Legal Services Regulation Act, 2015. These statutory powers are underpinned by the Rules of the Superior Courts (Costs) 2019.

By its statutory powers, the Office of the Legal Costs Adjudicators, in addition to having the previous powers of the Taxing Masters, deals with disputes on legal costs, usually but not always, as between parties involved in litigation in the Superior Courts. There are other matters such as disputes between a legal practitioner and his or her client which also fall within the remit of the office.

Party and Party costs usually derive from an Order of the Court. This is where a Court or an authorised body, directs one party to a cause to pay the costs of another. Party and Party Costs usually arise from proceedings in the Superior Courts, see Part 11 of the Legal Services Regulation Act, 2015.

Circuit Court costs arising in proceedings are determined by County Registrars, as is provided in s.141 of The Legal Services Regulatory Act, 2015 and the Circuit Court Rules. The Office of the Legal Costs Adjudicator does not generally have any jurisdiction or power to deal with Circuit Court Party and Party costs. The Office does have some jurisdiction to deal with Circuit Court Costs, usually where they arise as part of a wider dispute as between a legal practitioner and client.

Disputes relating to legal costs and expenses as between legal practitioners and their clients fall within the remit of the Office of the Legal Costs Adjudicators. Legal Practitioners have prescribed duties, relating to legal costs contained within the Act. The Legal Costs Adjudicators have a duty to hear and determine disputes relating to the amount and whether such costs represented work actually undertaken and whether such charges have been reasonably incurred and are reasonable in amount.

Importantly the Office of the Legal Costs Adjudicators does not have any power to deal with complaints about or touching upon matters of poor or inadequate services, or complaints relating to misconduct, such matters are currently dealt with by the Legal Services Regulatory Authority.

CHAPTER 2 – The Year in Review

1) Progress Against Our Strategic Priorities

Strategic Priority 1: Supporting the Legal Costs Adjudicators

A core role of the Office is the provision of support for adjudication sittings, and the necessary resources and assistance which allows the Legal Costs Adjudicators to administer independent, impartial and objective resolutions of legal costs disputes. During 2022 the office provided such support for the Legal Costs Adjudicators adjudication sittings.

Office Business

Through the Court Services Online Platform (CSOL), 943 Legal Costs Adjudication applications were lodged. 902 were deemed valid and were accepted and processed by the office for Adjudication. The Office assisted parties who were unable to lodge Adjudication Applications online. Return dates for the hearing of matters were allocated to each Legal Costs Adjudicator on a rotational basis.

At the commencement of 2022 the waiting time from filing of a valid Legal Costs Adjudication application to the first hearing date stood at 6 weeks. Reflecting the higher volume of business, this had extended slightly to standing at 7 weeks by the end of December 2022.

272 adjudication sitting days were conducted in 2022. These were a mix of physical and remote or hybrid sittings. There were 90 remote call over days and 182 physical hearing / remote hearing days.

Strategic Priority 2: Providing High Quality Service to Court Users

As part of its core mission the office is involved in providing services to a wide range of court users, including Legal Practitioners, Legal Costs Accountants, Public Bodies, Non-Governmental Agencies and directly to members of the public. Although the Office is independent and cannot offer advice, it does assist parties by explaining the practices and procedures surrounding Legal Costs Adjudication to ensure that any person contacting the Office can access the required service.

Register of Determinations

In accordance with s.140 of the Legal Services Act 2015, the office continues to populate the on-line register of determinations, and the reasons for determination in accordance with law.

Irish Language Facilities

The office continues to update information in and the provision of services through the Irish language by advising Applicants:

- Applications for the Adjudication of Costs can be made manually through Irish.
- Forms in Irish are available by contacting or visiting the Office of Legal Costs Adjudicators to request same.
- An Irish Language Interpreter can be requested for hearings by contacting the office with appropriate notice.

This information is all available under the Office of the Legal Costs Adjudicator page on Courts.ie

Office of the Legal Costs Adjudicator Customer Charter

An up-to-date Customer Charter was created and implemented in 2022.

Improvement to Online payment facilities

Although the Office does not deal with payments made by users as these payments are made via CSOL or via the Courts fee cards, investigations were undertaken in 2022 with regard to credit card payments being accepted by the stamp office, which could aid and improve payment for office users.

Strategic Priority 3: Develop and Support Our People

In 2022 the office continued to invest in and support our staff to ensure a skilled, high-performing office delivering quality services to Stakeholders by maintaining the upkeep of the localised induction programme to integrate new staff joining the office, running in tandem with the Courts Service induction programme. These training methods are used in conjunction with the existing performance management system in place.

Blended working plans were formulated in Quarter four of 2022 with a view to implementing a staff blended working arrangement in 2023.

Strategic Priority 4: Improve Processes and Case Management

The weekly Remote Callover and Case Management list, initiated as a result of public health requirements in 2020, has continued to be utilised and has proven to be a valuable case management tool for both the Legal Costs Adjudicators, and legal practitioners throughout 2022. The ongoing operation of this case management process continues, as it leads to a saving of costs and time to parties who engage with the Office. Although it does require a significant allocation of office resources to effect same, but it is considered that the overall benefits make it worthwhile.

Strategic Priority 5: Optimise Use of Technology

The Office successfully completed migration to a new Desktop system in May 2022. This comprised of an upgrade of hardware and software. The Pexip platform continues to be utilised for Remote Hearings.

Strategic Priority 6: Ensure Effective Governance and Accountability

Effective governance and accountability are priorities for the Office of the Legal Costs Adjudicators.

Business Continuity Plan 2022

In order to ensure the continuity of business activities in the event of a major incident or disaster the office reviewed and updated the Office of the Legal Costs Adjudicators Business Continuity Plan in May of 2022. This will be reviewed on an annual basis.

Office of the Legal Costs Adjudicators Strategic Plan 2023-2026

The Office, in fulfilment of its statutory duties, submitted our Three-Year Strategic Plan to the Office of the CEO. This plan outlined the projected work of the office in conjunctions with the Courts Service general Strategic Plan.

Covid-19 and the Continued Response of the Office

In 2022, the Office of the Legal Costs Adjudicators safety policy continued to operate in line with the Courts Service policy regarding Covid-19. The office maintained a healthy and safe working environment for all employees, the Adjudicators, legal costs accountants, legal practitioners, members of the public, visitors, and contractors who attended the office.

Hearings Protocols 2022:

- ➤ Weekly management of hearing list in advance via remote call over the previous week and assigning time specific schedules.
- ➤ Plexiglass screens in place at witness box and Adjudicators bench.
- Advisory Covid-19 signage in place on entry, and in Adjudication Room.

CHAPTER 3 - Office of the Legal Costs Adjudicators Governance and Management Structure

Figure 1: Office of the Legal Costs Adjudicator Management Structure

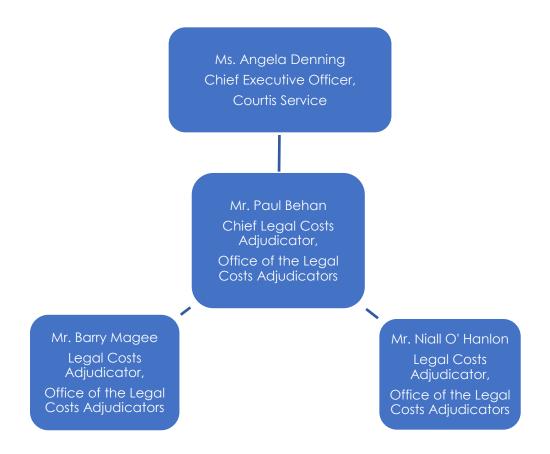


Figure 2: Office of the Legal Costs Adjudicator Management Structure



CHAPTER 4 - Activity

1. Total Number of Applications filed in 2022

A total of 943 applications were filed in 2022, of which 902 were deemed valid and were accepted for Adjudication.

Comparison – 2022 *and* 2021.

The tables and the graphics below show the comparison of applications filed with the Office of the Legal Costs Adjudicators in 2021 and 2022. In a slight change from the format of past annual reports, the information reported is reduced to one prior year comparison. The Office was established in 2019 and carried over the work in progress from the Taxing Masters Office. 2020 was a year beset by Covid 19 restrictions, as a result, 2021 and 2022 represent a true full year-on-year comparison. The earlier Annual Reports can be accessed at https://www.courts.ie/office-legal-cost-adjudicator-publications

In 2022, the third full year of operation of this Office, a total of 943 cases were filed for adjudication. This is an increase of 69 cases or a round figure percentage of 7%, however, it will be observed that the value of the cases has increased significantly.

The value of valid applications for Adjudication increased from (2021) \in 110,339,050 to the current year of \in 192,449,390.

As the subject matter of cases can transcend several aspects of legal areas, it is often not practicable to classify these into precise categories. The originating classification for Case Types is chosen by the Applicants seeking Adjudication.

However, in an effort to be consistent with last year's reporting, a headline of those most readily identifiable have been included in the breakdown of the type and status of the Applications filed in 2021 and 2022 are set out in the table below. In total 991 cases were processed during the year.

Figure 3: Applications Filed Cases by Originating Case Type – In List Form

| | 2022 | | | 2021 | | |
|--------------------------------|--------|--------------|--------|--------------------|--|--|
| Originating Case Type | No. of | Amount (€) | No. of | Amount (€) Claimed | | |
| | Cases | Claimed | Cases | . , | | |
| Road Traffic Accidents | 200 | 15,818,930 | 174 | 17,518,910 | | |
| Employer & Occupiers Liability | 120 | 17,137,799 | 116 | 9,552,195 | | |
| Judicial Review | 69 | 22,490,817 | 113 | 8,676,507 | | |
| Medical Negligence | 136 | 48,212,707 | 95 | 27,726,276 | | |
| Other | 99 | 38,459,720 | 91 | 10,226,857 | | |
| Contract | 23 | 4,446,412 | 57 | 4,711,890 | | |
| Motions Interlocutory | 16 | 7,617,542 | 45 | 4,346,949 | | |
| Appeal - Court of Appeal | 36 | 4,576,716 | 38 | 2,817,567 | | |
| Public Liability | 47 | 2,564,825 | 26 | 1,442,918 | | |
| Wards of Court | 42 | 2,287,341 | 14 | 705,214 | | |
| Commercial Court | 8 | 2,643,771 | 12 | 6,939,087 | | |
| Professional Negligence | 10 | 1,179,045 | 9 | 1,281,804 | | |
| Probate Matters | 8 | 542,200 | 8 | 345,775 | | |
| Appeal - Supreme Court | 11 | 2,223,817 | 8 | 1,642,784 | | |
| Assault & Battery | 6 | 1,616,608 | 8 | 836,217 | | |
| Employment Law | 8 | 646,591 | 7 | 1,269,571 | | |
| Security for Costs | 6 | 1,365,981 | 6 | 829,285 | | |
| Injunctions | 7 | 518,613 | 6 | 777,900 | | |
| Bankruptcy | 4 | 232,635 | 5 | 797,217 | | |
| Sale of Land | - | - | 5 | 344,569 | | |
| Companies Act | 5 | 846,144 | 4 | 50,711 | | |
| Practitioner and Client | 2 | 106,566 | 4 | 499,868 | | |
| Planning Matters | 8 | 2,315,048 | 4 | 849,873 | | |
| Defamation. Libel & Slander | 10 | 3,152,802 | 3 | 749,648 | | |
| Solicitors Acts | - | - | 3 | 152,543 | | |
| Garda Compensation Acts | 1 | 32,002 | 3 | 78,710 | | |
| Constitutional Law | - | , - | 2 | 1,123,541 | | |
| Tribunal of Inquiry | 3 | 10,340,277 | 2 | 2,917,325 | | |
| Arbitration | 2 | 275,328 | 2 | 166,294 | | |
| Immigration Law | _ | - | 1 | 30,078 | | |
| Family Law | 5 | 395,174 | 1 | 46,750 | | |
| Article 40/Habeas Corpus | _ | - | 1 | 152,006 | | |
| Nuisance | 1 | 145,600 | 1 | 732,208 | | |
| Judgement Mortgage/Land | 6 | 72,552 | - | - | | |
| Residential Institutions | | | | | | |
| Redress Board | _ | - | | - | | |
| Case Stated | - | - | - | - | | |
| Pension Matters | | - | | - | | |
| Conveyancing | 3 | 185,828 | - | - | | |
| Total | 902 | €192,449,390 | 874 | €110,339,050 | | |



2. Year End Case Status

As would be expected, it is the case that some Adjudications, accepted in 2021, which were incomplete or adjourned at the request of the parties or may have been the subject of a Consideration sought pursuant to s.161 of the Legal Services Regulation Act, 2015 would have crossed over to be dealt with in 2022. The table below sets out the value of claims on hand at year end 2022.

Figure 4: Year End Cases by Originating Case Type - In List Form

| Originating Case Type | No. of Cases | Amount (€) Claimed |
|--------------------------------|--------------|--------------------|
| Road Traffic Accidents | 211 | €17,426,878 |
| Employer & Occupiers Liability | 142 | €14,541,733 |
| Judicial Review | 79 | €23,038,383 |
| Medical Negligence | 150 | €53,319,588 |
| Other | 121 | €13,785,926 |
| Contract | 63 | €6,629,339 |
| Motions Interlocutory | 41 | €11,495,603 |
| Appeal - Court of Appeal | 55 | €6,018,493 |
| Public Liability | 40 | €2,374,680 |
| Wards of Court | 42 | €2,144,363 |
| Commercial Court | 10 | €4,084,546 |
| Professional Negligence | 12 | €1,731,236 |
| Probate Matters | 16 | €782,353 |
| Appeal - Supreme Court | 12 | €2,803,396 |
| Assault & Battery | 3 | €1,225,683 |
| Employment Law | 9 | €527,428 |
| Security for Costs | 7 | €1,555,172 |
| Injunctions | 10 | €637,813 |
| Bankruptcy | 5 | €271,597 |
| Sale of Land | 5 | €259,167 |
| Companies Act | 7 | €923,642 |
| Practitioner and Client | 4 | €343,344 |
| Planning Matters | 2 | €476,503 |
| Defamation. Libel & Slander | 12 | €3,865,956 |
| Solicitors Acts | 3 | €152,543 |
| Garda Compensation Acts | 3 | €78,710 |
| Constitutional Law | 2 | €1,123,541 |
| Tribunal of Inquiry | 5 | €5,541,361 |
| Arbitration | 2 | €275,328 |
| Immigration Law | 1 | €30,078 |
| Family Law | 5 | €401,715 |
| Article 40/Habeas Corpus | 1 | €152,006 |
| Nuisance | 1 | €145,600 |
| Judgement Mortgage | 6 | €72,552 |
| Conveyancing | 2 | €143,459 |
| Total | 1089 | €178,379,715 |

3. Settled Cases

It is part of the remit of the Office to facilitate the resolution of legal costs disputes as part of the wider philosophy of the Courts Service to encourage parties to resolve disputes themselves by formal or informal mechanisms. There is provision in the Legal Services Act, 2015 at s. 156 (2) that a Legal Costs Adjudicator, can invite parties to an Adjudication to refer their dispute to mediation or other informal resolution process. It is provided at s.156(3) that the Adjudication shall be adjourned, with or without directions, that may facilitate the resolution of the dispute.

There is evidence from the figures below stated, that the resolution of many legal costs disputes are resolved by the parties, which the Adjudicators actively encourage. The breakdown of Settled Cases is shown below: -

Figure 5: Settled cases - by Originating Case Type - In List Form

| | No. | Total Amount (€) |
|----------------------------------|-----|-------------------------|
| Settled Cases - | of | Claimed |
| Road Traffic Accidents | 145 | €11,175,401 |
| Judicial Review | 41 | €18,927,170 |
| Employer and Occupiers Liability | 84 | €8,804,149 |
| Medical Negligence | 82 | €24,645,177 |
| Other | 68 | €9,185,362 |
| Public Liability | 24 | €1,423,091 |
| Motions Interlocutory | 4 | €7,504,624 |
| Appeal - Court of Appeal | 14 | €2,964,162 |
| Contract | 13 | €3,209,145 |
| Employment Law | 2 | €291,071 |
| Assault & Battery | 2 | €1,012,621 |
| Wards of Court | 26 | €1,262,009 |
| Immigration Law | 1 | €30,078 |
| Bankruptcy | 2 | €136,394 |
| Probate Matters | 3 | €106,644 |
| Commercial Court | 2 | €248,130 |
| Planning Matters | 2 | €476,503 |
| Appeal - Supreme Court | 7 | €1,005,787 |
| Defamation, Libel and Slander | 5 | €2,732,191 |
| Professional Negligence | 2 | €370,423 |
| Arbitration | 1 | €151,295 |
| Injunctions | 6 | €446,800 |
| Article 40/Habeas Corpus | 1 | €152,006 |
| Tribunal of Inquiry | 5 | €5,541,361 |
| Constitutional Law | 2 | €1,123,541 |
| Judgement Mortgage | 1 | 64290.05 |
| Family Law | 2 | €90,692 |
| Sale of Land | 2 | €220,742 |
| Conveyancing | 1 | 61363.47 |
| Total | 550 | €103,362,222 |

4. Adjourned Cases

Cases may be adjourned where matters are under active discussion, a party was not in a position to proceed or that the matter must be adjourned for written determinations. This process continues to be managed carefully by the Legal Costs Adjudicators so as to maintain a balance between all parties to the process so as to ensure procedural fairness. This requires active case management on the part of the Adjudicators. There were 271 Cases adjourned or part heard throughout 2022. This consists of 17 cases from 2019, 33 from 2020, 40 from 2021 and 181 from 2022

5. Register of Determinations

The Legal Services Regulation Act, at s.140 provides that a Register of Determinations is to be maintained, with certain statutory exceptions, the outcome of Adjudications are to be in published by way of Reports. It is the case that every Adjudication determined is accompanied by reasons.

Written and reasoned Determination Reports, prepared in accordance with s. 157(8) and s.157(9) of the Act, are subject to publication restrictions in accordance with s.140(3). s.140(4), s.140(5) and s.140(6) of the Act, which provides that the reasons for a determination shall not be placed on the register where these sections are deemed to apply.

A total of 227 cases were recorded as determined between 1st January 2022 and 31st December 2022. Of these, approximately 170 were not published subject to the restrictions contained within s.140.

6. Determined Cases

Cases completed and determined throughout 2022 are set out in the below table:-

Figure 6: Determined Cases – by Originating Case Type – In List Form

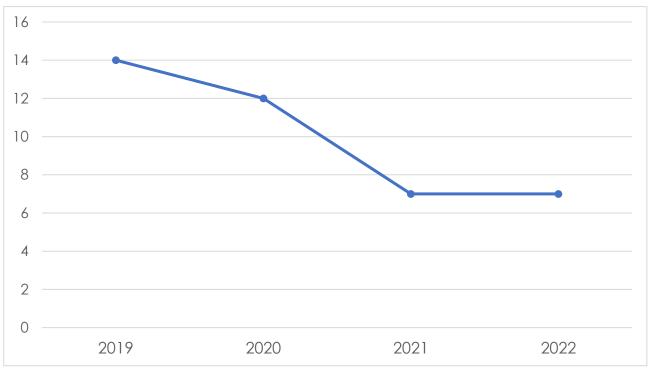
| Determinations Originating Case Types | No. of Cases. | Total Amount (€) Claimed | Total Amount (€) Deducted | Total Amount (€) Allowed |
|---|------------------|--------------------------------|---------------------------------|--------------------------------|
| Road Traffic Accidents | 20 | 2,460,200 | 662,748 | 1,636,911 |
| Other | 30 | 2,494,137 | 824,650 | 1,655,679 |
| Employer and Occupiers Liability | 14 | 1,144,389 | 359,245 | 785,144 |
| Medical Negligence | 14 | 2,842,316 | 272,412 | 363,998 |
| Contract | 42 | 2,431,492 | 1,211,728 | 1,219,896 |
| Appeal - Court of Appeal | 23 | 1,311,396 | 418,035 | 897,746 |
| Judicial Review | 7 | 898,277 | 342,514 | 557,636 |
| Probate Matters | 6 | 312,100 | 82,391 | 227,861 |
| Security for Costs | 2 | 1,043,225 | 646,747 | 396,477 |
| Commercial Court | 4 | 203,680 | 53,409 | 150,271 |
| Motions Interlocutory | 20 | 818,218 | 364,098 | 454,119 |
| Public Liability | 8 | 324,972 | 96,482 | 228,490 |
| Appeal - Supreme Court | 4 | 714,630 | 346,179 | 368,450 |
| Companies Act | 2 | 65,513 | 7,984 | 57,529 |
| Planning Matters | 1 | 254,960 | 53,589 | 201,371 |
| Injunctions | 2 | 120,643 | 14,551 | 106,092 |
| Defamation, Libel and Slander | 1 | 23,329 | 4,077 | 19,251 |
| Professional Negligence | 2 | 290,936 | 68,599 | 222,337 |
| Arbitration | 2 | 460,247 | 169,602 | 290,645 |
| Employment Law | 2 | 106,972 | 33,577 | 73,395 |
| Solicitors Acts | 1 | 25,946 | 5,784 | 20,162 |
| Wards of Court | 7 | 370,949 | 118,657 | 252,293 |
| Practitioner and Client | 3 | 487,578 | 290,183 | 197,395 |
| Sale of Land | 1 | 12,914 | 8,057 | 4,857 |
| Judgement Mortgage | 6 | 20,838 | 4,048 | 16,790 |
| Residential Institutions Redress Board | 1 | 28,117 | 217 | 27,900 |
| Bankruptcy | 2 | 96,241 | 26,781 | 69,461 |
| Total | 227 | €19,364,213 | €6,486,344 | €10,502,155 |

7. Time from Application to Hearing

The average time from an application being lodged to the first hearing date was 7 weeks in 2022. This represents an improvement from 14 weeks in 2019 and 12 weeks in 2020. The average time was also 7 weeks in 2021.

Whilst the office will continue to strive for improved performance, the minimum time period from the application being made to the matter being ready for hearing would be approximately 4-6 weeks. This would provide sufficient time for the application to be served on the other side, for the necessary instructions to be given, file inspections to take place if necessary and negotiations to occur. Therefore, it is unlikely that this figure can be much improved upon in future years.

Figure 7: Average Time from Application to Hearing (weeks)



8. Request for Consideration

Any party who is dissatisfied with a Determination made by a Legal Costs Adjudicator can apply pursuant to s.160 of the Act for a Consideration.

As matters stood by 31st December 2022, 28 Consideration matters were processed in 2022, comprising of 11 matters from 2019, 9 matters from 2020, 4 matters from 2021 and 4 matters from 2022.

A decision by a Legal Costs Adjudicator on a Consideration, is subject to Review by the High Court in accordance with s.161 of the Act.

Figure 8: Request for Consideration-In List Form

| Consideration Originating Case - | No. of Cases | Total Amount Claimed € |
|--|-----------------|---------------------------|
| Solicitors Acts | 4 | €193,494 |
| Road Traffic Accidents | 4 | €1,531,192 |
| Public Liability | 1 | €29,421 |
| Professional Negligence | 1 | €70,234 |
| Appeal - Court of Appeal | 3 | €101,560 |
| Appeal - Supreme Court | 2 | €736,706 |
| Security for Costs | 1 | €568,294 |
| Commercial Court | 1 | €853,680 |
| Defamation, Libel and Slander | 3 | €1,872,342 |
| Motions Interlocutory | 3 | €53,131 |
| Other - Specify | 3 | €75,123 |
| Residential Institutions Redress Board | 1 | €28,117 |
| Medical Negligence | 1 | €227,984 |
| Total | 28 | €6,341,277 |

CHAPTER 5 - County Registrars Summary Report

It is a requirement of s. 141(5) that each County Registrar is to report to the Chief Legal Costs Adjudicator, as follows

(5) Each County Registrar shall report annually to the Chief Legal Costs Adjudicator providing a summary of the information contained in the register of taxation determinations maintained by him or her.

The information received by the Chief Legal Costs Adjudicator, from the County Registrars for the relevant period is shown below:

Figure 9: Table of 2022 Year End - Case Status reported by County Registrars

| Taxation Applications Year End Status | No. of Cases | |
|--|-----------------|---|
| Struck Out | 33 | 3 |
| Adjourned | 6 | 1 |
| Settled | 13: | 5 |
| Certified | 172 | 2 |
| Other | 20 | 0 |
| Total | 42 | 1 |

Figure 10: Taxation Applications Year End Status in List Form – by Circuit

| Taxation Applications Year End Status by Circuit | No. Struck Out | No. Adjourned | No. Settled | No. Certified |
|--|----------------------|------------------|----------------|------------------|
| Dublin Circuit | 8 | 28 | 77 | 69 |
| Cork Circuit | 22 | 11 | 30 | 41 |
| South Eastern Circuit | 0 | 9 | 5 | 14 |
| Western Circuit | 3 | 2 | 3 | 9 |
| Midland Circuit | 0 | 0 | 0 | 1 |
| Northern Circuit | 2 | 4 | 4 | 13 |
| Eastern Circuit | 1 | 2 | 0 | 6 |
| South Western Circuit | 0 | 0 | 0 | 24 |
| | | | | |
| Total | 36 | 56 | 119 | 177 |

Taxation Applications Year End Status by Circuit 2022 80 70 60 50 40 30 20 10 0 Struck Out Settled Adjourned No. Certified ■ Dublin Circuit Cork Circuit ■ South Eastern Circuit ■ Western Circuit ■ Midland Circuit ■ Northern Circuit ■ Eastern Circuit ■ South Western Circuit ■ Total

Figure 11: Graph of Taxation Applications 2021 Year End Status by Circuit





2022 AT A GLANCE



APPLICATIONS PROCESSED

- > 227 DETERMINED
- > 186 PART HEARD
- > 28 UNDER CONSIDERATION
- > 550 SETTLED
- > 991 TOTAL PROCSSED CASES IN 2022



DEVELOPMENT WORK - ICT

• DESKTOP MIGRATION Improved IT and communications technology



CUSTOMER

SERVICE

- IRISH LANGUAGE -Development in Progress
- CUSTOMER Charter in place
- OFFICE OF THE LEGAL COSTS ADJUDICATORS STRATEGIC PLAN 2023-2026



ADJUDICATION SITTINGS

90 REMOTE CALLOVERS182 REMOTE / PHYSICAL HEARINGS



FROM 1st JANUARY TO 31st DECEMBER

943

APPLICATIONS FILED

OF THESE

918 were electronically filed



Oifig na mBreithneoirí Costas Dlíthúil,

An Árd Chúirt,

1ύ Urlár, Teach na gCeannaithe,

27/30 Cé na gCeannaithe,

Baile Átha Cliath 8,

D08 K3KD

Office of the Legal Costs Adjudicators,

The High Court,

1st Floor, Merchants House,

27/30 Merchants Quay,

Dublin 8,

D08 K3KD

Teileafón/Telephone: 01 888 6301, Facsuimhir/FAX: 01 672 8670, DX 1001 Four Courts,