

The Courts Service

The effective operation of the courts system is a critical element of the well-being of any society. Courts, by virtue of their role, have a significant impact on lives and welfare. Their effectiveness is therefore of considerable importance. Effectiveness is not influenced solely by the manner in which cases are dealt with by judges in the courtroom environment, but also by the administrative and institutional framework which exists to support and facilitate the operation of the courts. In Ireland, this framework is provided by the Courts Service, which was established on 9 November, 1999 following on from the enactment of the Courts Service Act, 1998.

Mission Statement

*To manage the courts,
support the judiciary and provide
a high-quality and
professional service to all
the courts*

Foreword *by the* Chief Justice

I am very pleased to write this foreword for this, the first Annual Report of the Courts Service. Even though I am always aware of the amount of work and effort which goes into the operation of our courts it is at times such as the publication of Reports that I am reminded of the magnitude of the tasks undertaken by both my judicial colleagues and the staff of the Courts Service.

This first Annual Report provides an overview of the modernisation programme which the Courts Service Board and staff have undertaken in our first year of existence. In addition to the considerable amount of preparatory work involved in the establishment of the Service, it is clear from reading the Report that impressive progress has been made in developing the modernisation programme envisaged by the several Reports of the Working Group on a Courts Commission. Much of the agenda of work for the new Service was set out in those Reports and I am pleased that much progress has been made on virtually all of the issues identified by the Working Group. One of the deficits identified by the Working Group was the absence of Annual Reports and statistical information about the work of the courts. I am very pleased that this is now being addressed and that a Publications and Statistics Unit has been established in our new Information Office.

The information contained in this Report, in addition to providing information to the public about the work of the courts, also provides much information and statistics which will be of considerable assistance to the Board of the Service in fulfilling its policy role for the future development of the Service and to those who work in the Service. It will also be of considerable interest and benefit to judges, staff and practitioners.

At a time when there is often criticism of delays in implementing change one can only be impressed by the speed with which the new Courts Service was converted from a proposal to reality. The establishment of an independent agency to manage the courts was recommended in the first Report of the Working Group on a Courts Commission which was published in April, 1996. The legislation, the Courts Service Act, 1998, was passed by the Oireachtas in April, 1998. A Courts Service Transitional (Planning) Board was established in May, 1998. The functions of the Transitional Board were to make the necessary preparations for the formal establishment of the new Service and to appoint a Chief Executive Officer Designate. The Chief Executive Officer was appointed in January, 1999 and a work programme was prepared with a view to having the new Service operational by November, 1999. All of the necessary preparatory work was completed on target and within the time scale planned and the Service was established in November, 1999, just over three years following the publication of the first Report of the Working Group.

The Working Group on a Courts Commission expressed the view that it would be appropriate for judges to work with staff of the Service in certain administrative areas. Already a significant number of judges are working with the management of the Courts Service in a number of important areas including the development of the information technology and courts building programme as well as in the preparation of information booklets and leaflets.

I would like to take this opportunity of thanking the Transitional Board for the tremendous amount of preparatory work carried out by them and for ensuring that the momentum generated by the Working Group Reports was not allowed to lose its impetus. I would like in particular to thank the Chairman of the Transitional Board, my predecessor, the late Mr Justice Liam Hamilton.

I am particularly conscious of the decades of work which predated the new structures and since our establishment we have endeavoured not to replace the past but to build on the strengths of the past and deal with the weaknesses and deficits.

I would like to thank all of my judicial colleagues, the Chief Executive Officer and staff of the Courts Service, practitioners and other major court users for their positive response to and support for the new Service. The support of all has been a source of great encouragement to the Board and I know to the staff of the Service.

I would also like to thank the Minister for Justice, Equality and Law Reform, the Secretary General of the Department of Justice, Equality and Law Reform and his staff for their very considerable assistance to us since our establishment. Without their support, the progress made to date would simply not have been possible.

Finally I would commend this Report to all as an insight into how real effort can bring about real change and as an insight into the volume, type, complexity and range of work being carried out in all of our courts and court offices around the country.



Ronan Keane,
*Chief Justice of Ireland and Chairman
of the Courts Service Board*

Introduction *by the Chief Executive Officer*

I am very pleased to introduce the Courts Service's first Annual Report. The establishment of the Courts Service in November 1999 was an historical event representing the most radical reorganisation of court services in the state since its foundation. The absence of Annual Reports about activity in our courts and court offices was highlighted in the First Report of the Working Group on a Courts Commission.

This Report deals with the period 9th November 1999 - 31st December 2000, a time of remarkable change in the Courts Service. It has also been a very busy and exciting time. The transfer of responsibility for the day-to-day administration of our courts to the new independent Courts Service agency was achieved smoothly and without any disruption to services. That this was possible is due, in no small measure, to the support of everybody associated with our courts: the judiciary, the staff in all of our court offices, the practitioners who represent the public in our courts, the Secretaries General of the Department of Justice, Equality and Law Reform and Department of Finance and their staff.

The manner in which our staff responded to what were very fundamental changes and the manner in which they embraced the new arrangements augurs well for the future of the Service. I am very grateful to our staff and to their trade union representatives for their assistance and co-operation in resolving the many difficult and complex issues that required to be resolved prior to our establishment. These included the creation of unified staff structures, the introduction of uniform arrangements for promotion and the introduction of our new administrative structures.

I was particularly keen that these potentially difficult and divisive issues be resolved prior to Establishment Day. This was a view shared by the staff and their trade union representatives.

The Service exists to support judges and staff in our court offices who carry out the very important day to day work of administering justice in our country. We must never lose sight of the reasons for the existence of the Service.

During our first year we have prepared, following a lengthy consultation process involving judges, staff, practitioners and other court users our first three year Strategic Plan which sets out the high level goals and objectives for the next three years. This Plan will be reviewed and revised on a continuous basis. We also produced a Five Year Information Technology Strategic Plan and an Interim Five Year Building Plan. Considerable progress has already been made in modernising our services.

The Service exists to support judges and staff in our court offices who carry out the very important day to day work of administering justice in our country.

This, our first Annual Report, includes a section summarising the progress made to date on implementing our programme of reform and modernisation. We will continue to report on our progress in future Annual Reports.

This report also includes a very comprehensive section detailing the volume of activity in our various court offices much of which was unreported in the past. In future years we hope that our statistical information will further improve and that more meaningful statistics will be available. The introduction of information technology systems throughout our offices will greatly assist in this regard. The activity section of the Report does illustrate, however, the enormous volume of work, activity and cases processed by the various offices and the volume of cases heard by judges in all our court jurisdictions.

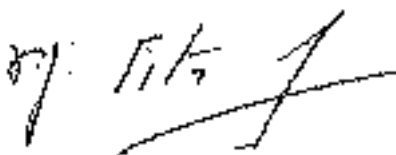
One of the key functions of the new service is to provide information to the public. We are doing this in a number of ways and this Annual Report is but one of the initiatives we have put in place. We hope, through our Annual Report, to disseminate information in a format that is easily read and understood by all.

I would like to thank the former Chief Justice/Chairman of the Transitional Board the late Mr. Justice Liam Hamilton, all the members of the Transitional Board, the Chief Justice/Chairman and members of the Board for the assistance, guidance, and advices so generously given to me and to my staff at all times.

I would also like to thank the Secretary General of the Department of Justice, Equality and Law Reform and his staff, particularly the staff in the Courts Policy Division and the Secretary General, Department of Finance and his staff for their assistance and support and particularly for the additional funding and resources provided to enable the Service commence the implementation of its programme of work.

I would also like to thank the local authorities and the Office of Public Works for their assistance in the transfer of court buildings to the Service. Finally I would like to thank all of those associated with the compilation of this Report. In particular I would like to thank Ms. Helen Priestley, Head of our Information Office and her staff and the many staff in our various court offices (too numerous to name) who went to great lengths and made great efforts to ensure that as much statistical and other information as possible was available for inclusion in our first Report. The task was not an easy one given that most of our systems are still maintained manually.

I very much look forward to the next twelve months as we continue our modernisation programme and consolidate the progress already made.



P.J. Fitzpatrick,
Chief Executive Officer

Chapter 1

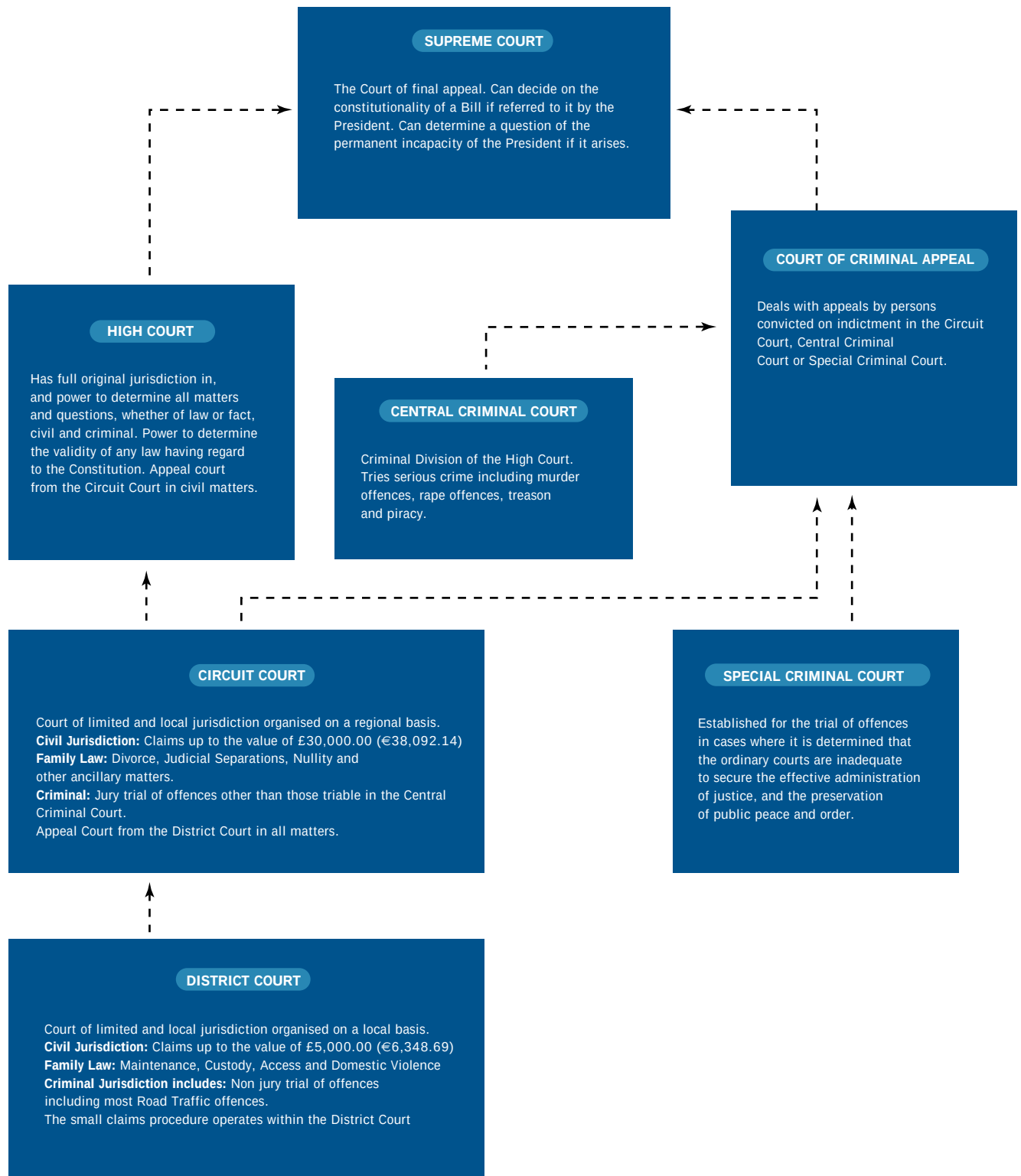
The Structure *of* the Courts in Ireland

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 new courts were established in 1924. The present courts were set up by the Courts (Establishment and Constitution) Act, 1961 pursuant to Article 34 of the Constitution adopted by the people in 1937.

The Constitution of Ireland 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 court 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.

Structure of the Courts



— ➔ Denotes Appeal Structure

(This diagram is simplified for the purpose of this representation)

Chapter 2 - The Courts Service

Background

The Courts Service was established as an independent agency on the 9th November 1999 following the enactment of the Courts Service Act, 1998.

The formation of the Courts Service was recommended in the first of six Reports of the Working Group on a Courts Commission.

The Working Group on a Courts Commission's first Report, titled "Management and Financing of the Courts" published in April 1996 identified a number of shortcomings in the then existing arrangements, including:

- the Irish courts system had remained largely unaltered since its establishment in 1924,
- there has been an enormous increase in civil and criminal litigation since then,
- there was seen to be an unacceptable delay in the determination of cases,
- there were instances of overworked and poorly organised staff,
- there was a lack of adequate back-up and support services to judges, and
- there was an absence of adequate systems for communicating information and of modern computer and information systems to support the increasing workload of the courts

The Working Group identified several factors as contributing to the problems within the courts structure. These included:

- lack of clear management structures with accountability and responsibility,
- lack of clear reporting structures,
- lack of adequate performance measurements,
- an absence of adequate planning, with the emphasis on day-to-day planning and procedures,
- fragmentation of the administrative systems within and between each of the courts,
- minimum training and development of staff,
- lack of professional management support to any of the above requirements,
- an absence of strategic planning,
- no annual reports,
- inadequate information service to the public, and
- limited statistical information in a meaningful format.

The Working Group studied the administrative infrastructure of the courts in other jurisdictions before recommending that there should be established by statute an independent and permanent body to manage a unified court system. The body should be an agency of the State and should be known as the Courts Service.

The Courts Service Act, 1998

The Courts Service as proposed by the Group was enacted into law by the Courts Service Act, 1998.

In preparation for the establishment of the new Courts Service, a Transitional Board was appointed in May 1998. The functions of the Transitional Board were to appoint a Chief Executive Officer (Designate) and make the necessary preparations for the formal establishment of the Courts Service. The Transitional Board appointed a Chief Executive Officer Designate who took up office in January 1999. All necessary preparations including negotiations with the trade unions on unified staff structures and management/administrative arrangements in the new Service were completed by the end of October 1999.

On 9th November 1999 the Minister for Justice, Equality & Law Reform signed the order establishing the Service and responsibility for the management and development of the courts in Ireland transferred from the Department of Justice, Equality and Law Reform to the new Service.

The Irish Courts Service represents progress towards a modern structure. It is a system which has some similarities to systems in other countries and yet at its core it is a wholly Irish organisation. It is a system designed to enable efficient management so that justice may be delivered with greater speed and efficiency. It is a unique structure, fully in keeping with the requirements of the Irish Constitution and designed to meet the needs of the Irish people.

Functions of the Service

The legislation establishing the Service sets out the main functions of the new Service.

They are:

- to manage the courts,
- to provide support services for the judges,
- to provide information on the courts system to the public,
- to provide, manage and maintain court buildings, and
- to provide facilities for users of the courts.

The legislation gives the Service authority to fulfil these functions including the authority to:

- acquire, hold and dispose of land or property or an interest in land or property,
- enter into contracts and arrangements,
- arrange staff training and education,
- establish arrangements for consultation with users of the courts,
- advise the Minister for Justice, Equality and Law Reform on appropriate scales of court fees and charges and make proposals in relation to court jurisdictions and distribution of court business, and
- designate court venues.

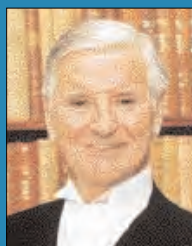
The Board of the Courts Service, 2000



The Hon. Mr. Ronan Keane,
Chief Justice, Chairman



The Hon. Mrs. Justice
Susan Denham,
Supreme Court



The Hon. Mr. Justice
Frederick Morris,
President of the High Court



The Hon. Mr. Justice
Peter Kelly,
High Court



The Hon. Mr. Justice
Esmond Smyth,
President of the Circuit Court



His Honour
Judge Sean O'Leary,
Circuit Court



His Honour
Judge Peter Smithwick,
President of the District Court



Judge William Early,
District Court



The Hon. Mrs. Justice,
Catherine Mc Guinness,
Supreme Court



Mr. P.J. Fitzpatrick,
Chief Executive Officer



Mr. Liam Mc Kechnie,
*Nominated by the Bar Council
to October 2000



Mr. Patrick O'Connor,
Nominated by the Law Society



Ms. Elisha D'Arcy,
The Courts Service



Mr. Michael Mellett
*Department of Justice,
Equality & Law Reform*



Ms. Olive Braiden
*Nominated by the Minister
for Justice, Equality
& Law Reform*



Ms. Noirín Greene,
*† to December 2000
Nominated by the Irish Congress
of Trade Unions*



Mrs. Elizabeth O'Neill
*Nominated by the Minister for
Justice, Equality & Law Reform*



Mr. Rory Brady, S.C.
**Appointed October 2000
Replaced Mr. Liam Mc Kechnie*



Ms. Paula Carey
*†Appointed December 2000
Replaced Ms. Noirín Greene*

The Board

The Board of the Service consists of:

- the Chief Justice or a judge of the Supreme Court nominated by the Chief Justice,
- the President of the High Court or a judge of the High Court nominated by the President of that court,
- a judge of the High Court elected by the judges of that court,
- the President of the Circuit Court or a judge of the Circuit Court nominated by the President of that court,
- a judge of the Circuit Court elected by the judges of that court,
- the President of the District Court or a judge of the District Court nominated by the President of that court,
- a judge of the District Court elected by the judges of that court,
- a judge nominated by the Chief Justice for the time being in respect of his or her experience or expertise in a specific area of court business,
- the Chief Executive Officer,
- a practising barrister nominated by the Chairman of the Council of the Bar of Ireland,
- a practising solicitor nominated by the President of the Law Society of Ireland,
- a member of the staff of the Service elected by the staff,
- an officer of the Minister for Justice, Equality and Law Reform nominated by the Minister,
- a person nominated by the Minister to represent consumers of the services provided by the courts,
- a person nominated by the Irish Congress of Trade Unions, and
- a person who, in the Minister's opinion, has relevant knowledge and experience in commerce, finance or administration and who is nominated by the Minister after consultation with such bodies as the Minister considers are representative of such interests in the State.

The Chairperson of the Board is the Chief Justice or another judge of the Supreme Court nominated by him/her.

Functions of the Board

The functions of the Board are:

- to consider and determine policy in relation to the Courts Service, and
- to oversee the implementation of that policy by the Chief Executive.

Committees of the Courts Service Board

The Courts Service Board has established three committees which meet on a regular basis. They are:

Finance & Audit Committee

The functions of this Committee are;

- to consider regular financial reports from the Chief Executive Officer on the performance by the Service of its financial plans and programmes, and
- to consider regular reports from the Chief Executive Officer on the implementation of internal and external audit programmes.

Family Law Court Development Committee

The functions of this Committee are to prepare short, medium and long term proposals for the development of family law services and in particular to pursue the recommendations contained in the Working Group on a Courts Commission including the recommendations in relation to:

- regional family law courts,
- the publication of *in camera* family law judgments,
- court accommodation and facilities for the hearing of family law cases, and
- case management of family law cases.

The members of the Finance & Audit Committee are:

The Hon. Mr. Ronan Keane,
Chief Justice (Chairperson)
The Hon. Mr. Justice Frederick Morris, President of the High Court
His Honour Judge Sean O'Leary
His Honour Judge Peter Smithwick, President of the District Court
Ms. Elizabeth O'Neill
Mr. Michael Mellett
Mr. P.J. Fitzpatrick

The members of the Family Law Court Development Committee are :

The Hon. Mrs. Justice Susan Denham (Chairperson)
The Hon. Mrs. Justice Catherine McGuinness
The Hon. Mr. Justice Peter Kelly
The Hon. Mr. Justice Esmond Smyth, President of the Circuit Court
Judge William Early
Mr. Rory Brady S.C.
Ms. Olive Braiden
Mr. P.J. Fitzpatrick

The members of the District Court Committee are:

His Honour Judge Peter Smithwick, President of the District Court (Chairperson)
Judge William Early
Mr. Patrick O'Connor
Ms. Paula Carey
Ms. Elisha D'Arcy
Mr. P.J. Fitzpatrick

District Court Committee

The functions of this committee are to assist the Chief Executive Officer

- to review and revise existing District Court areas and districts, and
- in the designation of District Court venues and other matters relating to the operation and development of the District Court

The outcome of the deliberations of the District Court committee will be reflected in the seven year building programme

Chief Executive

The Chief Executive is responsible for the implementation of the policies approved by the Board, the day to day management of the staff, administration and business of the Service and is also the Accounting Officer for the Service.

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 appears before this and other Dáil Committees as required.

Funding and Staffing the Service

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

The Courts Service Act, 1998 provides that the staff of the Service shall be civil servants of the State. On establishment day all staff serving in the Superior, Circuit and District Courts were transferred to and became staff of the Service. In addition a number of staff of the Department of Justice, Equality and Law Reform were seconded to the Service. Some of those staff have since been designated permanent staff of the Service by order of the Minister.

The Courts Service Act, 1998 provides that the Board may appoint such number of persons to be members of the staff of the Service as may be approved by the Minister for Justice, Equality and Law Reform with the consent of the Minister for Finance. The Service at present employs just over one thousand staff nationwide.

Organisational/Management Structure

The senior management structure is comprised of the Chief Executive, a Director of Operations for the Supreme and High Courts, a Director of Operations for the Circuit and District Courts, and four Support Directors - Human Resources, Finance, Estates & Buildings and Corporate Services.

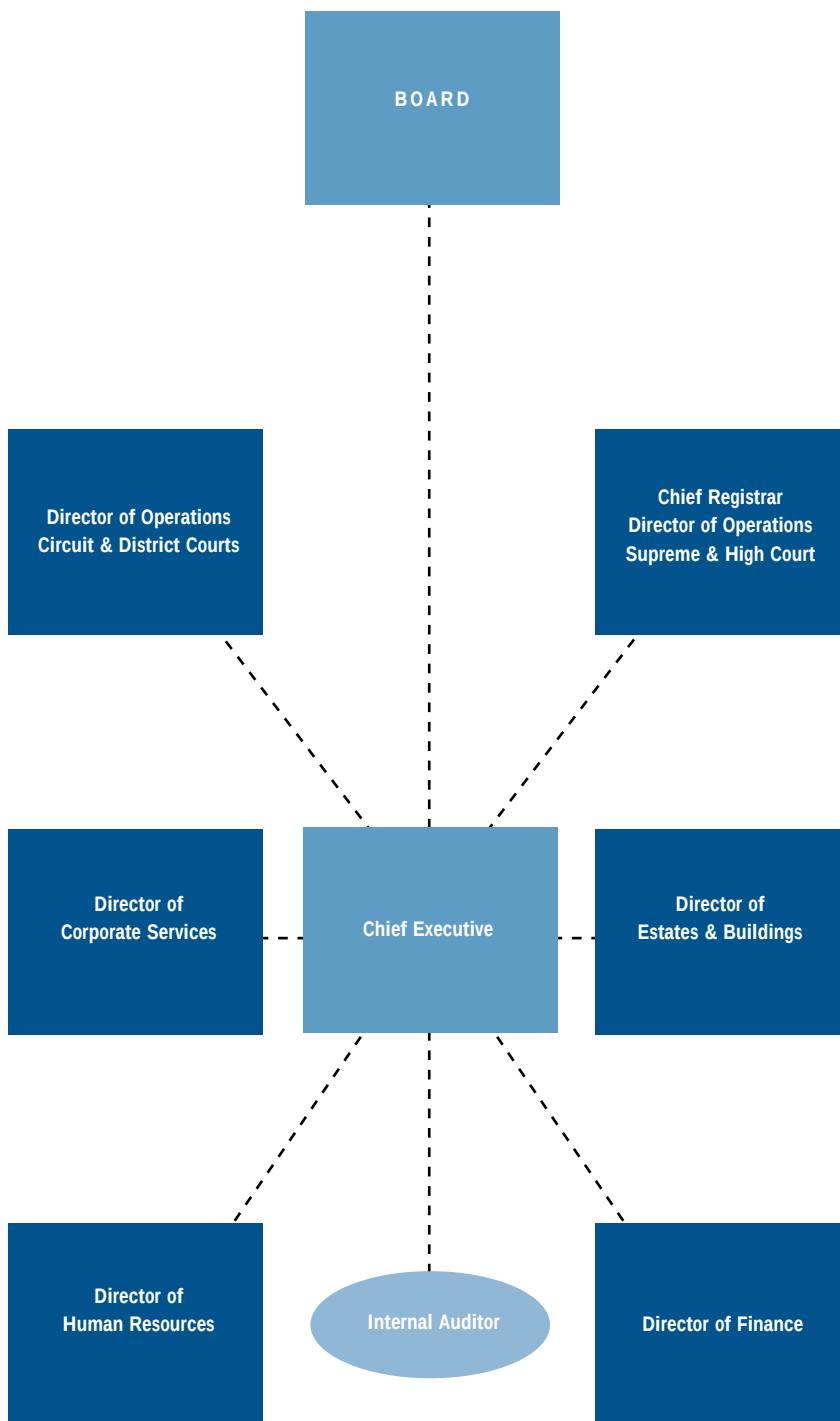
The structure has clear lines of accountability and has been designed so as to provide an enhanced level of support for all the operational units involved in discharging the core activity - the administration of the courts. There is a strong emphasis placed on supporting the operational offices and units.

The Minister for Justice, Equality and Law Reform

Under the Courts Service Act 1998, the Minister for Justice, Equality and Law Reform continues to be politically accountable to the Oireachtas in respect of the Service and has a formal role in certain areas. The Courts Service is required to report to the Minister on its activities on a yearly basis and the Minister will lay a copy of the Annual Report before each of the Houses of the Oireachtas.

Arrangements have been put in place to provide the Minister for Justice, Equality and Law Reform with all necessary information to enable the Minister discharge his/her ministerial accountability and responsibility in relation to the Service.

Courts Service Organisation Chart



Director of Operations and Chief Registrar for the Supreme and High Courts

Responsibilities include:

- Planning for existing and future service requirements of all areas within the Directorate
- All of the Supreme and High Court offices and support services for the judges of those courts
- The business of the various offices of the Supreme and High Court including the Central Office, Examiner's Office, Office of the Official Assignee in Bankruptcy, Probate Office, Office of Wards of Court, Taxing Masters' Office and Office of the General Solicitor for Minors and Wards of Court
- General management of the Four Courts complex

Director of Operations for the Circuit and District Courts:

Responsibilities include:

- Planning for existing and future service requirements of all areas within the Directorate
- All of the 43 District Court offices and the 26 Circuit Court offices throughout the country
- Support services to the Circuit and District Court judges
- Accommodation requirements for all sittings of the Circuit and District Courts
- Constant reviewing of Areas and Districts
- Acting as a support and referral service to court offices on procedural matters

Director of Corporate Services*Responsibilities include:*

- Information Office including Media Relations Service, Statistics Unit and Publications Unit
- Information Technology encompassing the provision of new information systems and a modern nation-wide communications infrastructure to support the management and administration of the Service
- Internal Audit
- Judicial Support Services Unit
- Freedom of Information
- Secretariat functions involving support to the Board and to the Chief Executive
- Liaison with the Department of Justice, Equality and Law Reform

Director of Estates and Buildings*Responsibilities include:*

- Capital projects involving planning, developing and carrying out capital and refurbishment works as well as arranging the lease or rental of accommodation
- Preparation and costing of capital building programme
- Transfer of courthouses, currently in the ownership of local authorities and the Office of Public Works, to the Service
- 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 buildings and offices
- Ensuring that all premises are adequately equipped to meet the communications needs of the Service, e.g. phone, data and, where appropriate, video-link facilities

Director of Finance*Responsibilities include:*

- Financial accounting and control, including the production of annual financial statements, in respect of all financial activities of the Service
- Developing and implementing financial controls and procedures that comply with best accounting practice
- Financial management and planning, including the provision and interpretation of financial management information
- Investment management of funds of the Service
- Overseeing the implementation of the Euro in all court offices

Director of Human Resources*Responsibilities include:*

- Change management issues including business planning, performance management, internal communication and customer service
- Organisational strategy and development
- Partnership arrangements
- Training and development of staff
- Recruitment, promotion, competitions, pay and pensions, personnel administration, discipline, grievance, and other personnel functions
- Industrial relations and the Conciliation and Arbitration scheme
- Developing and implementing policies in areas such as equality, bullying and sexual harassment
- Employee Assistance Service
- Judicial training in information technology

Location of Circuit and District Court Offices



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- | | |
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| 1 Letterkenny District & Circuit Court Offices | 26 Carlow District & Circuit Court Offices |
| 2 Donegal District Court Office | 27 Waterford District & Circuit Court Offices |
| 3 Sligo District & Circuit Court Offices | 28 Kilkenny District & Circuit Court Offices |
| 4 Ballina District Court Office | 29 Wexford District & Circuit Court Offices |
| 5 Castlebar District & Circuit Court Offices | 30 Wicklow Circuit Court Office |
| 6 Derrynea District Court Office | 31 Bray District Court Office |
| 7 Tuam District Court Office | 32 Naas District & Circuit Court Offices |
| 8 Galway District & Circuit Court Offices | 33 Dun Laoghaire District Court Office |
| 9 Loughrea District Court Office | 34 Dublin District & Circuit Court Offices |
| 10 Ballinasloe District Court Office | 35 Swords District Court Office |
| 11 Athlone District Court Office | 36 Trim District & Circuit Court Offices |
| 12 Nenagh District Court Office | 37 Tullamore District & Circuit Court Offices |
| 13 Ennis District & Circuit Court Offices | 38 Mullingar District & Circuit Court Offices |
| 14 Limerick District & Circuit Court Offices | 39 Longford District & Circuit Court Offices |
| 15 Listowel District Court Office | 40 Roscommon District & Circuit Court Offices |
| 16 Killarney District Court Office | 41 Carrick-on-Shannon District & Circuit Court Offices |
| 17 Tralee District & Circuit Court Offices | 42 Cavan District & Circuit Court Offices |
| 18 Clonakilty District Court Office | 43 Monaghan District & Circuit Court Offices |
| 19 Mallow District Court Office | 44 Dundalk Circuit Court Office |
| 20 Fermoy District Court Office | 45 Drogheda District Court Office |
| 21 Cork District & Circuit Court Offices | |
| 22 Youghal District Court Office | |
| 23 Clonmel District & Circuit Court Offices | |
| 24 Thurles District Court Office | |
| 25 Portlaoise District & Circuit Court Offices | |

Chapter 3 - The Environment

Introduction

The Service operates in a dynamic environment which has changed enormously during the last century. It is currently undergoing shifts which are unprecedented in their pace. The Service provides administrative and support structures for the courts and the judiciary which, to a large extent, are affected and often determined in their scope by external factors. The changes and trends that are taking place or are likely to take place cover a wide spectrum between constitutional and legislative, political and policy making process, economic, social and technological factors. An analysis of these factors serves to provide a backdrop to any report of the Service's activities and emphasises the importance of anticipating and responding effectively to the level of constant change in the environment.

CONSTITUTIONAL AND LEGISLATIVE BASIS

Rationale for the Courts Service Act, 1998

The establishment of the Courts Service on a statutory basis was the most important reform in the administration of the courts undertaken since the setting up of the courts in the 1920's. The Working Group on a Courts Commission noted that in the 1920s there was no careful analysis made of the type of administrative infrastructure necessary for the courts in the State. Rather, while the structure headed by the Lord Chancellor was dispensed with and the administration of the courts was given, *inter alia*, to the Department of Justice and certain powers to some judges, the system continued to reflect its historical roots.

However, the major difference was that while the Lord Chancellor of England and Wales is a judge with a legislative, executive and judicial role in government and thus judicial input exists at the highest level, the Minister for Justice is a member of the executive and legislature only, and, under the Irish Constitution the judiciary are separate from the legislature and executive. The Constitution establishes a distribution of power between the legislative, the executive and the judicial arms of government. Whilst not absolute, the separation of powers is a fundamental constitutional concept. The principle is that there should be independence for each organ of Government with a system of checks and balances.

The Working Group on a Courts

Commission considered certain structures as options to manage the courts system.

Four basic alternatives were considered:

- (a) a multifunctional Department of Justice
- (b) a separate Department for the courts
- (c) a Commission run by the judiciary with an administrative structure thereto and
- (d) an independent statutory agency of the State with a Chief Executive Officer.

With the enactment of the Courts Service Act, 1998 the preferred option of the Working Group, the establishment of an independent agency, was effected and the management of the courts transferred to that agency on a permanent basis.

The Service and the Judiciary

The 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. The judges are employed directly by the State and not by the Service. They remain entirely independent in carrying out their work. The legislation establishing the Courts Service specifically protects the independence of the judiciary. The Working Group on a Courts Commission did however express the view that it would be appropriate for judges to work with staff of the Service in certain administrative areas. Already a significant number of judges are working with the management of the Courts Service in a number of important areas including the development of the information technology and courts building programme as well as in the preparation of information booklets and leaflets.

Other Legislative Developments

Other developments have alleviated some of the problems that existed in the courts system when examined by the Working Group. The Courts and Court Officers Act, 1995 allowed for the appointment of additional judges and staff.

The Service in common with other state agencies is subject to the provisions of the Freedom of Information Act, 1997. Details of the number and nature of requests received are contained in Appendix 1.

New legislative initiatives impact on the range and type of criminal proceedings and civil actions which come before the courts. Legislation of the European Union and procedural changes, such as alterations in jurisdiction or the manner in which remedies may be sought, impact on the workload of the Service.

POLITICAL AND POLICY MAKING PROCESS

The Strategic Management Initiative (SMI), a programme of renewal and modernisation for the Public Service, was launched by Government in 1996 and is based on 4 pillars : Legislative Reform, Human Resource Management, Quality Customer Service and Financial Reform. The reform initiatives implemented to date under each of these pillars has changed the way the Service performs its activities.

There is an increased emphasis on accountability in the public service through legislation such as the Public Service Management Act , 1997 and the Freedom of Information Act, 1997. Other recent initiatives and developments include the Government's Quality Customer Service Initiative which requires a renewed focus on the service offered by public service organisations. Partnership 2000 and the Programme for Prosperity and Fairness contain implications for increased involvement, consultation, partnership and flexibility at all levels within the organisation. The Human Resource pillar has introduced a more structured approach to training and development and places a greater emphasis on managing performance.

THE SOCIAL CONTEXT

Public expectations of the Service are increasing and the workload of the courts is escalating both in volume and complexity. A more mobile and educated population has greater expectations in relation to the service offered or provided to users; considerable demographic changes (see Appendix 2) are now a feature of our population and factors such as age profile, urbanisation, ethnic make up, changing trends in social relationships and family models, an increasing number of support and interest groups and an increasing awareness of rights and greater recourse to litigation affect how services must be delivered.

The Service operates in an environment that is influenced by and compared with other jurisdictions and one where the media is more observant and critical than in former years. The Service is increasingly influenced by developments outside our jurisdiction such as the increasing impact of European Union initiatives, including the introduction of the Euro and the European Convention on Human Rights.

THE ECONOMIC CONTEXT

High levels of economic growth have created a favourable climate for the increased capital investment required by the Service to address the problems identified by the various reports of the Working Group on a Courts Commission. In particular the Service has obtained substantial levels of additional funding to enable it to implement a major courts building and refurbishment programme as well as for investment in information technology.

Strong economic growth has led to a strong demand for labour, which has caused difficulties in recruiting and retaining staff throughout the public service, and impacts on the Service's ability to deliver services. While the Service has been fortunate in its efforts to recruit staff the affect of these difficulties will continue to be a major factor in the foreseeable future and will require imaginative, innovative and flexible responses.

TECHNOLOGY

The rapid pace of technological change has major implications for the courts, most recently reflected in the Government's eCommerce initiatives and legislation. The advent of the information society is increasingly changing the environment in which the courts operate.

The Service has made very significant strides since its establishment in moving from a very low technological base. Starting from a low base has given it the advantage of being able to avail of leading edge solutions without the problems of trying to integrate old and outdated systems.

A major Information Technology Programme has been commenced which includes the rollout of a modern network and communications infrastructure to all offices as well as new operational IT systems such as the Criminal Case Tracking System. A 5 year Information Technology Strategic Plan was prepared during 2000 and will be published in early 2001. During the year, reports were commissioned to examine the feasibility of introducing a number of pilot projects to provide some court services electronically. Specific areas being considered include ePayment (the payment of fines electronically) and eFiling specifically in relation to the Small Claims Procedure. These and other developments are described in more detail in the *'Developments since Establishment'* section of this report.

Chapter 4 - Overview of activities

The administration of the courts is the core activity of the Service. The Service exists to provide an administrative and institutional framework to support and facilitate the administration of justice by the judiciary and the staff of court offices.

In this section, an outline is provided of the business of the courts distributed by jurisdiction. An endeavour has been made to furnish information and relevant statistics as to the volume, type, range and complexity of the cases dealt with by our courts and the role played by the administrative offices of the courts in processing litigation and, where appropriate, in managing cases.

Average waiting times (the time between the court offices being notified that a case is ready to proceed to hearing/trial and the actual date for hearing/trial) in respect of all court jurisdictions are outlined in Appendix 4.

Unless otherwise stated statistics appearing in this section are in respect of the period from 1st January 2000 to 31st December 2000.

THE SUPREME COURT

The Supreme Court is the court of final appeal in the State and is comprised of the Chief Justice and seven ordinary judges. The President of the High Court is, *ex-officio* an additional judge of the Supreme Court. The decision of the court is by majority although in many cases individual judges deliver separate judgments. In a decision on a question as to the validity of a law having regard to the Constitution, one judgement only is given.

APPEALS - LODGED 1st AUG 1999 TO 31st DEC 2000

494

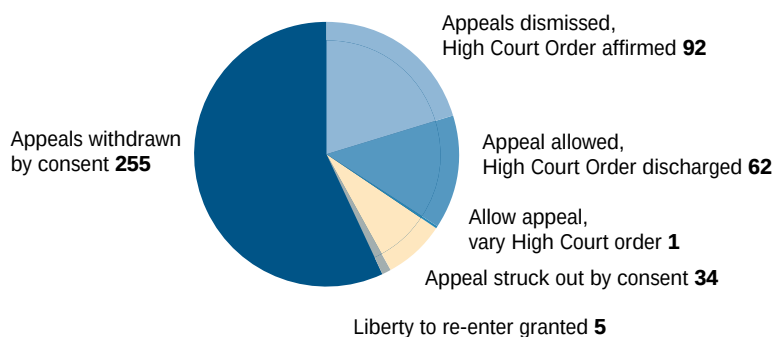
CASES DEALT WITH – 1st AUG 1999 TO 31st DEC 2000

449

OUTCOME OF CASES DEALT WITH 1st AUGUST 1999 TO 31st DECEMBER 2000

Appeals dismissed, High Court Order affirmed	92
Appeal allowed, High Court Order discharged	62
Allow appeal, vary High Court Order	1
Appeal struck out by consent	34
Liberty to re-enter granted	5
Appeals withdrawn by consent	255

**Supreme Court - Outcome of cases disposed of
1st August 1999 to 31st December 2000**



RESERVED JUDGMENTS 1st AUG 1999 - 31st DEC 2000

Reserved judgments outstanding in August 1999	13
Total reserved judgments from August 1999 to December 2000	101
Total Judgments given from August 1999 to December 2000	105
Reserved judgments outstanding at December 2000	9

The Supreme Court has the power to hear appeals from all decisions of the High Court. It may hear an appeal from the Court of Criminal Appeal if that court or the Attorney General certifies that the decision involves a legal point of exceptional public interest. The Supreme Court may also give a ruling on a question of law submitted to it by the Circuit Court.

The Constitution provides that the President of Ireland may refer to the Supreme Court any Bill (or any provision or provisions of a Bill) for adjudication as to whether it is repugnant to the Constitution.

If a question of the permanent incapacity of the President arises such question falls to be decided by the Supreme Court.

Office of the Supreme Court

The Office of the Supreme Court provides administrative support to the court. The head of the office is known as the Supreme Court Registrar. The main business of the office is to process appeals from decisions of the High Court in proceedings which were commenced in that court. The office also deals with such matters as the authentication of signatures of Notaries Public and Commissioners for Oaths on official documents where required, applications for appointment as a Notary Public and applications for appointment as a Commissioner for Oaths.

Fixing a date for hearing

When cases are certified by counsel as being ready for hearing, they are placed in a list to fix a date for hearing. At the List to Fix Dates in July 2000 dates were allocated to all cases which had been certified as ready at that time. The dates allocated were from October 2000 to the beginning of February 2001.

The office administers both the Supreme Court and the Court of Criminal Appeal. The Registrar of the Supreme Court is also the Registrar of the Court of Criminal Appeal and acts as Secretary to the Superior Courts Rules Committee.

THE COURT OF CRIMINAL APPEAL

The Court of Criminal Appeal consists of a judge of the Supreme Court and two judges of the High Court. It hears appeals by persons convicted on indictment in the Circuit Criminal Court and in the Central Criminal Court where the appellant obtains a certificate from the trial judge that the case is a fit one for appeal, or, where such certificate is refused, where the Court of Criminal Appeal itself, on appeal from such refusal, grants leave to appeal. An appeal may be made to the Court of Criminal Appeal against sentence only, conviction only or against both sentence and conviction. An appeal may also be made to the Court of Criminal Appeal by the Director of Public Prosecutions (DPP) on grounds of alleged undue leniency of sentence under Section 2 of the Criminal Justice Act, 1993. In the case of an alleged miscarriage of justice, an appeal may be lodged under Section 2 of the Criminal Procedure Act, 1993.

Office of the Court of Criminal Appeal

The Office of the Court of Criminal Appeal provides administrative support to the court. The main business of the office

is to process appeals from decisions of the Central Criminal Court, the Circuit Criminal Court and the Special Criminal Court.

While appeals are pending, appellants may apply to the Court of Criminal Appeal for Bail and the office processes these applications. The office also deals with appeals to the Courts-Martial Appeal Court.

Fixing a date for hearing

Dates for the hearing of appeals are allocated at the List to Fix Dates held once per term.

At present, the Court of Criminal Appeal sits once per week and for a continuous week at the end of each term. On average, the time required for an appeal against sentence is 30 minutes, conviction cases may require 2-3 hours. Appeals by the DPP take on average one hour. Appeals in cases in which the trial was lengthy (15 days or more) will require in excess of one day but the length depends upon the complexity of the grounds of the appeal. Appeals under Section 2 of the Criminal Procedure Act, 1993 require the most time as they will include oral evidence and cross examination.

APPEALS TO COURT OF CRIMINAL APPEAL BY REFERENCE TO TRIAL COURT
1st AUGUST 1999 - 31st JULY 2000

Court	No. of cases pending at 01/08/1999	No. of new cases lodged	No. of cases disposed of	No of cases pending at 31/07/00
Appeals from Circuit Criminal Court	254	167	167	254
Appeals from Central Criminal Court	73	40	26	87
Appeals from Special Criminal Court	13	6	8	11
Appeals from Courts-Martial Appeal Court	3	1	3	1
Appeals by DPP	27	23	29	21
Total	370	237	233	374

THE HIGH COURT

The High Court is comprised of the President and twenty-five ordinary judges. The President of the Circuit Court and the Chief Justice are, *ex-officio*, additional judges of the High Court. The High Court has full jurisdiction in and power to determine all matters and questions whether of law or fact, civil or criminal. Its jurisdiction also extends to the question of the validity of any law having regard to the provisions of the Constitution. The High Court also acts as an appeal court from the Circuit Court in civil matters. It has power to review the decisions of certain tribunals. It may also give rulings on questions of law submitted by the District Court. Persons granted bail in the District Court may apply to the High Court to vary the conditions of bail. If the District Court refuses bail, application may be made to the High Court. A person charged with murder can only apply to the High Court for bail. The High Court exercising its criminal jurisdiction is known as the Central Criminal Court (see page 40).

The High Court sits in Dublin to hear Original Actions. It also hears personal injury and fatal injury actions in several provincial locations (Cork, Galway, Limerick, Waterford, Sligo, Dundalk, Kilkenny and Ennis), at specified times during the year. In addition, the High Court sits in provincial venues to hear appeals from the Circuit Court in civil and family law matters.

Matters coming before the High Court are normally heard and determined by one judge but the President of the High Court may decide that any cause or matter or any part thereof may be heard by three judges in what is known as a divisional court.

THE CENTRAL OFFICE OF THE HIGH COURT

The Central Office provides administrative support to the judges and to the Master of the High Court. Civil proceedings and family law proceedings in the High Court (with the exception of non contentious probate matters, proceedings relating to Wards of Court and proceedings in bankruptcy matters) are instituted in the Central Office. Court registrars attached to this office prepare and manage court lists, sit in court with the judge and draw up the formal orders made by the court. The office issues orders of the High Court and the Supreme Court and circulates written judgments delivered by judges of the High Court.

The Central Office provides administrative support to the Judges and to the Master of the High Court

HIGH COURT CASES INITIATED IN THE CENTRAL OFFICE

PLENARY SUMMONS	
Admiralty	19
Assault	343
Breach of Contract	521
Conversion	10
Chancery Declaration	518
Defamation	44
False Imprisonment	6
Forfeiture	1
Injunction	367
Libel	178
Malicious Prosecution	1
Negligence	1,561
Nuisance	8
Personal Injury	10,480
Fatal Action	108
Probate Action	17
Rescission	11
Slander	41
Specific Performance	199
Trespass	18
Wardship	1
Miscellaneous	231
Total	14,683

REVENUE SUMMONS	
	613

SUMMARY SUMMONS	
	867

SPECIAL SUMMONS	
Arbitration Act	18
Charities Acts	1
Extradition	7
Housing Acts 1996	5
Garda Compensation	275
Mortgage Suit	43
Partition Acts	2
Possession	177
Return of Documents	1
Succession	43
Social Welfare Act	1
Trade Marks Act 1996	4
Trustees Act	9
Vendor & Purchaser	18
Miscellaneous	101
Total	705

COMPANIES MATTERS <i>(by section of the Companies Act 1963 - 1999)</i>	
Examinership	2
Winding Up Petition	91
Restore to Register Petition	138
Section 72	2
Section 106	14
Section 201	12
Section 202	2
Section 205 Petition	22
Section 245	1
Section 280	4
Section 297	1
Section 310	1
Section 322	2
Miscellaneous	39
Total	331

HIGH COURT

JUDICIAL REVIEW	
Certiorari	404
Certiorari, Mandamus & Declaration	5
Mandamus	197
Prohibition	73
Total	679

MISCELLANEOUS COMMON LAW APPLICATIONS	
Fire Services Act	1
Freedom of Information Act	4
Section 27 Planning & Development Act	56
Transfer of Sentenced Persons	8
Water Pollution Acts	1
Miscellaneous	38
Total	108

FAMILY LAW MATTERS	
Adoption	15
Child Abduction	39
Divorce	39
Family Law Act 1995	4
Guardianship of Infants	6
Judicial Separation	76
Maintenance of Spouses & Children	2
Nullity	8
Total	189

OTHER PROCEEDINGS	
Appeals from the Hepatitis C Compensation Tribunal	17
Foreign Judgments	50
Foreign Tribunal Evidence	5
Intended Action Applications	107
Extension of Time under Immigration Act	8

PRE-HEARING ACTIVITY

Affidavits	25,033
Appearance	15,923
Discontinuance	859
Master's Motions	4,089
Notice to Attorney General	10
Notice of Intention to Proceed	1,787
Notice of Change of Solicitor	2,174
Court Motions	8,607
Notice to Produce	1,605
Notice to Trustees	22
Setting Down for Trial	6,885
Third Party Notice	156
Withdraw a case from the list by letters	469
Others	3,082
Total	70,701

Fixing dates for hearing

When cases are ready for hearing, they are set down for trial and given a list number. All lists except the Personal Injuries list hold a List to Fix Dates each legal term. Cases are not transferred to the List to Fix Dates until they are certified by counsel as ready for trial. Most cases which are certified as ready for trial are given dates for hearing in the following legal term. On selected dates throughout the year cases which have been set down for trial but which have not been certified by counsel as ready for trial are called over in court to ascertain the current position. Many cases are settled by the parties and do not proceed to full hearing. These cases are removed from the list of cases set down for trial or certified as ready for hearing by consent of the parties.

Chancery Lists

Each day in the High Court, two judges sit to deal with chancery matters. These courts are concerned with company law matters and cases where payment of damages is not the principal relief sought.

CHANCERY CASES 1st AUG 1999 – 31st JULY 2000

No of cases certified ready to proceed	87
No. of certified cases disposed of	69
No of cases set down (but not yet certified ready to proceed)	124
No of uncertified cases disposed of (ie. settled and taken out of list)	56

Non Jury List

Non jury is a term used to describe a commercial type case, arising for example from an alleged breach of contract, where the remedy sought is damages. Daily, two or three judges are assigned by the President of the High Court to deal with these non jury cases.

Judicial review applications are where the High Court is asked to review the decisions or actions of a lower court, tribunal or other body. Many such applications arise in respect of decisions made in connection with planning applications or the enforcement of immigration law. The High Court may make an order setting aside or overturning the decision in question.

NON JURY (EXCLUDING FAMILY LAW) - 1st AUGUST 1999 TO 31st JULY 2000

No. of cases at 01/08/99	371
New cases 01/08/99 to 31/07/00	198
(Total)	569
No. of cases disposed of	421*
No. of cases pending at 31/07/00	148

Includes uncertified cases which were struck out because they were not ready for hearing.

Family Law

The High Court and the Circuit Court have concurrent jurisdiction in family law except in relation to Adoption Act, 1952 matters which can only be dealt with in the High Court. In practice, most family law applications are made in the District and Circuit Courts but one High Court Judge sits every day to deal with Family Law cases. Proceedings are held *in camera*.

FAMILY LAW POSITION AS AT 31st JULY 2000

Cases to 31st July 2000	189
New cases to 31st July 2000	85
No. of cases disposed of	47

Civil Juries

Since 1986, civil cases are, with few exceptions, tried by a judge sitting without a jury. The exceptional cases include defamation, assault and false imprisonment. The High Court sets aside 11 weeks each year for routine civil jury cases, although more time may be allocated if any given case requires additional time.

JURY LIST	
No. of cases at 01/01/00	84
No. of new cases to 31/12/00	77
Total	161
Cases disposed of to 31/12/00	122
Cases pending at 31/12/00	39

Cases transferred from the Circuit Court

A case which is commenced in the Circuit Court may, in certain circumstances, subsequently be transferred to the High Court where it will proceed as if it had commenced there. Similarly, if a case commences in the High Court it can subsequently, if appropriate, be transferred to the Circuit Court for trial there. In the year ending 31st. December 2000 there were a total of 217 cases transferred to the High Court from the Circuit Court.

Appeals from the Circuit Court

Any civil or family law matter tried in the Circuit Court may be appealed to the High Court. The appeal is by way of a full rehearing. Where the trial took place outside Dublin, the appeal is usually heard in the same venue, although, as the High Court usually only sits in each venue twice a year, application can be made to have the matter dealt with in Dublin, if it is of an urgent nature. Information on the number of appeals for year ending 31st. December 2000 can be found in Appendix 5 on page 114.

PERSONAL INJURIES

Fixing dates for hearing

On the expiry of 21 days from the date on which a Personal Injury case has been set down for trial in Dublin the Plaintiff may apply to be given a trial date within the following 10 days and will usually be successful. At present, most cases scheduled in the Dublin Personal Injury List each week are disposed of by the end of that week and there are no cases carried forward. There is a high ratio of settlements, approximately 80%. Average waiting times in respect of provincial venues are in Appendix 3 on page 106.

PERSONAL INJURY

	No. of cases on hand at 01/01/00	No. of new cases received	No. of cases disposed of	No. of cases pending at 31/12/00
Dublin	9,268	4,178	5,834	7,612
Dundalk	608	472	595	485
Galway	887	482	766	603
Cork	1,901	706	1,134	1,473
Limerick	1,015	625	870	770
Sligo	189	343	276	256
Waterford	434	341	372	403
Kilkenny	192	130	180	142

PERSONAL INJURIES SITTINGS OUTSIDE DUBLIN ARE AS FOLLOWS:

Cork	9 weeks each year	(4 sessions)
Limerick	8 weeks each year	(4 sessions)
Galway	8 weeks each year	(4 sessions)
Dundalk	6 weeks each year	(2 sessions)
Waterford	4 weeks each year	(2 sessions)
Sligo	4 weeks each year	(2 sessions)
Kilkenny	2 weeks each year	(1 session)

Other Central Office activities

The Central Office also deals with such matters as the entry of default judgments, the registration of judgments of the High Court, Circuit Court and District Court, the issue of Execution Orders, Orders for Committal, Orders for Possession, the enrolment of certain legal instruments including Deeds Poll, Powers of Attorney and Bills of Sale and the issue of a subpoena to compel the attendance of a witness at a trial. The office also processes all applications required to be made to the court during the course of an action, to add or substitute parties, for discovery or particulars, and for interim relief such as interim injunctions.

ORDERS GRANTED	
Bail Applications Granted	1,019
Bail Applications Refused	198
Masters Orders	3,858
Divorce	30
Nullity	5
Judicial Separation	27
Personal Injury Settlement Orders	4,033
Supreme Court Final Orders	132
Supreme Court Interim Orders	58
Judicial Review Final Orders	262
Judicial Review Interim Orders	882
Chancery Interim Orders <i>{includes Interim Family Law Orders & Injunctions}</i>	1,701
Chancery Final Orders:	494
Common Law Interim Orders:	2,714
Common Law Final Orders:	1,177
Stateside Interim Orders:	119
Stateside Final Orders:	290
Total:	16,999

HIGH COURT JUDGEMENTS	
Number of written judgements	227

Number of judgments registered	2,486
Number of deeds poll registered	890
Number of subpoenas	5,125
Applications for service in Ireland under the Hague Convention	403
Judgment Mortgage Affidavits	156
Lis Pendens	130

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. 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. While the court may sit at any venue, in practice it sits at present in the Four Courts in Dublin. The County Registrar or a member of his/ her staff acts as Registrar to the court. Normally trials are conducted by a single judge sitting with a jury of twelve but the President of the High Court may direct two or more judges to sit together for the purpose of a particular trial.

42 of the cases returned to the Central Criminal Court in 2000, were for murder and 113 were for rape. This compares with 12 murder cases and 46 rape cases in 1994. The significant increase in the number of cases being returned to the court is contributing to the delays in the hearing of cases. In order to deal with the increase in the number of cases coming before the Central Criminal Court, the number of Central Criminal Courts has been increased to four and consideration is being given at present to establishing a fifth Central Criminal Court. Consideration is also being given to holding the Central Criminal Court in provincial locations.

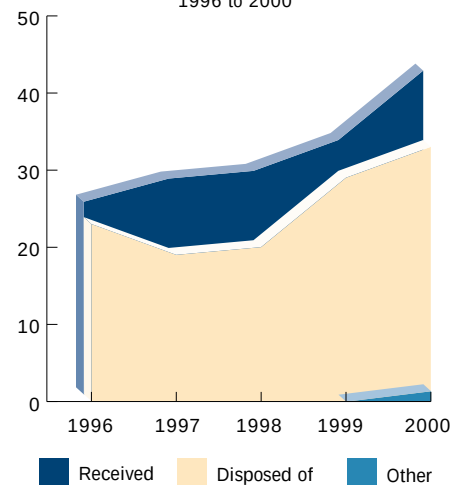
Fixing dates for hearing

Cases are returned to the next or present sitting of the Central Criminal Court. The cases are put into a list to fix dates and periodically throughout the court terms the list is called over and cases are allocated dates which are normally several months in advance.

NUMBER OF MURDER CASES DEALT WITH
1996 TO 2000

Year	received	disposed of	Other
1996	25	23	0
1997	28	19	0
1998	29	20	0
1999	33	29	0
2000	42	33	1

Number of Murder Cases Dealt With
1996 to 2000



CENTRAL CRIMINAL COURT MURDER CASES

MURDER CASES	
Murder cases outstanding at 01/01/00	56
Murder cases received	42
Murder cases disposed of	33
Other	1
Murder cases outstanding at 31/12/00	65

NUMBER OF MURDER CASES DEALT WITH			
Year	received	disposed of	Other
1996	25	23	0
1997	28	19	0
1998	29	20	0
1999	33	29	0
2000	42	33	1

RESULTS OF MURDER CASES DEALT WITH	
No. of persons convicted of murder	11
No. of persons convicted of manslaughter instead of murder	1
No. of persons for whom a plea of manslaughter was accepted in lieu of a murder charge	10
No. of persons convicted of attempted murder or other related offence	1
No. of persons found guilty by reason of insanity	4
No. of persons acquitted	4
Accused deceased	2

SENTENCES IMPOSED IN MURDER CASES					
	Murder	Manslaughter	Other offences	Acquittals	Not guilty by reason of insanity
Life imprisonment	11				
More than 10 years			1		
More than 5 years & less than 10 years		7			
More than 2 years & less than 5 years		2			
Other		2		4	4

NUMBER OF PLEAS/JURY TRIALS		
	Pleas	Jury trials
Murder	5	26

CENTRAL CRIMINAL COURT RAPE CASES

RAPE CASES	
Rape cases outstanding at 01/01/00	149
Rape cases received	113
Rape cases disposed of	94
Rape cases outstanding at 31/12/00	168

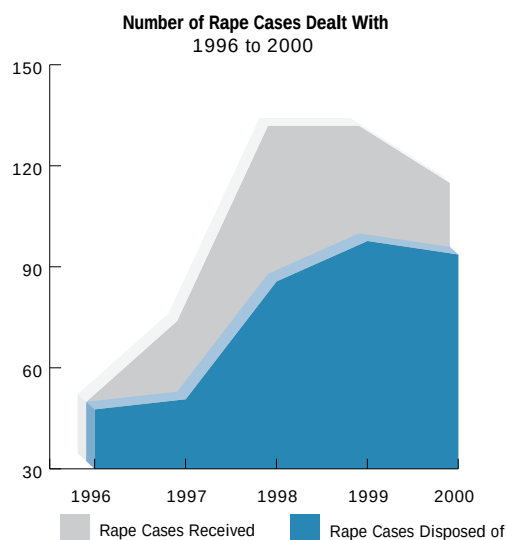
RESULTS OF RAPE CASES DEALT WITH	
No. of persons convicted of rape	24
No. of persons convicted of rape and other offences	27
No. of persons convicted of other sexual offences	18
No. of persons acquitted	12
*Other	13

*OTHER	
Nolle prosequi	6
No order	2
Accused deceased	3
Certiorari	1
Adjourn liberty to re-enter	1

SENTENCES IMPOSED IN RAPE CASES			
Sentence	rape	rape and other offences	sexual assaults
more than 10 years	1	5	
more than 5 years & less than 10 years	6	10	1
more than 2 years & less than 5 years	13	12	11
less than 2 years	2		3
other	2		3
acquittals	12		
nolle prosequi	6		

NUMBER OF RAPE CASES DEALT WITH		
	Rape cases received	Rape cases disposed of
1996	48	48
1997	72	51
1998	130	86
1999	130	98
2000	113	94

NUMBER OF PLEAS/JURY TRIALS		
	Pleas	Jury trials
Rape	52	29



THE SPECIAL CRIMINAL COURT

The Offences Against the State Act, 1939 provides for the establishment of Special Criminal Courts. Such a court sits with three judges and no jury. The rules of evidence that apply in proceedings before the Special Criminal Court are the same as those applicable to 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. The Act also provides that the Government shall appoint serving judges to sit in the Special Criminal Court. Currently, there is a panel of 9 judges appointed to the court who are drawn from the High, Circuit and District Courts. An appeal against conviction or sentence by a Special Criminal Court may be taken to the Court of Criminal Appeal.

Fixing a date for hearing

Due to the nature of the cases dealt with by the Special Criminal Court the cases tend to be more protracted and take longer to deal with than cases dealt with by the other criminal courts. Cases are not allocated a date for hearing until the Book of Evidence has been served. As at December 2000, new cases were being allocated hearing dates in October 2001. There are 8 cases scheduled for hearing up to end of December 2001.

OFFICE OF WARDS OF COURT

The Office of 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 capacity or infancy, are deemed by the court to be incapable of managing their affairs for themselves. 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.

As of November 1999, significant arrears in the following areas existed:

- (i) Pre-Wardship inquiries/applications;
- (ii) Committee accounts of the General Solicitor; (iii) applications for dismissal of cases from wardship; and (iv) applications to register Enduring Powers of Attorney. Arrears in attending to pre-wardship inquiries/applications, applications to register Enduring Powers of Attorney and dismissal of cases from Wardship, were effectively eliminated as of the end of 2000.

No. of cases at 01/01/00	26
No. of new cases to 31/12/00	21
Cases disposed of to 31/12/00	26
Cases pending at 31/12/00	21

OUTCOME OF CASES DISPOSED OF

No. of people charged	36
No. convicted on plea of not guilty	8
No. convicted on plea of guilty	19
No. struck out	4
Other	5

A tracking system, monitoring progress in dismissal orders from the date of notification of death of a ward until final closure of the case, has been introduced. The average waiting period as of November 1999 for vouching of committee accounts lodged was approximately four years. Since then, the vast majority of accounts submitted for vouching has been dealt with, and the approximate average waiting period for vouching of the General Solicitor's committee accounts is now two years.

Wards of Court Office

Waiting times:	
From acceptance of application papers to listing before court	1 week from receipt of complete documentation
For preparation of Dismissal or Discharge Order from date of filing application	12/15 months
For authorisation of payments	1 week from date of request where there are no queries or from resolution of queries
For registration of an Enduring Power of Attorney	Two weeks where no query is raised or from discharge of query if raised

Number of Wardship cases	2,626
Applications awaiting hearing	1,188
Total	3,814

Inquiry Orders	147
Declaration Orders	126
Declaration Orders (Minors)	17
Dismissal Orders	151
Discharge Orders (minors)	9
Orders (other)	589
Enduring Powers of Attorney registered	63

OFFICE OF THE GENERAL SOLICITOR FOR MINORS AND WARDS OF COURTS

The Office of the General Solicitor for Minors and Wards of Court are the solicitors employed by the Service to act as committee of the estate in certain wardship matters and as guardian of the funds in certain minor matters. The General Solicitor also acts as 'friend of the court' in certain other cases concerning the rights of persons with a mental incapacity. The General Solicitor is bonded and accountable to the President of the High Court for all monies and assets under his/her control relating to the affairs of Minors or Wards of Court.

OFFICE OF GENERAL SOLICITOR FOR MINORS AND WARDS OF COURT	
Wardship Cases	554
Sub Cases	96

PROBATE OFFICE

The business of the Probate Office is concerned with what is termed the 'non-contentious' probate jurisdiction of the High Court. Almost 99% of the work of the office is carried out without any reference to the court. The four main 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.

About 90% of the grants issued out of the Principal Registry (the Probate Office in Dublin) are to legal practitioners acting on behalf of clients, while the remaining 10% are from the Personal Applicants' Section which operates in line with the Rules of the Superior Courts.

There are fourteen local Probate Offices called District Probate Registries, located in Circuit Court offices around the country. They issue approximately 5,500 Grants of Probate (including Wills Annexed), and approximately 2,700 Grants of Administration Intestate per annum. Each District Registry is under the immediate control of the County Registrar for the area, but under the Rules of Court particular types of Orders and such like must be sought from the Probate Office in Dublin.

NUMBER OF PROBATES AND ADMINISTRATIONS 1st AUGUST 1999 – 31st DECEMBER 2000

On hearing of causes	18
On Motion before the Judge	132
In the Registry without Decree or Order of the Judge	10,798
Revocation of Probate or Administration	32

FEES GENERATED BY PROBATE OFFICE: 1st AUGUST 1999 – 31st DECEMBER 2000

Total amount of fees received	£1,196,649	€1,519,431
Fees on Personal Applicants (included in total above)	£216,708	€275,162

LOCAL REGISTRIES: 1st JANUARY 2000 – 31st DECEMBER 2000

Registry	Probates (and Administrations, Wills Annexed)	Intestacies
Castlebar	407	198
Cavan	129	77
Clonmel	258	98
Cork	1,011	309
Dundalk *	62	131
Galway	557	269
Kilkenny	369	133
Letterkenny	68	66
Limerick	697	271
Mullingar	305	101
Sligo	203	110
Tralee	359	215
Waterford	255	89
Wexford	306	127

* Dundalk figures are for the period 1st. July to 31st. December 2000.

PRINCIPAL REGISTRY: 1st AUGUST 1999 – 31st DECEMBER 2000

Probates (and Administrations, wills annexed)	8,042
Intestacies	2,807
Personal Applicants (included in above)	1,246
Caveats	704
Appearances	55
Court Applications	190
Other forms of proceedings: Citations	37
Warnings	75

EXAMINERS OFFICE

The work of the Examiner's Office is principally concerned with chancery and company law matters. The main role of the Examiner in these matters is, following the making of an order by the court, to deal with accounts and inquiries, settle lists of creditors, arrange sales of properties, countersign all payments and investments and process applications for the court. As a result of the high volume intake of work in the mid 1980's the President of the High Court assigned a specific judge experienced in chancery and company matters to deal exclusively with applications in the Examiner's Court List. The Examiner also has a role in bankruptcy which includes the processing of applications and acting as Registrar to the Bankruptcy Court.

Currently, the Examiner is a member of the Company Law Review Group established by the Department of Enterprise, Trade and Employment. The remit of the Group is to make recommendations for the enforcement of company legislation and for the improvement of corporate governance. The recently published Company Law Enforcement Bill, 2000 is expected to lead to a growth in the number of applications to courts of all jurisdictions by the newly appointed Director of Corporate Enforcement and therefore in the High Court to an increase in the case load of the Central Office and the Examiner's Office.

EXAMINERS OFFICE:				
Nature of Proceedings	No. of cases pending at 01/01/00	No. of new cases lodged	No. of cases disposed of	No. of cases pending at 31/12/00
Company Liquidations	627	28	54	601
Mortgage Suits	1,031	18	27	1,022
Administration Suits	365	0	0	365
Total Cases	2,023	46	81	1,988

BANKRUPTCY: PRE BANKRUPTCY APPLICATIONS	
Summonses filed	11
Summonses granted	10
Petitions for adjudication filed	25

BANKRUPTCY: POST BANKRUPTCY	
No. of cases ongoing at 1st January 2000	499
No. of new adjudications	4
No. of cases discharged	10
No. of cases ongoing at 31st December 2000	493

BANKRUPTCY: OTHER	
Orders in aid applied for	2
Orders in aid made	1

ARRANGEMENTS	
Arrangement petitions filed	1

OFFICE OF THE OFFICIAL ASSIGNEE IN BANKRUPTCY

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. It is the function of the Official Assignee 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.

The Official Assignee also has certain functions in relation to the affairs of Arranging Debtors and of the Estates of Persons Dying Insolvent.

OFFICE OF THE TAXING MASTER

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 lodgment 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. Fees are calculated at 5% of the total amount of the taxed costs and are paid by the person liable to pay the costs.

OFFICE OF THE TAXING MASTER

No. of bills certified	477
No. of items certified	52,711

Amount of costs claimed	£23,432,524	€29,753,168
Amount of costs allowed	£19,010,218	€24,137,997
Amount of fees (duty)	£812,460	€1,031,611
Duty on Summons	£8,340	€10,589

OFFICE OF THE ACCOUNTANT OF THE COURTS OF JUSTICE

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 High Court or the Supreme Court, by statute or by rules of court.

The Accountant also has custody of insurance bonds required to be entered into by all licensed auctioneers. During the year 2000 the office was aligned with the Finance Directorate.

A Statement of Account in respect of the Accountants Office prepared in accordance with Order 77 Rule 96 of the Rules of the Superior Courts is included as part of the Financial Statements on page 103.

THE CIRCUIT COURT

The Circuit Court is comprised of the President and twenty-seven ordinary judges. The President of the District Court is, *ex-officio*, an additional judge of the Circuit Court. The country is divided into eight circuits for the purposes of the Circuit Court with one judge assigned to each circuit except in Dublin where ten judges may be assigned, and Cork, where there is provision for three judges. Details of the circuits are set out in Appendix 4.

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

Offices of the Circuit Court

There are twenty-six Circuit Court offices throughout the State with a County Registrar in charge of the work of each office.

Civil law proceedings from initiation to completion are processed and orders of the Circuit Court are issued by the various offices. The offices process family law applications for judicial separation and divorce, for ancillary orders, (including maintenance and custody), nullity and barring Orders and deal with licensing applications. The offices deal with criminal cases which are sent for trial from the District Court. The Circuit Court offices and their volume of business are listed in Appendix 5.

PERCENTAGE BREAKDOWN BETWEEN THE CATEGORIES

Criminal	Civil	Family	Licensing
8,999	39,742	5,226	448
16.5%	73%	9.6%	0.8%

The Circuit Court sits in venues in each circuit. Sittings vary in length from one day to three weeks and are generally held every 2 to 4 months in each venue in the circuit. Dublin has continual sittings throughout each legal term.

DUBLIN CIRCUIT

Fixing a date for hearing

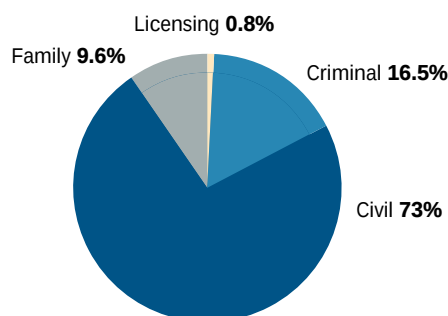
Civil

In Dublin, the Circuit Court office allocates court dates. Only cases which are ready to proceed are given a court date.

Criminal

Criminal cases are returned to the present or next sitting of the Dublin Circuit Court. At the beginning of each week a call over list is prepared from the cases returned for trial to the Dublin Circuit Court. The call-over is presided over by a judge and the trials and pleas identified. The call-over judge assigns the trials to different courts and deals with the pleas him/herself. Cases not ready to proceed are put back.

Percentage breakdown between the categories



Provincial Circuit Courts

Fixing a date for hearing

Civil cases

All new cases are returned for hearing to the next sitting of the Circuit Court. Prior to the commencement of the next term, the County Registrar will either call over the list or contact the parties to establish which cases are going ahead. Cases ready for hearing are placed in the list for the court and cases not ready for hearing are put back to the next session.

Criminal cases

All new criminal cases are returned to the next sitting of the Circuit Court. On the first day of the sitting the judge will call over the list to establish which cases are ready to go ahead and set dates for hearing for these cases. The cases which are not ready to go ahead are put back to the next session.

Civil business

The civil jurisdiction of the Circuit Court is a limited one unless all parties to an action consent, in which event the jurisdiction is unlimited. The limit of the court's jurisdiction relates mainly to actions where the claim does not exceed £30,000 (€38,092.14) and the rateable valuation of land does not exceed £200 (€252.95)

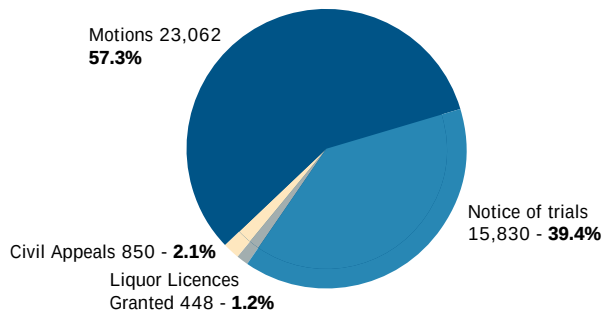
CIVIL BUSINESS DEALT WITH

Notice of Trials	Motions	Civil Appeals	Liquor Licences Granted
15,830	23,062	850	448

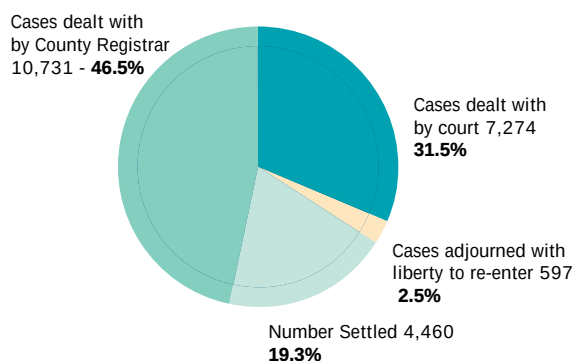
CIVIL BUSINESS (MOTIONS)

Number Settled	4,460
Cases dealt with by County Registrar	10,731
Cases dealt with by court	7,274
Cases adjourned with liberty to re-enter	597

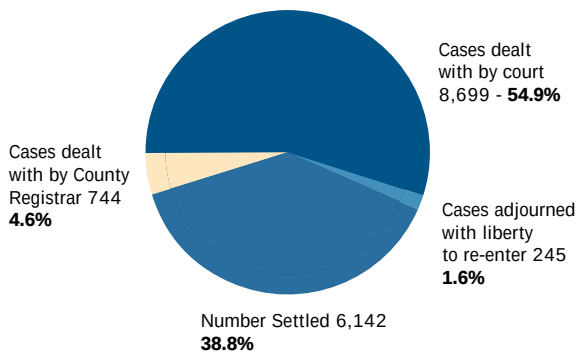
Civil Business dealt with



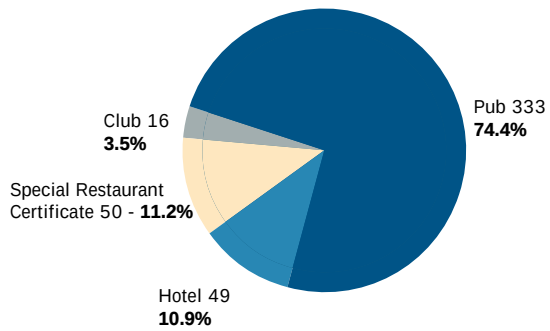
Civil Business (Motions)



Civil Business (Notice of Trials)



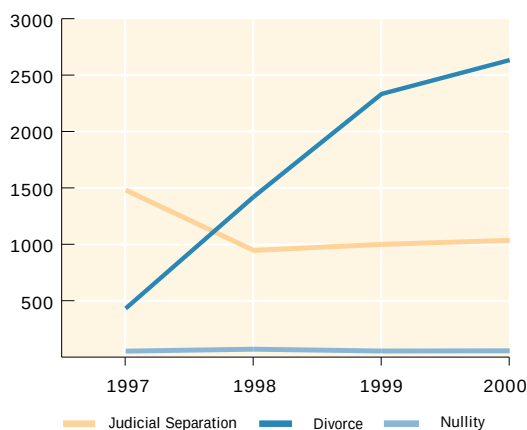
Liquor Licences granted



Family law

The Circuit and High Court have concurrent jurisdiction in the area of Family Law. The Circuit Court has jurisdiction in a wide range of family law proceedings, (judicial separation, divorce, nullity and appeals from the District Court). In hearing such cases, the Circuit Court has jurisdiction to make ancillary orders, including custody and access orders, maintenance and barring orders. Applications for protection and barring orders may also be made directly. Applications to dispense with the three month notice period of marriage (Section 33 Family Law Act, 1995) are also dealt with by the Circuit Court. Proceedings are heard *in camera*.

Divorce, Judicial Separation & Nullity Orders Granted
For the Four Years Ending 31st July 2000



FAMILY LAW APPLICATIONS DEALT WITH

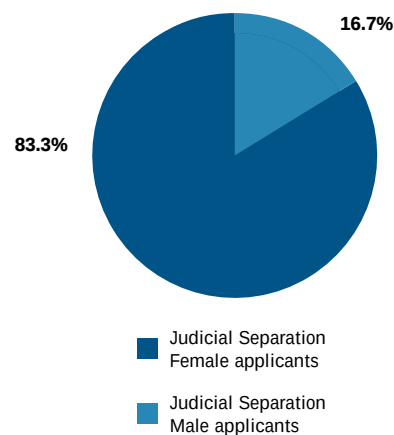
	Applications Granted received		Refused	Withdrawn/ Struck out
Divorce	3,339	2,710	4	102
Judicial Separation	1,592	998	0	76
Nullity	84	47	2	4
Section 33	1,181	1,150	31	0

Appeals from District Court

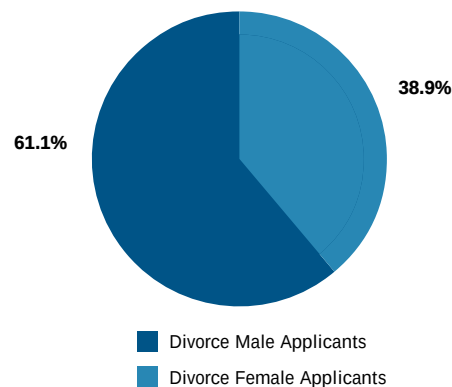
Applications received	372
Applications dealt with	321

A more detailed breakdown of Family Law business in the Circuit Courts is contained in Appendix 6.

Gender breakdown of applicants
for judicial separation



Gender breakdown of applicants
for divorce



GENDER BREAKDOWN OF APPLICANTS FOR JUDICIAL SEPARATION/DIVORCE

Judicial Separation Male Applicants	167
Judicial Separation Female Applicants	831
Divorce Male Applicants	1,053
Divorce Female Applicants	1,657

Criminal

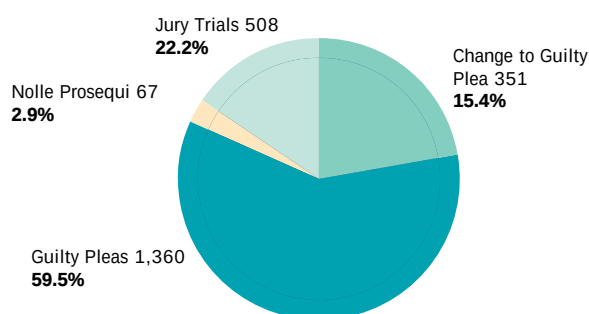
In criminal matters the Circuit Court has the same jurisdiction as the Central Criminal Court in all indictable offences except murder, rape, aggravated sexual assault, treason, piracy and allied offences. The jurisdiction is exercisable in the area in which the offence has been committed or in which the accused person has been arrested or resides.

However, in Circuit Courts outside Dublin, the trial judge may, on application by the prosecution or the defence and if satisfied that it would be unjust not to do so, transfer a trial to the Dublin Circuit Criminal Court. Criminal cases dealt with by the Circuit Criminal Court commence in the District Court and are sent forward to the Circuit Court for trial or sentencing. Where a person is sent forward to the Circuit Criminal Court for trial the case is heard by judge and jury although a person can change his plea to guilty and dispense with a trial. Indictable offences of a minor nature are heard in the District Court with the consent of the accused.

RESULTS OF JURY TRIALS HEARD BY THE CIRCUIT COURT	
Accused convicted	293
Accused acquitted	215

PERCENTAGE OF JURY TRIALS TO GUILTY PLEAS			
Jury Trials	Guilty Pleas	Nolle Prosequi	Change to Guilty Plea
508	1,360	67	351
22.2%	59.5%	2.9%	15.4%

Percentage of Jury Trials To Guilty Pleas



Jury selection

Responsibility for jury selection for the Circuit Criminal Courts rests with the County Registrar in each of the twenty-six counties. Juries for the Central Criminal Court and the High Court are called in Dublin.

The Jury Office attached to the Dublin Circuit Court Office is responsible for calling juries for the Dublin Circuit Criminal Court, the Central Criminal Court and certain civil actions, such as defamation, assault and false imprisonment in the High Court. Approximately 60,000 jury summons are issued nationally each year.

ESTIMATED NUMBER OF JURORS SELECTED	
No of jury trials dealt with by Circuit Courts in 2000*	508
Estimated number of jurors	6,096
Number of jury trials dealt with by Central Criminal Court	55
Estimated number of jurors	660
Overall estimated number of jurors who served on juries in 2000	6,756

* Does not include cases where plea of not guilty changed to guilty plea.

Appeals from the District Court

With some exceptions, decisions of the District Court can be appealed to the Circuit Court. Appeals proceed by way of a full rehearing and the decision of the Circuit Court is final (unless the severity of a sentence is the sole matter in issue). The Circuit Court also acts as an appeal court for appeals from the decisions of the Labour Court, Unfair Dismissals Tribunal and the Employment Equality Tribunal.

NUMBER OF APPEALS RECEIVED AND DEALT WITH		
	Received	Dealt with
Criminal	6,211	6,713
Family Law	372	321
Civil	763	850

THE DISTRICT COURT

The District Court is comprised of a President and fifty judges. 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. Details of the Provincial Districts are included in Appendix 7. There are 43 District Court offices and in excess of 200 District Court venues around the country.

Generally the venue at which a case is heard depends on where an offence was committed or where the defendant resides or carries on business or was arrested.

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

Offices of the District Court

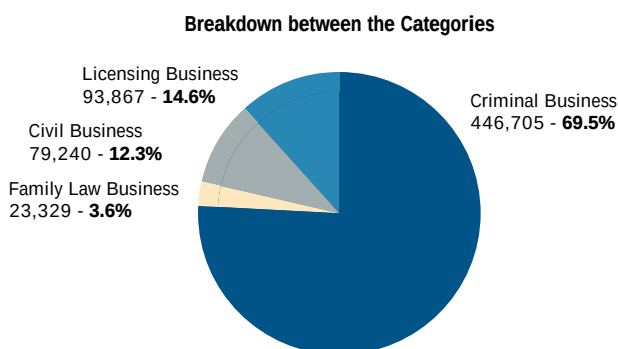
Each District Court office (with the exception of the Dublin Metropolitan District Court) deals with all elements of the work of the District Court.

The office issues all summonses which initiate proceedings in criminal cases.

The office also issues proceedings in family law cases and processes civil and licensing proceedings.

The office prepares the list of cases for court and records the order of the court. It is responsible for the receipt of fines, the issue of warrants to enforce the orders of the court, the preparation of all court orders and the processing of appeal documents for forwarding to the Circuit Court. The office also collects and transmits maintenance monies in family law cases. It is also responsible for the collection of court fees and the receipt and accounting of all monies lodged as bail.

BUSINESS OF THE DISTRICT COURT		
Criminal Business	446,705	(69.5%)
Family Law Business	23,329	(3.6%)
Civil Business	79,240	(12.3%)
Licensing Business	93,867	(14.6%)



The business of the District Court can be divided into four categories:- criminal, civil, family law and licensing.

BUSINESS IN DISTRICT COURT FOR THE FIVE YEARS ENDING 31st JULY 2000

	Criminal	Family Law	Civil	Licensing
1996	459,118	17,256	109,947	80,243
1997	462,669	21,045	87,970	82,738
1998	514,346	20,932	87,133	86,494
1999	497,660	21,231	81,615	92,334
2000	484,843	23,452	85,821	93,876

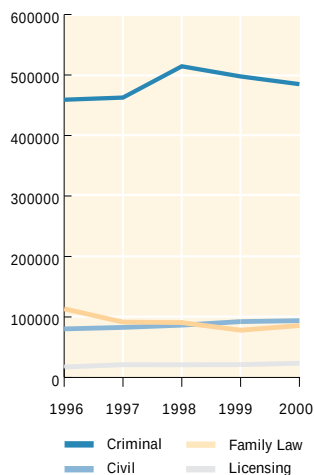
Civil business

The civil jurisdiction of the District Court in contract and most other matters is where the claim or award does not exceed £5,000 (€6,350)

CIVIL PROCEEDINGS DEALT WITH

Ejectment proceedings	2,606
Summary Judgment	29,818
Small Claims	3,150
Ordinary Civil Process	7,465
Summonses of a Civil Nature	13,687
Examination Orders	7,067
Instalment Orders	9,305
Committal Orders	5,546
Other	506

Business in District Court
For the Five Years Ending 31st July 2000



The District Court has a limited appellate jurisdiction in respect of decisions made by statutory bodies and in these appeals the decision of the District Court is final except where a point of law is at issue. In such instances an appeal can be taken to the High Court.

The District Court also deals with miscellaneous actions such as actions taken under the Control of Dogs Acts, applications for citizenship, applications to amend birth and marriage certificates and applications under the Environmental Protection Act, 1992 for orders in connection with the curtailment or abatement of noise.

THE NUMBER OF APPLICATIONS UNDER SECTION 107 AND 108 OF THE ENVIRONMENTAL PROTECTION ACT, 1992 AND THE OUTCOMES

Application Section 107	6
Successful Actions Section 107	5
Applications Section 108	105
Successful Applications Section 108	80

Enforcement of Court Orders

Responsibility for the enforcement of court orders from all court jurisdictions rests with the District Court. Under the Enforcement of Court Orders Act, 1926 to 1940, the District Court has unlimited jurisdiction to enforce a debt due on foot of a judgment, order or decree of a competent court. Under this procedure the court examines debtors as to their means and may order payment by means of instalment order. If a debtor defaults in payment the court can vary the order or issue an order for the committal of the debtor to prison.

Small Claims procedure

The District Court office is also responsible for the operation of the Small Claims procedure designed to deal with consumer claims for up to £1,000 (€1269.74) speedily, inexpensively and without the need to engage a solicitor. A small claim can be brought by an individual who has purchased goods or services for private use from someone selling them in the course of a business. Claims can be made for faulty goods, poor quality services, bad workmanship, minor damage to property and for non return of rent deposits. Claims cannot be made in respect of accidents/personal injuries or for the recovery of payments under a loan or hire purchase agreement.

The Small Claims Registrar will attempt to settle all claims without the need for a court hearing. If the Respondent does not respond to the applicants claim, a decree can be awarded in default against the Respondent. Claims that cannot be settled are referred to the District Court for adjudication.

SMALL CLAIMS DEALT WITH	
Cases not covered by procedure	36
Cases not proceeded with	230
Decrees by default	430
Settled by Registrar	1,611
Referred to court	843

SMALL CLAIMS ADJUDICATED BY COURT	
Decrees granted	427
Cases dismissed	98
Cases struck out/Withdrawn	318

Criminal business

The District Court exercising its criminal jurisdiction deals with four particular types of offences.

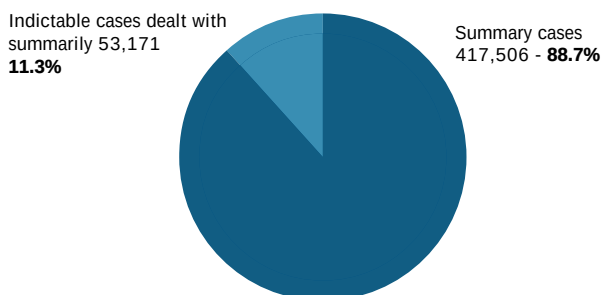
- Summary offences (these are offences for which there is no right of trial by judge and jury). This makes up the bulk of the criminal work of the District Court, these offences are exclusively statutory in origin.
- Indictable offences tried summarily with the consent of the accused and the DPP and the judge being of the opinion that the facts constitute a minor offence.
- Indictable offences (other than certain offences including rape, aggravated sexual assault, murder, treason and piracy) where the accused pleads guilty and the DPP consents, and the judge accepts the guilty plea. Otherwise, the accused is sent forward to the Circuit Court on his signed plea of guilty for sentencing.
- Indictable offences not tried summarily. With regard to these offences, a Book of Evidence is served on the accused. The judge considers the Book of Evidence and any submissions on behalf of the defence or the prosecution. If the judge is of the opinion that there is a sufficient case to answer, the accused is sent forward to the Circuit Court or Central Criminal Court for trial.

SMALL CLAIMS: TYPE OF APPLICATIONS	
Holidays	530
Professional services	106
Dry Cleaners	189
Building	144
Damage to Private Property	154
Key Money	381
Electrical Goods	228
Audio/Computer	155
Clothing	167
Shoes	78
Furniture	256
Carpets/Flooring	110
Doors/Roofs	169
Cars	180
Other	612

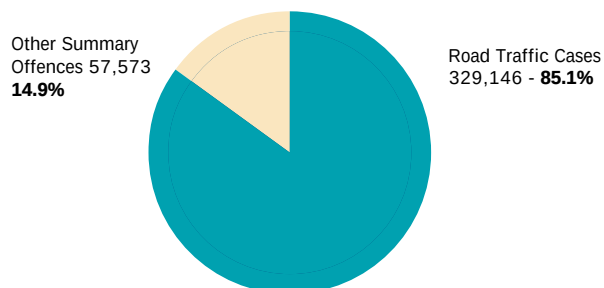
Juvenile Courts

Persons under the age of 17 years are dealt with by the juvenile courts. Only the parties involved and the media are entitled to be present in court when juvenile cases are being dealt with. In most provincial locations, the juvenile courts are held in conjunction with the normal court sittings.

Criminal Business Dealt With By The District Court



Road Traffic Cases



Criminal Sanctions

The maximum sentence which the District Court can impose is one year with one additional year to run consecutively. While the maximum level of fine which the court can impose depends on the offence, in general the maximum fine in respect of any one offence is £1,500 (€1,904.61). There is no limit to the value of cumulative fines. The court can also make community service orders, place people under the supervision of the probation service and bind people to the peace.

DETERMINATIONS OF SUMMARY OFFENCES 1st AUG 1999 – 31st JULY 2000

Imprisonment/Detention	14,216
Fines	129,430
Community Service	2,419
* Other	271,441
Total	417,506

* Other: probation, peace bond, strike out, adjourn generally taken into consideration and dismiss

DETERMINATIONS OF INDICTABLE OFFENCES DEALT WITH SUMMARILY 1st AUG 1999 - 31st JULY 2000

Imprisonment/Detention	11,792
Fines	4,320
Community Service	2,089
* Other	34,970
Total	53,171

* Other: probation, peace bond, strike out, adjourn generally, taken into consideration and dismiss

The District Court also processes and deals with applications for bail. Prior to the coming into force of sections 5 to 9 of the Bail Act, 1997 in May 2000, it had been a matter for the judge to decide based on the circumstances of the cases whether a cash lodgment was required before a person could be released on bail. The Act was introduced to tighten the procedures for estreating bail in cases where the defendant failed to comply with the terms of bail. The new sections make it mandatory for a person being granted bail to lodge at least 1/3 of any bail amount in cash before being released from custody. The court may accept security in lieu of a cash lodgment. This has led to a substantial increase in the volume of bail transactions and the amount of cash bail lodged in District Court offices.

**NUMBER OF BAILS AND AMOUNT OF MONEY RECEIVED
1st JAN 2000 - 31st DECEMBER 2000**

Number of bails received.	12,965
Amount of bail money received	£3,687,036 (€4,681,570)

Apart from trial, sentencing and bail, other matters dealt with include, applications for Legal Aid, applications for extradition, police property applications and applications for warrants of search and arrest.

Family law

The District Court has a wide jurisdiction in the family law area. Proceedings are heard *in camera*.

Domestic Violence

The Domestic Violence Act, 1996 introduced major changes in the legal remedies for domestic violence. Under this Act, there are two main types of remedies available - safety orders and barring orders. While a person is waiting for the court to decide on an application for a safety/barring order, the court can grant an immediate order called a protection order.

This has the same effect as a safety order and is intended to last until the court decides on the case. In exceptional circumstances, the court can grant an interim barring order. The District Court has the power to grant a safety order for a period of up to five years and a barring order for up to three years. The grounds for a safety order are similar to those for a barring order - the court may make such an order where the safety or welfare of the applicant or dependent person requires it. These orders are renewable and if broken, the Gardaí can arrest and charge that person.

APPLICATIONS UNDER THE DOMESTIC VIOLENCE ACT

	Applications	Granted	Refused	Withdrawn/ Struck Out
Barring	4,586	2,142	190	2,254
Safety	2,307	932	89	1,286
Protection	4,256	3,526	82	263
Interim Barring	742	647	43	52

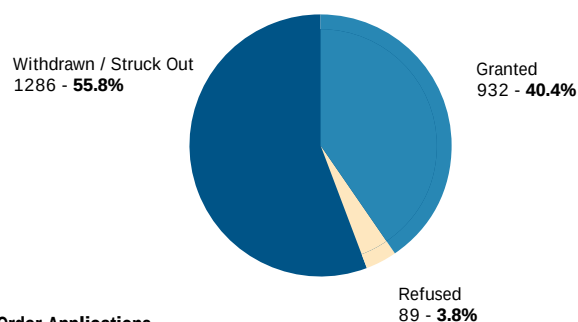
PROTECTION ORDER APPLICATIONS DEALT WITH BY STATUS OF APPLICANT

	Granted	Interim Barring in Lieu	Refused	Withdrawn/ Struck Out
Spouse	2,374	226	61	142
Common Law	802	74	17	84
Parent	315	81	4	34
Other	35	0	0	3
Health Board	0	2	0	0
Total	3,526	383	82	263

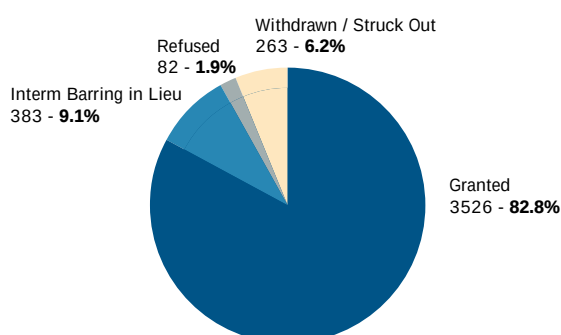
SAFETY ORDER APPLICATIONS DEALT WITH BY STATUS OF APPLICANT

	Granted	Refused	Withdrawn/ Struck Out
Spouse	601	48	807
Common Law	228	25	314
Parent	86	8	138
Other	16	6	24
Health Board	1	2	3
Total	932	89	1,286

Outcome of Safety Order Applications 2000



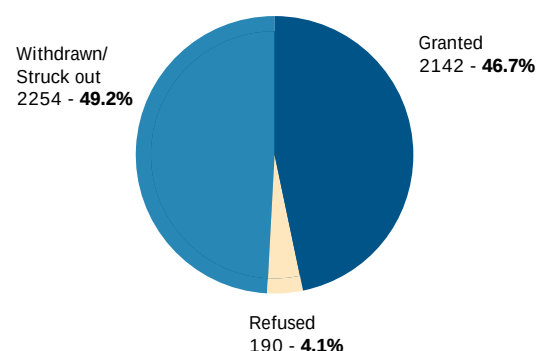
Outcome of Protection Order Applications



BARRING ORDER APPLICATIONS DEALT WITH BY STATUS OF APPLICANT

	Granted	Refused	Withdrawn/ Struck Out
Spouse	1,361	131	1,443
Common Law	520	41	572
Parent	248	18	237
Other	7	0	1
Health Board	6	0	1
Total	2,142	190	2,254

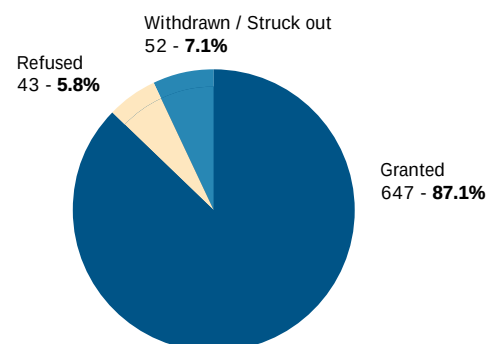
Outcome of Barring Order applications 2000



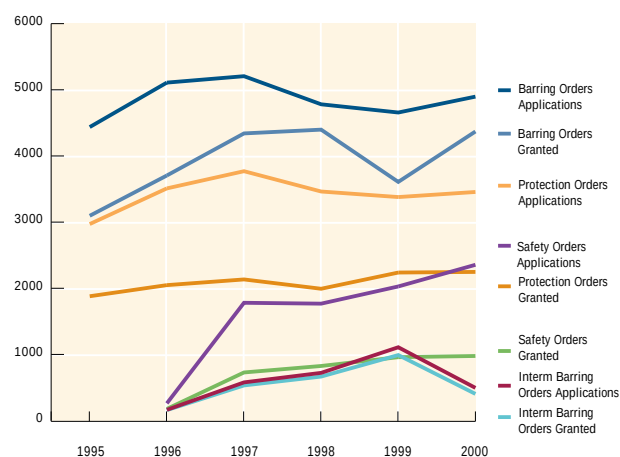
INTERIM BARRING ORDER APPLICATIONS DEALT WITH BY STATUS OF APPLICANT

	Granted	Refused	Withdrawn/ Struck Out
Spouse	378	32	26
Common Law	159	9	19
Parent	106	2	7
Other	0	0	0
Health Board	4	0	0
Total	647	43	52

Outcome of Interim Barring Order applications 2000



	1995	1996	1997	1998	1999	2000
Barring Orders Applications	4,448	5,120	5,217	4,792	4,668	4,908
Barring Orders Granted	1,891	2,059	2,145	2,004	2,219	2,319
Protection Orders Applications	3,107	3,716	4,352	4,409	3,619	4,381
Protections Orders Granted	2,982	3,521	3,781	3,474	3,390	3,467
Safety Order Applications		272	1,792	1,779	2,039	2,336
Safety Orders Granted		188	739	837	970	988
Interim Barring Orders Applications		174	589	733	1,120	506
Interim Barring Orders Granted		170	543	677	1,002	415



NUMBER OF APPLICATIONS FOR CERTAIN ORDERS UNDER THE GUARDIANSHIP OF INFANTS ACT

	Applications dealt with	Granted	Refused	Withdrawn/ Struck Out
Custody & Access	612	417	26	169
Custody Only	623	383	35	205
Access Only	2,213	1,694	70	449
Unmarried Fathers Section 6(a) applications	1,009	763	41	205
Total	4,457	3,257	172	1,028

Guardianship of Infants

Under the Guardianship of Infants Act, 1964 as amended by the Status of Children's Act, 1987, the District Court can make custody and access orders and appoint guardians. It also has jurisdiction to establish paternity in relation to any child, with regard to an application for custody, access or maintenance.

Maintenance

Under the Maintenance of Spouses and Children Act, 1976 (as amended) the District Court can award maintenance to a spouse and child(ren). The maximum that can be awarded to a spouse is £200 (€253.95) per week and for a child £60 (€76.18) per week. To enforce the order the court can direct that all payments be paid through the District Court office, make an attachment of earnings order or issue a warrant for the arrest of the defaulting debtor.

MAINTENANCE APPLICATIONS DEALT WITH			
	Granted	Refused	Withdrawn/ Struck Out
Married	1,274	127	524
Unmarried	992	67	373
* Other	21	0	14

* Applications under Maintenance Act, 1994 and Foreign Jurisdictions Act, 1994.

The enforcement of maintenance orders is a function of the District Court. Foreign maintenance orders can also be enforced through the District Court.

In 2000, approximately £11.2m (€14.2m) in maintenance payments was processed in court offices around the country. Of this amount, £1.5m (€1.9m) was processed in the Family Law office of the Dublin Metropolitan District Court.

Child Care

Under the Child Care Act, 1991, health boards can make a number of applications to court for orders.

SUPERVISION/CARE ORDERS DEALT WITH BY THE DISTRICT COURT

	Supervision Orders	Care Orders
Applications Received	389	999
Orders Granted	370	940

* In the Dublin Metropolitan District, during the period 01/08/99 to 31/07/00 there were 48 Emergency Care Orders and 948 Interim Care Orders dealt with. In some provincial offices Care Orders include Emergency and Interim Care Orders

Licensing

The District Court also has wide powers in relation to liquor and lottery licensing. The largest percentage of licensing applications are in respect of special exemption orders. The Intoxicating Liquor Act, 2000 which came into force on 6th July 2000 made a number of changes to the licensing laws, particularly in relation to the opening hours of licensed premises which were extended to 12.30 a.m. on Thursday, Friday and Saturday. The Act also abolished summer and winter opening and closing times and the so-called "holy hour". As a result of these changes it is anticipated that the number of applications for special exemption orders will decrease in 2001.

The District Court Clerk keeps the following registers:

- a register containing particulars of all intoxicating liquor licences within the court area (including transfers, exemption orders, records of conviction and disqualification of premises),
- a register of all clubs

LICENSING APPLICATIONS DEALT WITH

Renewal of Publican Licences	2,385
Temporary Transfer of Licence	1,145
Annual Dance Licence	1,687
Temporary Dance Licence	542
Restaurant Certificate	1,474
Special Exemption Orders	74,736
Lottery Licence	1,509
Other	8,737

Court Fees

The courts generate a range of income in relation to its operations. One of these income sources is fees. Court fees are prescribed by the Minister for Justice, Equality and Law Reform with the agreement of the Minister for Finance. Fees must be paid by persons using the courts for many of the operations carried out by each of the court offices. For example if a person wishes to lodge documents a fee is often payable. The funds generated by these services are paid to the Exchequer with a small amount being retained by the Service.

The Service also collects a range of fees on behalf of the Land Registry and the Revenue Commissioners. The Land Registry fees are in relation to the access to Land Registry documents held locally in court offices. The revenue fees are in reality a duty collected on applications to court and to the provision of copies of some of these documents which fall to be paid to the Revenue Commissioners. This is mainly in licensing cases e.g. an application for a special licence.

FEES COLLECTED AND TRANSFERRED		
	£000's	€000's
Revenue Commissioners	£7,426	€9,429
Exchequer	£7,914	€10,049
Total	£15,340	€19,478

Fines

One of the penalties open to the courts when hearing cases is the imposition of a fine. When a fine is imposed the Service collects the fine from the offender. In many cases these fines are collected by the Service on behalf of other Government agencies or public bodies, e.g. fisheries fines are transferred to the Department of the Marine and Natural Resources. The Service retains fines imposed for certain offences and these are included in the Appropriations-in-Aid of the Service which contributes to the operating costs provided by the Oireachtas.

FINES COLLECTED AND TRANSFERRED		
	£000's	€000's
Exchequer (Motor Fines)	£4,642	€5,894
Revenue Commissioners	£822	€1,044
Department of the Marine and Natural Resources	£136	€173
Retained by the Service	£2,224	€2,824
Total	£7,824	€9,935

Chapter 5 - Developments *since* establishment



The Courts Service logo was developed as a symbol of our new identity. The architectural graphic mirrors the structure of the Four Courts whilst also containing a subtle reference to our historical emblem, the harp. The new symbol is already visible in many court buildings, interior and exterior signage, stationery, the website and other related material.

The modernisation of the Courts Service

The modernisation of the management of the Service is taking place at a number of levels: the establishment of the Service with clear management structures and clear lines of accountability, the development of modern management structures, arrangements and techniques including teamwork and partnership and the implementation of a major Information Technology (computerisation) Programme.

Unified staff structures together with common arrangements for promotion by competency based interviews were put in place with effect from establishment day. Partnership arrangements were put in place in early 2000 and arrangements commenced for the devolution of responsibility for a whole range of issues to local managers.

Additional funding was provided for staff training and development and a major expansion of staff training programmes took place during the year 2000. By the end of the year 2000 a training programme for the year 2001 had been prepared and will be published in early 2001.

A three year Strategic Plan for the Service was prepared and submitted to the Minister for Justice, Equality and Law Reform. The preparation of this first Strategic Plan involved a very extensive consultation programme during which every member of staff was invited to workshops and provided with the opportunity to participate in and contribute to the development of the plan.

Public notices were also placed in newspapers and very helpful submissions were received from a wide range of people including groups and individuals who are regular court users.

Following the completion of the Strategic Plan the preparation of business plans for the year 2001 was commenced in all Directorates and offices. These plans are the means by which the Strategic Plan will be implemented. The business plans will reflect, in operational terms, the outputs and strategies detailed in the Strategic Plan, identify the work programme for individual Directorates and units/offices, specify clear objectives for all units and offices, teams, individuals or groups and assign responsibility for the achievement of these objectives based on appropriate performance indicators. Workshops for all Directors and Office Managers were held in a number of venues throughout the country in late November and early December 2000.

By the end of the year 2000 arrangements were in hand for the commencement of the implementation of the Performance Management System which has been agreed centrally between the Department of Finance and unions representing staff throughout the Civil Service.

In the period covered by this Report significant progress was made across all of the mandates identified in our Strategic Plan. Key developments include:

MANDATE 1 - MANAGING THE COURTS

Conciliation and Arbitration

A new Courts Service Conciliation and Arbitration Council was established in February 2000, the structure and procedures having been successfully agreed with the unions. Most staffing and related claims arising are now channelled through the Council.

Recruitment and filling of positions

The early stages of the Service gave rise to considerable movement of staff and consequent disruption in many offices. More than 25% of the staff complement of over 1,000 either assumed new duties or were newly recruited into the organisation. This required organising a large number of competitions as well as undertaking the organisational elements of staff placement. The Service has been very fortunate in successfully minimising the number of outstanding vacancies in the organisation while also being very successful in retaining experienced staff.

Regional Offices

From a very early stage in the discussions on the formation of the Service it was clear that the current arrangements of 43 District Court offices and 26 Circuit Court offices, each operating as a separate entity with little responsibility or accountability devolved to them, was not conducive to a unified, modern, effective, responsive organisation. The solution was seen as lying in establishing small offices allowing for a high level of devolution of authority for budgets, human resource issues, maintenance of court buildings etc. to local managers. By the end of 2000 new structures had been agreed which will be phased in during 2001.

Partnership

There is a requirement in Partnership 2000 that participative structures be established in each public service organisation.

Government commitment to these structures was reinforced in the Programme for Prosperity and Fairness. The Central Partnership Committee under the chairmanship of the Chief Executive Officer was established during the year with representatives of management and staff.

Training and Development

The Training Centre provides the staff of the Service with the opportunity, resources and support to allow for continuous organisational and personal development and facilitates the achievement of the organisational goals contained in the Strategic Plan.

During 2000, total expenditure on training and development increased considerably to in excess of £0.35m (€0.44m).

By the year end 3 sub-committees had been set up to advance different areas - on Training and Development, on Internal Communications and on Identity Badges.

Internal Communication

An internal newsletter, *The Directorate Bulletin*, was designed, developed and launched during the year with a view to better informing staff throughout the Service of the various activities, initiatives and developments taking place within the new Directorates.

Training programmes initiated during 2000 included:

- a major programme of training in information technology
- information technology for members of the judiciary
- management
- induction
- customer service
- front line skills
- interview preparation
- Freedom of Information Act procedures
- Springboard personal development programmes

Improved customer service*Supreme & High Court*

A major emphasis has been placed on improving customer service in the offices of the Supreme & High Court and in the Four Courts complex.

Customer service and stress management training was organised for High Court staff in the afternoons in the Four Courts to facilitate court going staff and allow all staff to participate.

Progress Information Technology System

The Central Office Progress Information Technology System which enables practitioners and members of the public obtain information about court proceedings was connected at the Information Desk in the Round Hall of the Four Courts for the convenience of users.

The problems faced by Central Office users, many of whom were not availing of the public terminals in the Central Office to access information, were addressed by the provision of information sessions to explain the operation of the Progress system to them.

Nameplates

Nameplates have been provided for Registrars of the Supreme and High Courts

Civil Juries

Arrangements were put in place to provide lunch for jurors serving in civil actions. This service was previously only available to jurors serving in criminal trials.

Administration Unit

A review of customer services generally throughout the Four Courts complex was undertaken during the year. This review included signage, cleaning arrangements, enforcement of no-smoking in public areas and putting in place arrangements for regular meetings with judges and other user groups for consultation and feedback.

Circuit & District Courts

In the Dublin Metropolitan District Court the opening hours of the Custody Office have been extended in the mornings to provide a better service to the public. This office also provides court lists on a daily basis to members of the media. In Cork Circuit Court office an information/reception office has been established. Earlier commencement times for courts have been introduced in a number of districts.

Nameplates

Arrangements have been made for the provision of name plates for Registrars of the Circuit and District Courts.

Family Law

The Service is committed to reducing, as far as within its control, any delays in hearing family law cases, and to improving the facilities, information and service available to family law litigants and practitioners. Plans for a dedicated family law centre, to incorporate courts from all court jurisdictions serving the Dublin area are underway. This state of the art facility will incorporate 10 courtrooms, consultation rooms, a video evidence room, a supervised childminding area, two cafés and two entrances and exits.

Within the Dublin Metropolitan District Court, in the Family Law office in Dolphin House, extra interview rooms and confidential booths were provided. A new reception area was installed. A ticketing system was introduced for those using the office so that confidentiality can be maintained while litigants are awaiting service.

Specific Family Law days have been set aside to deal with Family Law cases in District Court Areas 3, 8, 12 and 23. Details of these and other provincial court areas are contained in Appendix 7.

A committee of the Board was established to review the manner in which family law cases are dealt with by the courts and to make recommendations for change thereto. Arrangements for a pilot project on the reporting of judgments and activity in the Family Law Courts were completed and will commence in 2001. This will be the first time that such judgments will be reported. It is hoped that this reporting will improve the information available to judges, practitioners, family law litigants, the media and academics and also assist the Service in its future planning and organisation for the needs of the area of family law.

Victim Support Facilities

Victim support facilities have also been a feature of the more recent courts building projects. New courthouses at the Richmond and Tallaght in Dublin include dedicated waiting facilities for victims. Similar arrangements are now incorporated in plans for all courthouses currently undergoing refurbishment. The design briefs for court venues to be refurbished in the future will include appropriate victim support facilities. The objective of the Service is to provide waiting facilities for vulnerable witnesses and victims of crime separately from the main public areas of the courthouse. The Service works closely with Victim Support in the provision of facilities for victims.

Provision of Court Transcripts - Pilot Project

Section 33(1) of the Courts of Justice Act, 1924 provides that an appeal to the Court of Criminal Appeal shall be heard and determined on a record of the proceedings at the trial and on a transcript of the proceedings verified by the judge. All trials heard in the Circuit Criminal, Central Criminal and Special Criminal courts are appealable to the Court of Criminal Appeal. It is therefore necessary that a record of all such proceedings be made. At present transcripts are provided by a mix of staff stenographers and stenographers employed by private companies. Due to an increase in the number of criminal courts sitting in Dublin, the problems experienced in recruiting staff stenographers arising from a shortage of experienced stenographers and the escalating costs associated with the stenography service, a review group was established to examine the manner in which transcripts are provided. The review group comprises court officials and staff stenographers.

The review group produced an interim report recommending in the short term that the *status quo* should remain unchanged and that a digital and tape recording system be tested as part of a pilot project in a court environment. The pilot project commenced in Dublin Circuit Court No. 25 and Central Criminal Court No. 2. It is anticipated that the pilot tests will be completed early in 2001 at which stage the review group will carry out a review of both recording systems and their suitability for court use.

Drug Court

In February 1999, a Drug Court Planning Committee was established by the Minister for Justice, Equality and Law Reform to examine the feasibility of setting up a pilot drug court. The committee recommended that a drug court be established on a pilot basis for an initial period of 18 months.

The Courts Service established a steering committee to oversee the establishment of a pilot drug court. Substantial progress was made by the group during 2000 in putting in place the infrastructure required for a drug court and in resolving the special organisational, resourcing and procedural requirements of a drug court.

The Drug Court will be formally launched in January, 2001.

Video-Link

The Criminal Evidence Act, 1992 provided that in certain cases involving sexual offences, a person other than the accused may give evidence through a live television link, provided that person is under 17 years of age, unless the court sees good reason to the contrary. The taking of evidence by way of video-link was further extended by section 39 of the Criminal Justice Act, 1999. This Act provides that evidence may be given by way of video-link by a witness (other than the accused) if the court is satisfied that the witness is likely to be in fear or subject to intimidation.

In 2000 the video-link system was upgraded to enable it communicate with video conferencing systems located outside the state. The upgraded system was used for the first time in July 2000, when evidence was given to the Central Criminal Court via a live satellite video-link from Australia. At present while only courts in Dublin are cabled for video-link equipment, the provision of video-link facilities in provincial locations is currently under review. As part of the Service's building and refurbishment programme, a selection of new and renovated courthouses, geographically spread, are being cabled for video-link equipment.

Reorganisation of District Court Areas, Districts and Venues of the District Court

The last major consolidation of the District Court areas was completed in 1961. While many changes have been enacted over the years, these changes have been done on a piecemeal basis, as a result of local requirements, sometimes due to inadequate courtrooms, at other times to allow for extra sittings due to an increase in court business in a District. There has been no comprehensive reappraisal of the areas since 1961. In the intervening time, there have been significant demographic and population changes (Appendix 2).

The Board established a District Court committee to review existing District Court areas, districts, and venues where District Courts are held.

Arising out of this examination the committee recommended the following:

- that all existing District Court areas and districts be reviewed and aligned to the greatest possible extent with existing county boundaries,
- that existing District Court offices be similarly organised, and
- that the reorganisation be introduced on a phased basis and only after extensive consultation with judges, staff and court users.

The benefit would be that all future revisions and reorganisation will be in line with a predetermined overall plan for the country as a whole, which will allow for better planning of the needs of the Service and court users.

The Board accepted the recommendations of the committee and is in the initial stages of planning to implement the changes.

Law relating to Wards of Court

Wardship law:

The Registrar of Wards of Court commenced a comprehensive review of wardship legislation and procedure. Research on alternative models to the current wardship regime has already commenced as a precursor to the preparation of a paper on the whole area.

Mental health law:

A series of legislative proposals, designed to enable wards of court avail of the review machinery comprised in the Mental Health Bill, 1999 and clarifying the protocol to be observed in providing medical treatment for wards of court, were drafted by the office and submitted to the Department of Health and Children in 2000, for inclusion in the planned new Mental Health Bill.

Rule changes:

A full review of the office's investment policy has been undertaken, with a view to availing of the liberalised trustee authorised investment regime introduced in 1998. As a first step in this process, a joint recommendation of the Office of Wards of Court and the Accountant's Office for the amendment of the Rules of Court, to facilitate electronic share transactions and investment in unitised funds, was submitted to the Superior Courts Rules Committee in July 2000, and has been approved by that committee.

During the year 2000, further progress was achieved on the overall programme, including the following principal features:

- additional features and enhancements were added to the Criminal Case Management System. The system has been implemented in Dublin and Limerick District Court offices and will be deployed to additional District Court Offices throughout the country during 2001,
- interim Civil Case Management systems have been developed and implemented in the Dublin Circuit Civil Court office, the Wards of Court office and Dundalk Circuit Civil Court office. Development also commenced on a further interim system for the Examiner's Office of the High Court. The development of these interim systems was identified as a high priority to meet specific and urgent business needs within the respective offices. The requirements for a new Integrated Civil Case Management System were prepared. During 2001 this requirements specification will form the basis of a major procurement for the design, development and implementation of this major system,
- during the year the installation of a modern cabling infrastructure was completed at a total of 57 Court Service offices throughout the State.

Information Technology

Information technology has the potential to make a major contribution to the future development of the Courts Service. New information and communication technologies will provide the future platform for the provision of a world class model of service delivery and will be critical to the successful fulfilment of the five core mandates outlined in our Strategic Plan for the period 2001 to 2005.

The Third Report of the Working Group on a Courts Commission, published in November 1996, recognised the "need for major computerisation of the courts to ensure the utilisation of modern technological tools". In this context, a major information technology programme has commenced. The benefits of this programme are now becoming apparent through specifically, the implementation of Phase 1 of the Criminal Case Management System and the ongoing deployment of new and modern communication technologies across the Service.

- the design, development and implementation of a new and modern communications infrastructure for the Service based on Local and Wide Area Networks commenced during the year. At year end, the system has been implemented at a total of 5 Courts Service sites in the greater Dublin area. The programme of work in the greater Dublin area will be completed by 31 March 2001 and will subsequently be deployed to all Courts Service sites throughout the country. Initially, the system will provide standard office productivity tools including word processing, spreadsheets and both internal and external e-mail for all staff. In the future it will provide the communication platform for the implementation of a range of critical operational and administrative information systems,
- during the year, reports were commissioned to examine the feasibility of introducing a number of pilot projects to provide some court services electronically. Specific areas being considered include ePayment (the payment of fines electronically) and eFiling specifically in relation to the Small Claims Procedure. Progress on these projects is ongoing,

Total expenditure on information technology and related services during 2000 amounted to £4.991m (€6.34m).

Development of 5 year Information Technology Strategic Plan

A 5 year Information Technology Strategic Plan was prepared during 2000 and will be published in early 2001. This plan reviewed the overall strategic direction in relation to information systems development to ensure that future developments in relation to information technology will be fully aligned with the overall strategic objectives of the organisation and will fully encompass the globally evolving technological developments in a courts environment including participation in the Government e-Broker model for the electronic delivery of public services to the citizen.

The Plan will deliver a set of key strategies for:

- the delivery of key business needs of the Service and the judiciary while at the same time incorporating the business needs of court users in the context of their interaction with the Service,

- project organisation, project management, and resource allocation to provide and ensure that all strategies in terms of application and infrastructural development can be delivered to acceptable levels of quality and within budget allocation.

Pilot Project e-Commerce

As part of the Service's commitment to e-Government, the Service in conjunction with the Department of Enterprise Trade & Employment has commenced work on a pilot project for the lodgment of small claims on-line. A steering committee has been set-up for the pilot project to establish such a procedure. The site will deal with disputed transactions, including Business-to-Consumer (B-2-C) e-commerce transactions by consumers in relation to goods and services.

- the delivery of a range of eGovernment services which are consistent with the Service's commitment to participate fully in the Government's initiative for the delivery of electronic services. The proposed electronic services will be provided across two dimensions, from a Courts Service perspective, Business to Consumer (B-2-C) - Courts Service to citizen and legal practitioner, and Business to Business (B-2-B) - Courts Service to An Garda Síochána, the Prisons Authority etc.,
- the introduction of modern accounting systems and particularly initiatives in relation to ePayment, the capability to complete financial transactions with the Service electronically,
- development of modern management and executive information systems to enable the Service to respond rapidly to changing business and operational needs and provide for current and future business developments, and

Financial Management

Detailed user requirements were finalised for a Financial Accounting and Management System which will be based in the Shared Services Centre of the Department of Justice, Equality and Law Reform in Killarney. It is anticipated that a contract will be awarded by mid 2001 with pilot sites in place by the end of 2001. This system will support improved operating procedures, devolved budgeting and significantly improved management information.

Court Funds

The total funds held by the courts amount to approximately £575m (€730.10m) and can be categorised as follows:

1. Wards of Court: persons made Wards of Court whose assets are brought under the protection of the court,
2. Minors: financial awards made by the court to persons under 18 whose awards are lodged in court until they reach the age of majority. In certain cases Minors can be made Wards of Court.
3. Lodgments by Parties to Court proceedings: money lodged in court by a party to civil court proceedings with a view to satisfying the claim of another party to the proceedings.

Items 1 to 3 above account for approximately 95% of court funds.

Other areas include:

- Funds lodged by trade unions, insurance companies and auctioneers,
- trustee matters (proceeds of trusts directed by the court to be lodged in court),
- unclaimed dividends in company liquidations,

- proceeds of compulsory land purchases where the beneficiary is unknown,
- lodgments under the Land Clauses Act, 1845, and
- charitable bequests.

There are approximately 34,000 fund accounts held in the courts.

Category	Amount of funds held £m	€m
Wards of Court	£260	€330.13
Minors	£195	€247.60
Lodgments by parties to court proceedings	£45	€57.14
Other	£75	€95.23
Total	£575	€730.10

The National Treasury Management Agency (NTMA) was commissioned in March 2000 to report on the arrangements for the management of court funds.

The Report of the NTMA, which was approved by the Board, made a number of significant recommendations. Significant progress was made during 2000 on the implementation of the recommendations:

- the Accountant's Office in the High Court has been aligned with the Finance Directorate of the Service,
- detailed user requirements were agreed and an Invitation to Tender was issued for the supply of accounting software to automate the work associated with the management and administration of all court funds. Work on the implementation of this system is due to commence during the summer of 2001,
- arrangements were made for an external audit of court funds in the High Court. Prior to the first audit, which will be carried out on accounts produced for the year ending 30th September 2001, a governance practice review will be undertaken, and

- consideration is also being given to the development of an investment strategy for all court funds and the engagement of independent investment advice.

Organisation and staffing

Responsibility for overall management of financial activities in Circuit and District offices was assigned to the Director of Finance in 2000. It was decided to establish a Central Funds Office within the Service to handle all fund investments across all jurisdictions.

Among the critical areas addressed by the Service was the lack of professional accounting skills. This was alleviated during the year by the external recruitment of two professionally qualified accountants: a Financial Management Accountant and a Project Accountant.

Changeover to the Euro

Ireland is one of 11 EU member States committed to participating in the European Monetary Union. The monetary union transition period began on 1st January, 1999, with the introduction of the Euro on a no compulsion basis for non-cash transactions. On 1st January, 2002 Euro notes and coins will be introduced and transacting business in Euros will be compulsory.

With over 1,000 staff in offices around the country virtually all of whom handle cash/cheques on a daily basis or process documents that contain financial data, the changeover to the Euro will have a major impact on the operations of the Service. A Euro Changeover Action Group was established in April, 2000 to ensure that all Service operations will be Euro-compliant on or before 31st December, 2001. The Group prepared a detailed Action Plan and is satisfied that the Service is on course to meet the target dates set for its implementation.

MANDATE 2 -**PROVIDING SUPPORT SERVICES
TO THE JUDICIARY**

The Courts and Court Officers Act, 1995 introduced a number of measures to facilitate training for the judiciary. It enables the Service to provide funds for judicial training courses arranged by the judiciary and also provides that persons wishing to be considered for judicial appointment must agree to undertake training courses following their appointment.

A Judicial Support Unit has been established within the Corporate Services Directorate. This unit supports the work of the Judicial Studies Institute, (established in 1996 by the then Chief Justice to oversee expenditure and planning for judicial training following a formal commitment in legislation to provide Government funding for judicial training), the Judicial Appointments Advisory Board (established in 1996 to inform the Government of the suitability of persons for judicial office), and generally has responsibility for other issues relating to judges.

In 1998, £50,000 (€63,486) was made available to the Judicial Studies Institute. This was increased to £60,000 (€76,184) in 1999 and £206,000 (€261,566) in 2000.

Research and library support for the judiciary

A Legal Executive Officer was appointed to the staff of the Chief Justice to assist in the organisation of his work.

There are currently one Senior Research Assistant and seven Judicial Research Assistants employed by the Service. These posts are temporary. An additional Research Assistant was sanctioned to provide support to the Committee on Judicial Conduct and Ethics.

Judges' Intranet Project Board

A judges' Intranet Project Board was established in April 2000. All jurisdictions are represented on the Board, which includes 6 judges, one of whom occupies the Chair. The strategic direction of the project is guided by the judges, while those Service members on the Board provide administrative and technical assistance.

Judges' Library

The Service continues to staff and support the Judges' Library which provides the library and information service for the judiciary of all courts, for the judicial research assistants and for the staff of the Service. Library resources include text books, journals, law reports, unreported judgments, legislation, official publications, databases on CD-ROM and online, and the Internet. The collection has continued to develop. *Unicorn*, an electronic library management system, has been purchased and will be used to automate and streamline various aspects of library management, including ordering, serials check-in, cataloguing, accounts, loans and reserves. During 2000, the first steps were taken in planning a new library as part of the reorganisation of the Four Courts complex.

The Copyright Act 2000 has very important implications for operations in all libraries, and for staff of the Service. The Librarian of the Judges' Library, with three other librarians, led research into the Bill on behalf of Irish librarians. He has also been involved in the development of the Irish side of BAILII (the British and Irish Legal Information Institute), giving free access to legal materials via the Internet, and has supplied electronic judgments as sample texts to the pilot site.

The library follows professional developments through contact with other libraries and with professional bodies, in particular the British and Irish Association of Law Librarians and the Government Libraries Section of the Library Association of Ireland.

MANDATE 3 -**PROVIDING INFORMATION
ON THE COURTS SYSTEM
TO THE PUBLIC**

In most cases courts are open to the public who are entitled to enter, see and listen to justice being administered. While this is a right which is exercised by many people every day in courts all over the country, the reality is that most people do not have the time or the opportunity to do so.

The Service is conscious of the need to introduce modern systems for the free flow of information to the community on the new developments within the courts. Indeed, this objective is enshrined in Section 5(c) of the Courts Service Act, 1998.

An Information Office was established in March 2000 to provide a comprehensive spectrum of information about the Irish courts and to seek to enhance public awareness of the courts generally. Since its establishment the office has continued to pursue a number of initiatives commenced while the Service was in a transitional phase and has introduced a number of others.

*“...one of those websites that
astounds one with its sheer
resourcefulness”*

Business & Finance Magazine.

Courts Service Website

The Courts service website was launched in November 1999. The establishment of a presence on the web helped to foster a unique identity for the new Service. The development of the website will be an ongoing process and will comprise several development phases. The initial website contains a comprehensive range of information which includes: information on the courts system; the various administrative offices which support the courts and who interface with the public; a 'Frequently Asked Questions' section dealing with common queries from users; news & press releases; publications such as our Strategic Plan; geographic drill down maps showing courts offices nation-wide; a links section connecting to related sites; a user feedback section and a staff contact directory. The *Legal Diary* is now available on the website and is updated daily at 7p.m.

Further sections planned as Phase 2 of the development of the site for 2001 include the addition of a Schools/Educational section, Heritage/Historical section, court judgments commencing with a Supreme Court Pilot Project and the further enhancement of the existing site.

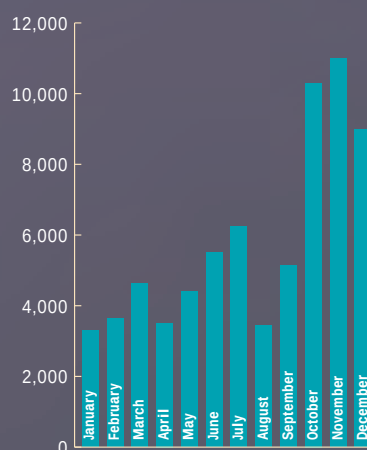
The leading Irish Internet Magazine *Dot.ie* applauded the site for its very user-friendly look and feel and the Ireland on Line website listed *courts.ie* at No 5 in its top 10 websites for the month of May 2000.

The number of visits which the site received in 2000 grew from a figure of 3,290 per month for January to a peak of over 10,000 per month in November. There was a continuing upward trend in site traffic throughout the year except in the months of August and September which coincides with the legal vacation. It is hoped that these figures will continue to grow in 2001 as the site is further developed.

COURTS SERVICE WEBSITE SITE VISITS
1st JANUARY - 31st DECEMBER 2000

January	3,290
February	3,636
March	4,634
April	3,514
May	4,396
June	5,500
July	6,250
August	3,449
September	5,130
October	10,300
November	11,000
December	8,983

Courts Service Website Visits
1st Jan - 31st Dec 2000



Courts Service Newsletter - "Courts Service News"

Courts Service News is the newsletter for the Service and was first published in early 1999 in the lead up to the establishment of the Courts Service in November of that year. The newsletter has a circulation run of 6,000 and is distributed both internally to judges and staff and externally to those interested in the work of the courts.

quickly established itself as the key method of communicating and informing both staff, judges and court users of proposed changes and ongoing developments as they arise. It has proved a particularly important tool for communication in the context of the disparate geographic location of many court offices throughout the country.

Five issues of Courts Service News were published in 2000 - March, May, July, October and December and in 2001 it is intended to continue this pattern of publication, which relates to the various terms of the Legal Year.

At a time of profound and far reaching change in the administrative structures supporting the courts the newsletter has

Publications

A Publications Unit was established within the Information Office to oversee the preparation, publication and distribution of information leaflets, booklets and videos for court users. During 2000, the unit produced a booklet entitled "*The Courts System in Ireland - an introduction*" and launched a booklet on the work of the Taxing Master's office. Leaflets providing information on the Pilot Drug Court project in Dublin and the new courthouse in Cloverhill in Dublin will be available early in 2001.

Media Relations Service

Following a public procurement process Curran Communications Limited were engaged in November 2000 to provide our Media Relations Service.

Projects supported by the Service in 2000***First Schools Mock Trial Competition***

The Service supported the first mock trial competition organised for transition year students and designed to demystify the law and encourage young people to learn about how our legal system works.

This service, in addition to highlighting the work of the Service, will act as a liaison between the media and the Service. The Service will work to provide the media with facilities and information so as to encourage accurate reporting of court proceedings.

Students assumed the roles of solicitors, barristers, jurors, witnesses and court reporters to form a team to compete with other schools in a mock court case.

The competition took place in the Four Court in April 2000 and was judged by senior members of the judiciary.

The final of the competition was held in the Supreme Court.

"The Courthouses of Ireland"

The Service supported the publication of "The Courthouses of Ireland" a rich reference source of Irish courthouses.

The book, produced and published in 2000 by the Heritage Council in partnership with Dúchas and the Service forms a unique inventory of the architectural heritage of Irish courthouses. Copies of the book are available from the Heritage Council.

MANDATE 4 -**PROVIDE, MANAGE AND
MAINTAIN COURT
BUILDINGS****MANDATE 5 -****PROVIDE FACILITIES FOR
USERS OF THE COURTS**

The 1998 Courts Service Act confers on the Service responsibility for the provision and maintenance of court buildings and for the provision of facilities for users of the courts. Prior to the establishment of the Service responsibility for the provision and maintenance of court buildings rested with the local authorities. In a small number of cases, most noticeably the Four Courts, the buildings were owned and maintained by the Office of Public Works. Since the early 1990's most of the funding for new or major refurbishment of courthouses was provided to the local authorities by the Department of Justice, Equality and Law Reform.

Court sittings take place in venues throughout the State. High Court and Circuit Court sittings are concentrated in the larger towns particularly county towns.

District Court sittings take place in a very large number of smaller venues right across the country. On establishment day there were approximately 240 venues used for court sittings. Some 165 of these were owned by local authorities or the Office of Public Works. The remainder were rented by the local authorities. In 95 of the State owned buildings the court shared the buildings with other public services, usually the local authorities. 70 buildings were occupied exclusively by the courts.

The remainder of the venues used for court sittings were rented and used for a variety of purposes on days when court sittings are not taking place.

The very poor condition of court buildings in general was identified as a major issue by the Working Group on a Courts Commission who recommended that a priority for the new Service should be the preparation and implementation of a Seven Year Buildings Programme.

Many of the buildings, particularly in the larger venues, have significant architectural and heritage significance and values. The restoration of these buildings is both expensive and challenging. The Service must, within the constraints of these buildings, provide modern day acceptable facilities for court users whilst at the same time protecting the integrity of the architectural and historical features of the buildings. There is also a significant additional cost associated with refurbishing such buildings. These buildings are also very important buildings for the local towns and the Service is committed, if at all possible, to providing modern day facilities within these fine buildings.

Building - Refurbishment programme

During 2000 a Five Year Interim Building/Refurbishment Programme was prepared and submitted to the Minister for Justice, Equality and Law Reform for approval and funding. By the end of the year 2000 arrangements were well advanced for the completion of a Seven Year Building/Refurbishment Programme.

The Service has engaged in extensive consultation with judges, staff and court users. A consultation protocol was prepared and implemented with effect from establishment day and whilst it is not always possible to accommodate all of the requests made during the consultation phase the protocol has greatly enhanced the quality and value of the planning process and has ensured that the design of new/refurbished buildings has responded to the needs identified by the user groups.

The Service is committed to accommodating the needs of all citizens in accessing court buildings and facilities and this includes the provision of facilities for persons with a disability or other special needs.

The architectural and design features of many courthouses present considerable challenges in this regard.

Progress to date

Significant progress has been made on the building/refurbishment programme since establishment day. Work has been completed on the restoration of court buildings in Carlow, Portlaoise, Buncrana, Baltinglass, Templemore and Mallow and court sittings in these venues have resumed.

Courthouse	Project Cost	
	£m.	€m.
Carlow (phase 2)	£1.5	€1.90
Portlaoise	£2.2	€2.79
Buncrana	£0.45	€0.57
Baltinglass	£0.79	€1.00
Templemore	£0.19	€0.24
Mallow	£0.95	€1.21
Arva	£0.25	€0.32
Westport (Phase 1)	£0.2	€0.25

By the end of the year 2000 building/refurbishment work was underway in Westport (will be completed in early 2001), Sligo (will be completed in mid 2001), Carrickmacross (will be completed in early 2001), Arva (will be completed in early 2001) and Athy (will be completed in early 2001). A major refurbishment of the Limerick Circuit Court building had commenced before the year end.

Courthouse	Estimated Project Cost	
	£m.	€m.
Sligo	£5.9	€7.49
Carrickmacross	£0.8	€1.02
Athy	£1	€1.27
Limerick Circuit Court	£7	€8.89
Dundalk	£8	€10.16
Longford	£5	€6.35
Monaghan	£2	€2.54

Courthouse	Estimated Project Cost	
	£m.	€m.
Castlebar	£10	€12.70
Ennis	£5.5	€6.98
Borrisokane	£0.3	€0.38
Cork Circuit Court	£5	€6.35
Nenagh	£6.5	€8.25
Tullamore	£6.5	€8.25
Newcastlewest	£1.2	€1.52

Tenders were received for the major refurbishment and extension of Dundalk courthouse (work will commence in early 2001).

Significant progress was made on the planning of other major projects.

An adjoining building and substantial space was acquired for the existing courthouse in Longford and by the year end plans had been prepared for a major upgrading and expansion of the present courthouse. Plans were also well advanced for a major refurbishment and expansion of the existing courthouse in Castlebar. Two adjoining buildings were purchased which will considerably enhance court facilities in this venue. Plans have been finalised for a major refurbishment of Ennis courthouse and for the refurbishment of Borrisokane courthouse. Plans were finalised for the major upgrading of the Cork Circuit Court building.

In addition, architects have been appointed for major refurbishment projects in Nenagh, Thurles, Tullamore, Newcastlewest, Youghal, the District Court building in Cork, Fermoy, Clifden and Killarney.

By the year end consultation had taken place with court users regarding the refurbishment of courthouses in Killarney, Carrick-on-Suir, Roscommon, Mullingar and Drogheda where a site has been acquired and additional space is being acquired to ensure that the court building in this rapidly expanding town will meet present and future requirements.

Additional space was acquired in Monaghan which will considerably improve and enhance the facilities available in that courthouse.

The Four Courts

During the year 2000, a major plan for the redevelopment and provision of improved facilities in the Four Courts and associated buildings was prepared. In summary the plan provides for the relocation of a number of High Court offices, (the Wards of Court Office, the Examiners Office, the Official Assignees Office, the Accountant's Office, the Probate Office and the General Solicitors Office) to a new building in Smithfield which will also accommodate Courts Service central office staff.

The vacated space in the Áras Uí Dhálaigh building adjacent to the Four Courts will be used to provide a new High Court Central Office and accommodation for High Court Registrars, improved and expanded accommodation for the Circuit Court Offices and the District Court Offices, the provision of dedicated facilities for judges and their support staff including a new library, new facilities for judicial researchers, judges' meeting and conference rooms and facilities for the Judicial Studies Institute.

By the year end plans had been prepared for the refurbishment of Áras Uí Dhálaigh and work will commence on the refurbishment as soon as the High Court offices have been relocated to the new building in Smithfield which is expected to take place before the middle of the year 2001. The relocation of the High Court Central Office, the Judges' Library and the Judicial Researchers from the East wing of the Four Courts will facilitate a major redesign and upgrading of the East wing which will accommodate six Jury Criminal Courts. Architects have been appointed for the East Wing Project and by the year end plans were being prepared.

Family Law Centre for Dublin area

During the year 2000 plans were finalised for a major new 10 courtroom Family Law Centre with associated facilities for all Family Law Courts in Dublin (High Court, Circuit Court and District Court Family Law Courts). This facility, when constructed, will provide modern purpose designed facilities for all Family Law Court users. The new facility, which will be located at Ormond Quay, adjacent to the Four Courts, is being provided in partnership with Dublin Corporation.

Maintenance Programme

Responsibility for maintaining court buildings was transferred from the local authorities to the Service on establishment day. Following establishment day all court offices were requested to submit priority requirements for maintenance and funding was provided to carry out maintenance improvement work in a total of 90 venues during the year 2000. The smooth transfer of responsibility for maintenance of court buildings was greatly assisted by the help given to the Service by local authorities throughout the State and by the Office of Public Works.

Transfer of Court Buildings from Local Authorities and the Office of Public Works to the Courts Service

The 1998 Courts Service Act provides for the transfer of court buildings to the Service. Following establishment day the Service commenced arrangements to transfer property used exclusively by the courts from local authorities and the Office of Public Works. A preliminary list of 60 buildings were, by the year end, in the process of being transferred. A further review of properties appropriate for transfer was underway at the end of the year.

During the year 2000 agreement was finalised with the Office of Public Works to carry out maintenance programmes (emergency and planned) in the 90 court buildings which are used exclusively by the courts. Arrangements were also agreed with the Office of Public Works to carry out a major survey of short and long term maintenance requirements for all court buildings. This survey will be carried out during the year 2001 and will enable the service put in place a planned ongoing maintenance programme for the future. The survey will also specifically address issues regarding access for persons with a disability and health and safety issues in court buildings. In view of the poor conditions in many buildings, these particular issues will be given priority attention.

The Service is aware of many venues where local authority and Office of Public Work maintenance staff and individual caretakers and cleaners have provided a very high quality service, often in difficult circumstances.

RULES COMMITTEES

Committees exist at each jurisdictional level of the court structure to make Rules of Court. In its Second Report the Working Group on a Courts Commission recommended that each Rule Making Committee should make a report each year to the Courts Service for inclusion in the Annual Report. The following are the reports of the Rules Making Committees for the year 2000:

Superior Courts Rules Committee

The power to make, annul or alter rules of court is exercisable by the Superior Courts Rules Committee with the concurrence of the Minister for Justice, Equality and Law Reform. The Committee was established by Section 67 of the Courts of Justice Act 1936 and reconstituted by Section 15 of the Courts of Justice Act 1953.

Members of the Committee at 31st. December 2000:

- the Chief Justice, the Hon. Mr. Ronan Keane (Chairman)
- the President of the High Court, the Hon. Mr. Justice Frederick Morris (Vice-Chairman)
- the Master of the High Court, Mr. Harry Hill S.C.
- the Hon. Mr. Justice Francis D. Murphy, judge of the Supreme Court
- the Hon. Mr. Justice Adrian Hardiman, judge of the Supreme Court
- the Hon. Mr. Justice Richard Johnson, judge of the High Court
- the Hon. Mr. Justice Nicholas Kearns, judge of the High Court
- Mr. Paul Sreenan S.C., nominated by the Council of the Bar of Ireland
- Mr. Anthony Hunt B.L. nominated by the Council of the Bar of Ireland
- Mr. Gordon Holmes, Solicitor nominated by the Law Society of Ireland
- Mr. Patrick Groarke, Solicitor nominated by the Law Society of Ireland
- Mr. P.J Fitzpatrick, Chief Executive of the Courts Service

- Mr. John Dalton, Registrar of the Supreme Court, (Secretary)
The Committee met on seven occasions during 2000.

Mr. Diarmuid McGuinness, S.C. is engaged by the Committee to draft Rules.

The following rules of the Superior Courts were drafted by the Committee and signed by the Minister for Justice, Equality and Law Reform since establishment day on the 9th November 1999:

S.I. No. 66 of 2000
Rules of the Superior Courts (No 1)
(Powers of Attorney Act 1996) 2000

S.I. No. 105 of 2000
Rules of the Superior Courts (No 2) Courts Martial Appeal Court Rules (Amendment) 2000

S.I. No. 329 of 2000
Rules of the Superior Courts (No.3)
(Documentation Review of Taxation) 2000

S.I. No. 327 of 2000
Rules of the Superior Courts (No.4)
(Amendment Order 70A) 2000

S.I. No. 328 of 2000
Rules of the Superior Courts (No.5) (Offer of Payment in lieu of lodgment) 2000.

Circuit Court Rules Committee

The rule making authority for the Circuit Court is the Circuit Court Rules Committee with the concurrence of the Minister for Justice, Equality and Law Reform.

The terms of reference for the Committee are:

- to consider legislative changes at domestic and EU level and to amend Circuit Court Rules on Practice and Procedure to take account of such changes, where appropriate
- to review, update and consolidate existing Rules
- to consider issues relevant to the Rules raised by members of the Committee and members of legal professional bodies

Members of the Committee at 31st. December, 2000:

- the President of the Circuit Court, the Hon Mr. Justice Esmond Smyth (Chairman)
- His Honour Judge Kieran O'Connor, judge of the Circuit Court
- His Honour Judge Carroll Moran, judge of the Circuit Court
- Ms. Anne Dunne 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
- Mr. P.J. Fitzpatrick, Chief Executive of the Courts Service
- Ms. Susan Ryan, County Registrar, Dublin (Secretary)

The Committee met on ten occasions during 2000. The primary objective of the Committee for the year 2000 was to complete the consolidation of the Circuit Court Rules. This was achieved. The final draft of the consolidated Rules has been proofed and indexed. It is anticipated that the Rules will be published in early 2001.

Ms. Nuala Jackson, B.L. is engaged by the Committee to draft Rules.

In addition to consolidating the existing Rules the following rules of the Circuit Court were drafted by the Committee and signed by the Minister for Justice, Equality and Law Reform since establishment day on the 9th November 1999:

- Data Protection Act, 1988
- Domestic Violence Act, 1996
- Organisation of Working Time Act, 1997
- Parental Leave Act, 1998

These new Rules will be incorporated into the consolidated Rules.

The following Rules have been amended to take account of recent legislative changes and the amendments have been incorporated into the consolidated Rules;

- The Rules relating to the Jurisdiction of Courts and Enforcement of Judgements (European Communities) Act, 1998 have been amended to take account of the repealing 1998 legislation
- The Rules relating to companies have been amended by the addition of rules governing applications to restore companies to the Register pursuant to section 46 of the Companies (Amendment) (No. 2) Act, 1999.

Rules have been drafted in respect of the Employment Equality Act, 1998 and these are being considered further by counsel retained by the Committee. Also under active consideration is an amendment to the Rules to provide for offers of payment in lieu of lodgment in circumstances similar to those recently introduced into the Rules of the Superior Courts.

District Court Rules Committee

The rule making authority for the District Court is the District Court Rules Committee with the concurrence of the Minister for Justice, Equality and Law Reform.

Members of the Committee at 31st. December, 2000:

- The President of the District Court, His Honour Judge Peter Smithwick (Chairman)
- Judge Uinsin MacGruiarc, judge of the District Court
- Judge Mary Devins, judge of the District Court
- Judge John Garavan, judge of the District Court
- Judge John Brophy, judge of the District Court
- Mr. Gerard Griffin, Solicitor, nominated by the Law Society of Ireland
- Sean McMullin, Solicitor, nominated by the Law Society of Ireland
- Ms. Caroline Biggs, B.L., nominated by the Council of the Bar of Ireland
- Mr. P.J. Fitzpatrick, Chief Executive of the Courts Service
- Mr. John McGreevy, Deputy Chief Clerk, Dublin Metropolitan District Court (Secretary)

The Committee met on four occasions during 2000 and considered and passed a number of Rules.

The following rules of the District Court have been signed by the Minister for Justice, Equality and Law Reform since establishment day on the 9th November 1999:

District Court (Taxes Consolidated Act, 1997) Rules, 2000

District Court (Jurisdiction of Courts and Enforcement of Judgments Acts, 1998) Rules, 2000

District Court (Attachment and Committal) Rules, 2000

District Court (Criminal Procedure) Rules, 2000

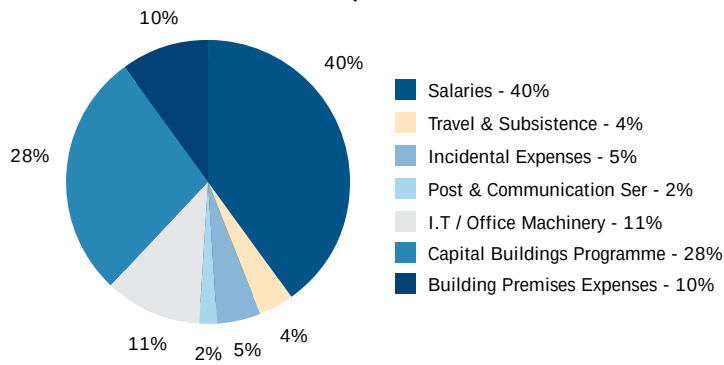
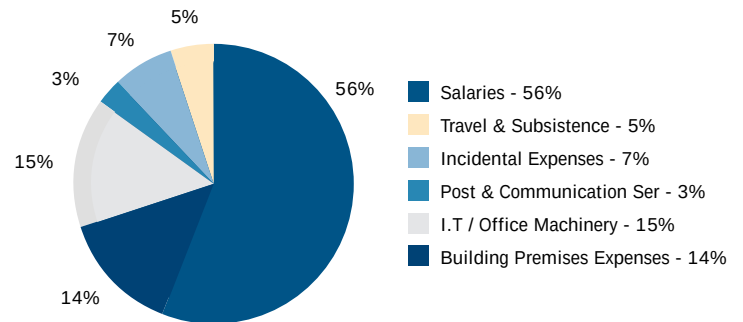
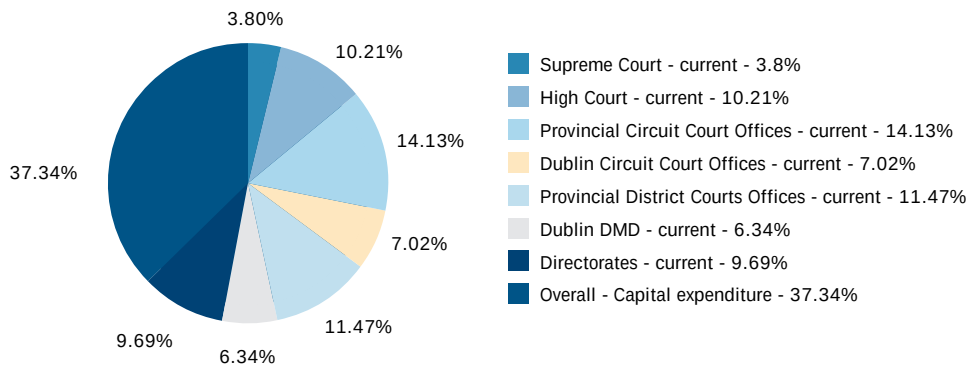
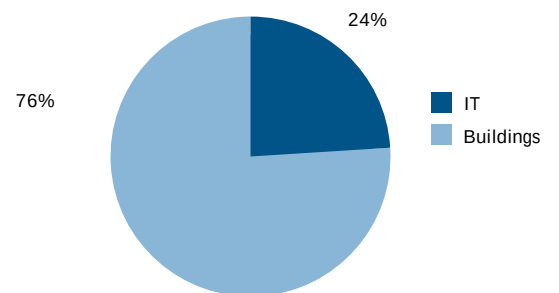
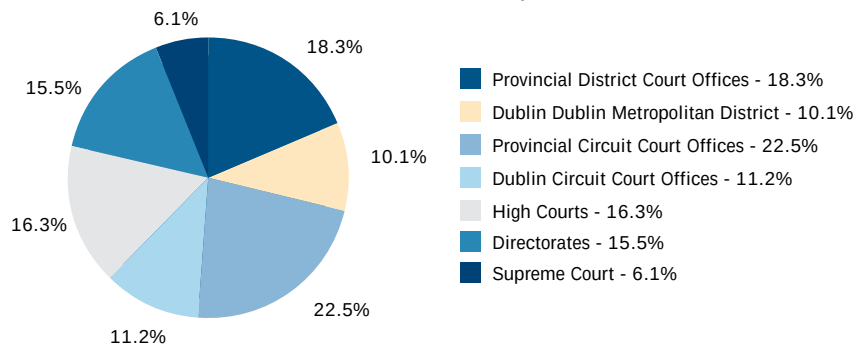
District Court (Bail Act, 1997) Rules, 2000

District Court (Offences against the State (Amendment) Act, 1998) Rules, 2000

Rules awaiting signature by the Minister:
District Court (Criminal Justice) Rules, 2000.

FINANCIAL STATEMENT
FINANCIAL OUTTURN
for the Year End 30th December 2000

Current Expenditure	£'000	€'000
Salaries and Wages	22,453	28,509
Travel and Subsistence	2,134	2,710
Staff and Judicial Training	551	700
Stenography and Other Fees	975	1,238
Legal Services	111	141
Postal Services	452	574
Telecommunications	859	1,091
Office Equipment and Materials	907	1,152
Courthouse Maintenance	3,821	4,852
Heat, Light & Fuel Costs	581	738
Furniture and Fittings	800	1,016
Incidental/Miscellaneous Costs	1,319	1,675
Total Current Expenditure	34,963	44,394
Capital Expenditure		
Computer Systems	4,989	6,335
Courthouses and Other Buildings	15,850	20,125
Total Capital Expenditure	20,839	26,460
Total Expenditure	55,802	70,854
<i>Income (Appropriations-in-Aid)</i>		
Fines	2,224	2,824
Fees and Miscellaneous Income	574	729
Total Income	2,798	3,553
Net Expenditure	53,004	67,301

Court Service Total Expenditure Year 2000**Analysis of Current Expenditure (excluding Capital Buildings)****Capital Expenditure plus Current Expenditure by Jurisdiction & Directorates - 2000****Analysis of capital Expenditure****Jurisdiction & Directorate Current Expenditure Year 2000**

FINANCIAL STATEMENT

PROMPT PAYMENT OF ACCOUNTS ACT, 1997

The Service is subject to the terms of the Prompt Payment of Accounts Act, 1997. The Act came into effect on the 2nd January, 1998. Since its establishment the Service has complied with the terms of the Act.

The Service makes payments to suppliers after the goods or services have been provided satisfactorily and within 45 days of the supplier submitting an invoice.

During the year 2000 the Service made 46 late payments in excess of £250. The total value of these payments was £141,314. The total value of late payments in the year amounted to £154,510 out of total payments of £31.2m and interest thereon amounted to £1,693 (i.e. 0.045%)

The procedures which have been put in place can only provide reasonable and not absolute assurance against material non-compliance with the Act.

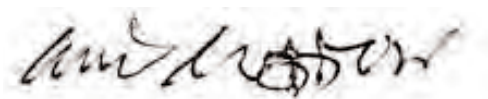
POOR BOX RECEIPTS AND PAYMENTS - 1st JANUARY 2000 TO 31st DECEMBER 2000

	Opening balance at 01/01/00		Receipts		Payments		Balance on hand at 31/12/00	
High Court	nil		nil		nil		nil	
Circuit Court	£42,000	(£53,329)	£15,000	(£19,046)	£26,000	(£33,013)	£31,000	(£39,362)
District Court	£83,000	(£105,388)	£413,000	(£524,402)	£408,000	(£518,053)	£88,000	(£111,737)
Totals:	£125,000	(£158,717)	£428,000	(£543,448)	£434,000	(£551,066)	£119,000	(£151,099)

OFFICE OF THE ACCOUNTANT OF THE COURTS OF JUSTICE
Statement of Accounts

in accordance with Order 77, Rule 96 of the Superior Court Rules

	£'000	£'000
Opening cash balance as at 1st October, 1999	1,846	
Receipts lodged in court	64,741	
Receipts from the Sales of Investments	81,702	
Purchase of Investments	(70,871)	
Payments	(75,379)	
Closing Cash Balance as at 30th September 2000		2,039
Balance of Non Cash funds:		
Deposits Funds	256,839	
Managed Funds	176,724	
Government Funds	6,389	
Insurance Policies	1,110	
Equities	55,638	
Closing Non Cash balance as at 30th September, 2000		£496,700.00
Closing balance of total funds as at 30th September, 2000		£498,739.00
Euro equivalent of total funds as at 30th September, 2000		€633,268.00



Signed: Maurice Mc Morrow

Accountant of the Courts of Justice

APPENDIX 1

Freedom of Information Act, 1997

The Freedom of Information Act, 1997 came into force on 21st April, 1999.

The Service came under the terms of the Act on the 1st March, 2000 by regulation made by the Minister for Finance.

The Freedom of Information Act allows for access by the public to information held by public bodies which is not routinely available through other sources.

Access to information under the Act is subject to certain exemptions and restrictions.

The restriction provided for in section 46 of the Act is of particular significance to the Service. Section 46(1)(a) specifies that the Act does not apply to 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.

Since the establishment of the Service 30 requests have been processed up to 31st December 2000. A breakdown of the decisions reached on these requests is shown in the table below:

9th NOVEMBER 1999 TO 31st DECEMBER 2000		
Total requests	30	100%
Access granted/part granted	5	17%
Refused/Records restricted under section 46(1)(b)	14	47%
Handled outside the Act/Withdrawn	10	33%
Transferred	1	3%

APPENDIX 2

POPULATION BY COUNTY - BASED ON CENSUS 1961 AND 1996

County	1961	1996	% increase /decrease
Carlow	33,342	41,616	+ 25%
Cavan	56,594	52,944	- 6%
Clare	73,702	94,008	+27%
Cork	330,443	420,510	+27%
Donegal	113,842	129,994	+ 14%
Dublin	718,332	1,058,264	+ 47%
Galway	149,887	188,854	+26%
Kerry	116,450	126,130	+8.3%
Kildare	64,420	134,992	+109%
Kilkenny	61,668	75,336	+22%
Laois	45,069	52,945	+17%
Leitrim	33,470	25,057	-25%
Limerick	133,339	165,042	+ 24%
Longford	30,643	30,166	-1.5%
Louth	67,378	92,166	+37%
Mayo	123,330	111,524	-11%
Meath	65,122	109,732	+68%
Monaghan	47,088	51,313	+ 9%
Offaly	51,533	59,117	+ 15%
Roscommon	59,217	51,975	-2%
Sligo	53,561	55,821	+ 4%
Tipperary	123,822	133,535	+ 8%
Waterford	71,439	94,680	+32%
Westmeath	52,861	63,314	+ 20%
Wexford	83,308	104,371	+25%
Wicklow	58,479	102,683	+75%
Total	2,820,300	3,628,085	+29%

APPENDIX 3

AVERAGE WAITING TIMES FOR HEARING OF CASES

(as at November 2000)

Average waiting time is defined as the time between the court offices being notified that a case is ready to proceed to hearing/trial and the actual date for hearing/trial.

Law Terms 2000

Hilary Sittings	Easter Sittings	Trinity Sittings	Michaelmas Sittings
11th January to 14th April	1st May to 8th June	21st June to 31st July	2nd October to 21st December

SUPREME AND HIGH COURT

SUPREME COURT	6 months
COURT OF CRIMINAL APPEAL	9-12 months
SPECIAL CRIMINAL COURT	10 months
CENTRAL CRIMINAL COURT	11-12 months
HIGH COURT	

CHANCERY

- List to Fix Dates held each term - most cases certified by Counsel as ready are listed and assigned dates in the following Legal Term

NON JURY

- as above

JUDICIAL REVIEW

- as above

CIVIL JURY CASES

- as above

PERSONAL INJURIES CASES

DUBLIN

- a list of cases for the following two week period is called over each Wednesday and application can be made in respect of any case ready to proceed for a hearing date 10 days later.

KILKENNY

3 months (next session)

GALWAY

3 months (next session)

LIMERICK

6 months (delay of 2 sessions)

SLIGO

6 months (delay of 2 sessions)

DUNDALK

6 months (delay of 2 sessions)

WATERFORD

8 months (delay of 2 sessions)

CORK

2 years (delay of 6 sessions)

The term next session means that the case will be dealt with at the next court sittings in the venue concerned.

APPENDIX 3 (continued)

AVERAGE WAITING TIMES FOR HEARING OF CASES

(as at November 2000)

FAMILY LAW

- 3 months where Master of the High Court decides the case is ready for hearing - parties can obtain an earlier date by applying to be included in a "second list" to avail of dates where a case listed for hearing settles or adjourns

WARDS OF COURT OFFICE

From acceptance of application papers to listing before court	1 week from receipt of complete documentation
For preparation of Dismissal or Discharge Order from date of filing application	12/15 months
For authorisation of payments	1 week from date of request where there are no queries or from resolution of queries
For registration of an Enduring Power of Attorney	Two weeks where no query is raised or from discharge of query if raised

PROBATE OFFICE (PRINCIPAL REGISTRY)

Application by Solicitor for issue of Grants - 6 weeks

Applications by personal applicants - 3 months

TAXING MASTERS OFFICE

Summons to Tax to date for hearing: 6-8 weeks

CIRCUIT COURT

CRIMINAL CASES, CIVIL CASES, FAMILY LAW BUSINESS

See Pages 108 and 109.

CRIMINAL CASES REQUIRING VIDEO-LINK EVIDENCE

- no extra delay caused by the requirement of video-link evidence

DISTRICT PROBATE REGISTRIES - APPLICATIONS FOR ISSUE OF GRANTS

DUNDALK	5 weeks	KILKENNY	2 weeks
CORK	3-4 weeks	LETTERKENNY	2 weeks
SLIGO	4 weeks	LIMERICK	2 weeks
CASTLEBAR	2 weeks	MULLINGAR	2 weeks
CAVAN	2 weeks	TRALEE	2 weeks
CLONMEL	2 weeks	WATERFORD	2 weeks
GALWAY	2 weeks	WEXFORD	2 weeks

APPENDIX 3

AVERAGE WAITING TIMES FOR HEARING OF CASES

(as at November 2000)

CIRCUIT COURT								
CIRCUIT COURT	CRIMINAL CASES		CIVIL CASES		FAMILY LAW BUSINESS			
	Cases	Appeals	Cases	Appeals	Judicial Separation	Divorce	Nullity	Appeals
Carlow	Next session	Next session	Next session	Next session	Next session	Next session	Next session	Next session
Carrick-on-Shannon	Next session	Next session	Next session	Next session	Next session	Next session	Next session	Next session
Castlebar	Next session	Next session	Next session	Next session	Next session	Next session	Next session	Next session
Cavan	Next session	Next session	6 months	6 months	Next session	Next session	Next session	Next session
Clonmel	Next session	Next session	6 months	6 months	6 months	6 months	6 months	Next session
Cork	6 months	9 months	12 months	6 months	Consent 2 months Hearing 12 months	Consent 2 months Hearing 12 months	Consent 2 months Hearing 12 months	6 months
Dublin	1 - 3 months	1 -3 months	One month	One month	Consent 1 month Hearing 7 months	Consent 1 month Hearing 7 months	Consent 1 month Hearing 7 months	6 weeks
Dundalk	Next session	Next session	6 months	Next session	Next session	Next session	Next session	Next session
Ennis	Next session	Next session	Next session	Next session	Next session	Next session	Next session	Next session
Galway	Next session	Next session	Next session	Next session	Next session	Next session	Next session	Next session
Kilkenny	Next session	Next session	Next session	6 months	Next session	Next session	Next session	Next session
Letterkenny	6 months	Next session	12 months	12 months	6 months	Next session	Next session	Next session

APPENDIX 3 (continued)

AVERAGE WAITING TIMES FOR HEARING OF CASES

(as at November 2000)

CIRCUIT COURT								
CIRCUIT COURT	CRIMINAL CASES		CIVIL CASES		FAMILY LAW BUSINESS			
	Cases	Appeals	Cases	Appeals	Judicial Separation	Divorce	Nullity	Appeals
Limerick	Next session	Next session	8 months	Next session	Next session	Next session	Next session	Next session
Longford	Next session	Next session	6 months	Next session	Next session	Next session	Next session	Next session
Monaghan	6 months	Next session	12 months	12 months	Next session	Next session	Next session	Next session
Mullingar	6 months	Next session	6 months	6 months	Next session	Next session	Next session	Next session
Naas	Next session	Next session	6 months	Next session	6 months	Next session	Next session	Next session
Portlaoise	Next session	Next session	6 months	Next session	Next session	Next session	Next session	Next session
Roscommon	Next session	Next session	Next session	Next session	Next session	Next session	Next session	Next session
Sligo	Next session	Next session	12 months	Next session	Next session	Next session	Next session	Next session
Tralee	6 months	Next session	9 months	9 months	Next session	Next session	Next session	Next session
Trim	6 months	Next session	6 months	6 months	Next session	Next session	Next session	Next session
Tullamore	Next session	Next session	Next session	Next session	Next session	Next session	Next session	Next session
Waterford	6 months	Next session	Next session	Next session	Next session	Next session	Next session	Next session
Wexford	Next session	Next session	18 months	15 months	Consent next session Hearing 12 months	Consent next session Hearing 12 months	Consent next session Hearing 12 months	Next session
Wicklow	Next session	Next session	12 months	12 months	Next session	Next session	Next session	Next session

Note:

The term next session means that the case will be dealt with at the next court sittings in the venue concerned. While cases may be listed for hearing for a particular sitting, unusual circumstances, for example a long criminal trial, may lead to the adjournment of other listed cases to the following session. The duration of, and time between, court sittings will vary from circuit to circuit, but in general the circuit court sits every two to four months in provincial venues. In Dublin there are daily sittings throughout each term.

APPENDIX 3 (continued)

AVERAGE WAITING TIMES FOR HEARING OF CASES

(as at November 2000)

DISTRICT COURT

CRIMINAL

DUBLIN METROPOLITAN DISTRICT

CUSTODY COURTS, CHANCERY ST.	5 months before hearing
SUMMONS COURTS	7 months before hearing
KILMAINHAM COURTHOUSE	2 months before hearing
TALLAGHT COURTHOUSE	2 months before hearing (charge sheets) 5 months before hearing (cases initiated by summons)
SWORDS COURT HOUSE	no delay before hearing (charge sheets) 7 months before hearing (cases initiated by summons)
DÚN LAOGHAIRE	3 months before hearing

PROVINCIAL DISTRICT
COURTS

CORK	4 months before hearing (cases initiated by summons) 3 months before hearing (charge sheets)
OTHER PROVINCIAL DISTRICT COURTS	In general, no delay in hearing criminal cases. Where case cannot be heard in scheduled sittings a delay can result. Special sittings of the District Court are arranged to deal with delays in criminal business in District Courts.

APPENDIX 3 (continued)

AVERAGE WAITING TIMES FOR HEARING OF CASES

(as at November 2000)

DISTRICT COURT

FAMILY LAW

DUBLIN METROPOLITAN DISTRICT 10-12 weeks to date of hearing

CORK - 7-8 weeks

OTHER PROVINCIAL DISTRICT COURTS no delay

Applications for urgent and/or emergency applications, such as Protection Orders are dealt with immediately.

CIVIL BUSINESS

DUBLIN METROPOLITAN DISTRICT 4 months

CORK 3 months

OTHER PROVINCIAL DISTRICT COURTS In general, no delay in bringing civil cases to court. Where cases cannot be heard in scheduled sittings a delay can result. Special sittings of the District Court are arranged to deal with delays in civil business in District Courts.

SMALL CLAIMS PROCEDURE

DUBLIN METROPOLITAN DISTRICT 6 to 12 months

DUN LAOGHAIRE up to 12 months

OTHER PROVINCIAL DISTRICT COURTS no delay

Note: the time taken to fully resolve a small claim will depend on a number of factors, including whether the Respondent disputes the claim, whether the case can be easily settled and whether or not the case goes to a court hearing.

APPENDIX 4

CIRCUIT COURT

CIRCUIT COURT - CIRCUITS AND VENUES

Circuit	County	Place of Sittings
Dublin	Dublin (<i>County Borough and County</i>)	Dublin
Cork	Cork	Cork Macroom Bandon Mallow Bantry (<i>at Skibbereen</i>) Midleton Clonakilty Skibbereen Fermoy Youghal Kanturk
Northern	Cavan Donegal Leitrim Monaghan	Cavan Letterkenny Buncrana Donegal Carrick-on-Shannon Manorhamilton Monaghan Castleblayney
Midland	Laois Longford Offaly Roscommon Sligo Westmeath	Portlaoise Longford Tullamore Birr Roscommon Boyle Sligo Mullingar Athlone

APPENDIX 4 (continued)

CIRCUIT COURT

CIRCUIT COURT - CIRCUITS AND VENUES

Circuit	County	Place of Sitzings
Eastern	Kildare	Naas
	Louth	Dundalk
	Meath	Trim
	Wicklow	Wicklow
South Eastern	Carlow	Carlow
	Kilkenny	Kilkenny
	Tipperary	Nenagh
		Tipperary
		Thurles
		Clonmel
	Waterford (<i>County Borough and County</i>)	Waterford
		Dungarvan
		Wexford
Western	Galway (<i>Borough and County</i>)	Galway
		Clifden
		Loughrea
	Mayo	Castlebar
		Ballina
		Swinford
		Westport
South Western	Clare	Ennis
		Kilrush
	Kerry	Tralee
		Killarney
		Listowel
	Limerick (<i>County Borough and County</i>)	Limerick
		Rathkeale

APPENDIX 5

CIRCUIT COURT

CASELOAD OF THE CIRCUIT COURT JANUARY TO DECEMBER 2000															
CASES DEALT WITH 1/1/00 -31/12/00	CRIMINAL BUSINESS		CIVIL BUSINESS				FAMILY LAW BUSINESS					HIGH COURT APPEALS LODGED			TOTAL
Circuit Court Office	Criminal Trials Heard	Dist. Ct. Appeals Heard	Civil Trials Heard	Motions Heard	Dist. Ct. Civil Appeals Heard	Liquor Licences Granted	Judicial Sep. Granted	Divorce Granted	Nullity Granted	Section 33 Appls Granted	Dist. Ct. Family Law Appls Heard	Criminal Appeals	Civil Appeals	Family Law Appeals	
Carlow	24	68	183	205	5	9	5	58	1	24	3	0	10	0	595
Carrick-on-Shannon	7	31	52	107	8	5	6	5	0	10	1	0	3	0	235
Castlebar	24	45	207	681	7	14	27	45	3	24	1	0	0	0	1,078
Cavan	17	136	128	224	12	9	10	15	0	21	4	0	9	5	590
Clonmel	37	218	624	698	24	21	25	80	1	35	13	0	19	1	1,796
Cork	266	1,038	3,590	2,258	300	71	129	307	14	105	35	15	99	21	8,248
Dublin	1,129	1,491	6,167	9,646	174	103	347	1,126	14	385	117				20,699
Dundalk	90	147	519	832	23	8	31	92	0	30	24	9	20	6	1,831
Ennis	21	160	325	645	31	6	30	59	0	12	2	0	12	2	1,305
Galway	61	240	167	1,376	42	7	28	63	1	35	8	0	52	18	2,098
Kilkenny	27	104	183	284	13	7	9	36	0	31	5	0	16	1	716
Letterkenny	53	194	219	706	18	25	17	44	0	36	14	0	19	6	1,351
Limerick	87	940	1,003	824	24	26	39	123	1	61	17	11	61	4	3,221
Longford	5	33	105	208	7	4	7	10	0	16	3	0	9	1	408
Monaghan	23	113	133	180	4	10	25	19	1	23	2	0	12	5	550
Mullingar	23	88	139	276	14	12	17	52	2	11	4	3	7	5	653
Naas	79	627	309	591	45	7	57	94	2	49	8	7	15	4	1,894
Portlaoise	27	83	92	238	7	7	3	34	0	26	8	6	10	0	541
Roscommon	7	54	140	195	12	4	13	14	1	8	2	0	13	1	464
Sligo	28	78	117	412	2	5	20	33	0	20	2	2	18	1	738
Tralee	69	218	366	399	43	23	32	44	1	32	22	1	16	5	1,271
Trim	43	197	274	434	17	16	29	64	2	37	4	2	26	15	1,160
Tullamore	14	120	128	168	0	10	14	28	0	31	2	0	7	0	522
Waterford	56	125	344	542	2	13	24	71	0	21	3	4	22	4	1,231
Wexford	27	74	132	364	10	13	26	85	1	35	5	0	8	6	786
Wicklow	42	91	184	569	6	13	28	109	2	32	12	0	6	6	1,100
Total	2,286	6,713	15,830	23,062	850	448	998	2,710	47	1,150	321	60	489	117	55,081

APPENDIX 6

CIRCUIT COURT

FAMILY LAW BUSINESS IN THE CIRCUIT COURT JANUARY TO DECEMBER 2000																	
Circuit Court	DIVORCE APPLICATIONS				JUDICIAL SEPARATION				NULLITY APPLICATIONS				SECTION 33			APPEALS	
	Received	Granted	Refused	wd/so	Received	Granted	Refused	wd/so	Received	Granted	Refused	wd/so	Received	Granted	Refused	Received	Dealt with
Carlow	47	58	0	0	14	5	0	0	1	1	0	0	25	24	1	5	3
Carrick-on Shannon	15	5	0	0	9	6	0	0	1	0	0	0	10	10	0	1	1
Castlebar	60	45	0	0	49	27	0	3	1	3	0	0	24	24	0	1	1
Cavan	27	15	0	0	12	10	0	0	2	0	0	0	21	21	0	5	4
Clonmel	90	80	0	1	34	25	0	2	0	1	0	0	35	35	0	13	13
Cork	384	307	0	0	264	129	0	0	15	14	0	0	105	105	0	51	35
Dublin	1,395	1,126	3	57	527	347	0	14	40	14	1	2	385	385	0	138	117
Dundalk	103	92	0	0	29	31	0	1	3	0	0	0	35	30	5	26	24
Ennis	70	59	0	0	45	30	0	1	1	0	0	0	12	12	0	16	2
Galway	63	63	0	0	34	28	0	0	5	1	1	0	39	35	4	8	8
Kilkenny	54	36	0	0	27	9	0	0	0	0	0	0	31	31	0	6	5
Letterkenny	69	44	0	2	38	17	0	2	2	0	0	0	36	36	0	11	14
Limerick	171	123	0	8	52	39	0	0	0	1	0	0	61	61	0	14	17
Longford	14	10	0	0	7	7	0	0	0	0	0	0	16	16	0	2	3
Monaghan	18	19	0	0	17	25	0	0	0	1	0	0	23	23	0	4	2
Mullingar	55	52	0	3	25	17	0	2	1	2	0	0	11	11	0	9	4
Naas	128	94	0	2	78	57	0	6	4	2	0	0	54	49	5	7	8
Portlaoise	37	34	0	0	16	3	0	0	0	0	0	0	26	26	0	10	8
Roscommon	32	14	0	0	28	13	0	0	0	1	0	0	8	8	0	4	2
Sligo	45	33	0	0	29	20	0	1	0	0	0	0	20	20	0	2	2
Tralee	44	44	1	0	40	32	0	3	1	1	0	0	34	32	2	15	22
Trim	60	64	0	2	56	29	0	7	3	2	0	0	45	37	8	3	4
Tullamore	37	28	0	1	31	14	0	2	0	0	0	0	31	31	0	3	2
Waterford	89	71	0	0	40	24	0	0	1	0	0	0	21	21	0	5	3
Wexford	92	85	0	26	40	26	0	32	1	1	0	2	35	35	0	3	5
Wicklow	140	109	0	0	51	28	0	0	2	2	0	0	38	32	6	10	12
Total C.C.	3,339	2,710	4	102	1,592	998	0	76	84	47	2	4	1,181	1,150	31	372	321

APPENDIX 7

DISTRICT COURT

PROVINCIAL DISTRICT COURTS - DISTRICTS AND AREAS

District Number	Court Areas in District		
District Number 1	Ballyshannon Buncrana Carndonagh	Donegal Glenties Letterkenny	Falcarragh Dungloe
District Number 2	Ballyfarnan Ballymote Boyle Collooney Dowra	Easkey Grange Inniscrone Manorhamilton Riverstown	Skreen Sligo Tubbercurry Drumkerrin
District Number 3	Achill Ballina Ballinrobe Ballycastle	Ballycroy Belmullet Castlebar Foxford	Kiltimagh Swinford Westport
District Number 4	Ballaghaderreen Ballyhaunis Carrick-on-Shannon Castlerea Charlestown	Claremorris Dunmore Elphin Glenamaddy Roscommon	Rooskey Strokestown Williamstown
District Number 5	Arva Bailieborough Ballinamore Ballyconnell and Swanlinbar Ballyjamesduff	Belturbet Cavan Cootehill Clones Kingscourt Mohill	Monaghan Oldcastle Virginia
District Number 6	Ardee Ballybay Carlingford	Carrickmacross Castleblayney Drogheda	Dundalk Dunleer
District Number 7	Carna Clifden Derreen Derrynea	Galway Headford Kilronan Letterfrack	Maam Oughterard Spiddal Tuam
District Number 8	Athlone Ballinasloe Ballyforan Banagher Birr	Borrisokane Eyrecourt Kilcormac Loughrea Moate	Mount Bellew Nenagh Portumna
District Number 9	Ballynacargy Castlepollard Daingean Delvin	Edenderry Edgeworthstown Granard Kilbeggan	Killucan Longford Mullingar Tullamore
District Number 10	Navan Athboy	Dunshaughlin Kells	Kilcock

APPENDIX 7 (continued)

DISTRICT COURT

PROVINCIAL DISTRICT COURTS - DISTRICTS AND AREAS

District Number	Court Areas in District		
District Number 12	Athenry Corofin Ennis Ennistymon Gort Kildysart	Kilkee Killaloe Kilrush Kinvara Lisdoonvarna Miltown Malbay	Sixmilebridge Scarriff Shannon Tulla
District Number 13	Abbeyfeale Adare Askeaton Bruff	Drumcollagher Kilmallock Listowel Newcastle West	Rathkeale Shanagolden Tarbert
District Number 14	Limerick City	Newport	Thurles
District Number 15	Abbeyleix Athy Carlow Castlecomer	Mountrath Portarlinton Portlaoise Roscrea	Templemore Urlingford
District Number 16	Baltinglass Bray	Newbridge Dunlavin	Kildare Naas
District Number 17	Annascaul Cahirciveen Castlegregory Castleisland	Dingle Kenmare Killarney Killorglin	Sneem Tralee Waterville
District Number 18	Bandon Bantry Castletownbere Clonakilty	Coachford Dunmanway Glengarriff Kinsale	Macroom Millstreet Schull Skibbereen
District Number 19	Cork City		
District Number 20	Blarney (court sits in Whitechurch) Carrigaline	Cobh Fermoy Kanturk	Mallow Midleton Mitchelstown
District Number 21	Cahir Cappoquin Carrick-on-Suir Cashel	Clonmel Dungarvan Killenaule Lismore	Tallow Tipperary Youghal
District Number 22	Callan Kilkenny	Kilmacthomas Thomastown	Waterford
District Number 23	Arklow Enniscorthy Gorey	Muine Bheag New Ross Rathdrum	Tullow Wexford Wicklow

GLOSSARY OF TERMS

Administration suit - 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

Affidavit - a written statement made on oath

Appeal - 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.

Appearance – the formal step taken by a defendant to a Circuit or High Court action after being served with a summons by way of indicating an intention to defend the action

Average waiting time - the time between the court offices being notified that a case is ready to proceed to hearing/trial and the actual date for hearing/trial

Barring Order - an order preventing a spouse from entering the family home or using or threatening violence against the other spouse or family members

Bill of Sale - a document transferring or mortgaging an interest in movable property

Care order - an order placing a child in the care of the health board until he or she reaches the age of eighteen or a shorter period as determined by the court

Caveat - 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

Certified list - a list of cases which have been certified by counsel as being ready for hearing

Commissioner for Oaths - a person entitled to administer oaths and take affidavits

Courts-Martial Appeal Court - 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)

Deed Poll – a deed completed by one party only, often used to declare an intention to change a surname

Emergency Care Order - an order placing a child under the care of the health board for a maximum period of eight days if the court is of the opinion that there is a serious risk to the health or welfare of a child.

Enduring Power of Attorney - a document providing for the management of a person's affairs in the event of their becoming mentally incapacitated

Ex-officio - by virtue of his/her office

In Camera - a court hearing to which the public is not admitted

Indictment - 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

Indictable offence - an offence which, if committed by an adult, is triable on indictment

Injunction – an order of the court directing a party to an action to do, or to refrain from doing something

Interim barring order - an immediate order requiring a violent person to leave the family home, pending the hearing of an application for a barring order

Interim Care Order - an order, granted when an application for a care order has been or is about to be made, requiring that the child named in the order be placed in the care of the health board

GLOSSARY OF TERMS (continued)

Judicial Review - a legal remedy available in situations where a body or tribunal has acted in excess of legal authority or contrary to its duty

Judicial Separation - a decree granted by the court relieving spouses to a marriage of the obligation to cohabit.

Jurisdiction - (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

Mortgage suit - a form of proceeding to recover a debt by forcing a sale of property available to the holder of security on lands (usually a judgment mortgage or an equitable mortgage)

Nolle Prosequi - the entering by the prosecution of a stay on criminal proceedings (not to be confused with an acquittal)

Notary Public - 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

Oath - a form of words by which a person calls his/her God to witness that what he says is the truth, or that what he/she promises to do he/she will do

Original actions - actions commenced in the court of hearing (as opposed to cases appealed from a lower court)

Plenary Summons – document used to commence certain civil proceedings (e.g. claims for unliquidated damages, libel, nuisance) in the High Court where pleadings and oral evidence are required

Power of Attorney - a deed by which one person allows another to represent him, or act in his place either generally or for specified purposes

Protection Order - an interim order, granted when an application for a safety/barring order has been made, prohibiting a person from further violence or threats of violence

Revenue Summons - a form of Summary Summons, to be heard on affidavit, used by the Revenue Commissioners to commence civil proceedings in the High Court to recover sums due (e.g. unpaid taxes)

Safety Order - an order prohibiting a person from further violence or threats of violence. It does not prevent the person from entering the family home.

Setting down for trial – a request that an action be allocated a date for hearing

Special Exemption Order - an order allowing a licensee to sell alcohol outside the normal licensing hours subject to certain conditions

Special Summons – document used to commence certain civil proceedings (e.g. equity claims, mortgage enforcement, administration of trusts) in the High Court to be heard on affidavit

Summary Judgment - judgement for a claim in respect of a debt or liquidated monetary demand which is undefended where the judgement is given in a court office without the need to bring the claim to court.

Summary Summons – document used to commence certain civil proceedings (e.g. claims for liquidated sums, recovery of possession) in the High Court to be heard on affidavit

Summons to Tax - document used to commence taxation process in the Taxing Masters' Office.

Supervision order - an order authorising a health board to visit a child periodically to ensure that the child is not being ill-treated, neglected or sexually assaulted.

ADDITIONAL INFORMATION

Contacting Court Offices

Contact details for the main offices of the Service are available on useful pull out cards at the back of the Information Booklet called "The Courts System in Ireland - an introduction" which is available free of charge from:

The Courts Service Information Office,
15/24 Phoenix Street North, Smithfield,
Dublin 7.
Tel: 353 (0)1 888 6462.

The contact details are also available in Braille.

Eircom Telephone Directories

The Green Pages section of the current Eircom Telephone Directories include the numbers of the main offices of the Service.

Other useful information

The Annual Report is available in Irish.

Additional copies of the Annual Report and other publications of the Service may be requested from the Information Office and are available on our website.

Website

The Service's website can be accessed at:
<http://www.courts.ie>