

Annual Report 2001

TUARASCÁIL BHLIANTÚIL



COURTS SERVICE
An tSeirbhís Chúirteanna



COURTS SERVICE
An tSeirbhís Chúirteanna

Mission Statement:

TO MANAGE THE COURTS, SUPPORT THE
JUDICIARY AND PROVIDE A HIGH
QUALITY AND PROFESSIONAL SERVICE
TO ALL USERS OF THE COURTS

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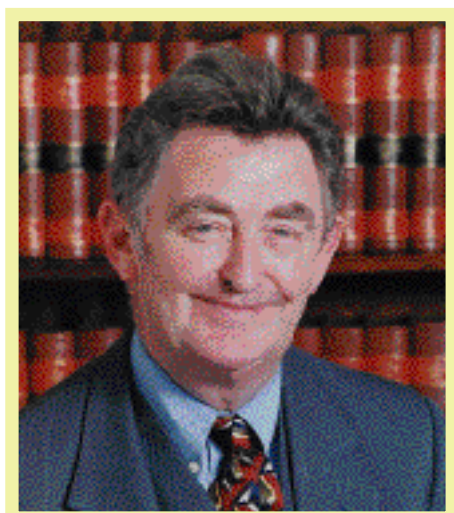


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MESSAGE

FROM THE
CHIEF JUSTICE

I am pleased to welcome you to the second Annual Report of the Courts Service. This Report charts another progressive and successful year for the Service. It continues in the vein of last year's Report by providing detailed descriptions, insights and statistics about our courts system and the work of the many hundreds of people who work within it.



I am confident that you will find in this Report strong evidence of the continuing commitment and energy of the staff and Board of the Service in going about the work of creating an efficient and exemplary Courts Service. I am proud of the success of the Service in the short period since its establishment and I look forward to a continuation of this momentum in the coming year.

Many thanks must go to all the legal community: judges, legal professionals, court users and the many State services who work in the area of justice and who continue to invest time, energy, thought and advice in our enormous project of modernising the administration of the courts.

It is through such partnership that we will, in the not too distant future, be able to point to our Courts Service as a world leader in terms of its work.



Ronan Keane
Chief Justice of Ireland

FOREWORD

BY THE
CHAIRPERSON OF THE BOARD

Throughout this Report you will read the impressive story of change and development which is the Courts Service. It is a record of effort, planning, commitment and growth which is transforming the administration of the courts in Ireland. In this Foreword I hope to put this change and development in context.



For a long time it was obvious that the management of the courts in Ireland needed to be modernised. Judges and court staff were facing the challenges of a modern age with the tools of yesterday. There were few resources and while those who worked in the system did so with commitment and experience the organisation clearly required development.

Through the work of the Working Group on a Courts Commission we were able to catalogue, record and report the problems within the system and make recommendations for change. The creation of an independent Courts Service with the involvement of the judiciary was seen as, and is proving to be, a good way of bringing rejuvenation to court offices throughout the country.

The broad remit of the Service is to provide the facilities and administrative services necessary for the courts to undertake their tasks; to support the judiciary; to ensure that facilities exist for the public conducting business with the courts, and to provide information to the public on the work of the courts. In all of these areas the courts have seen improvements. Extra investment has resulted in many newly refurbished courthouses. These act as an appropriate presence for the third branch of government in towns throughout the country. The information technology programme is beginning to create and will result in a significant change in the management of the courts system. Information technology will play an important role in giving greater access to the courts. It will enable easy access to information on the courts and will allow people file papers, pay fees and fines on-line and present evidence in electronic format.

FOREWARD (CONTINUED)

In the past I have referred to the paperless tradition of Brehon Law Courts and how information technology will see us once again operating courts free of the logjam of paperwork. This change, a full circle of history, from paperless courts to paperless courts, offers an exciting opportunity to free up time and space for the operation of the courts. It will bring a new democracy of access, easier access to court lists and processes and easier access to information on the courts. As well as filing documents from PCs and having them electronically stamped and cleared, the ability to deal with motions and evidence from different venues in a virtual courtroom will become an option.

The many information initiatives and publications of the Courts Service are highlighted in this Report. They have been extremely well received and reprinted many times. The Courts Service's fulfilment of the information remit has extended to the Internet and to all forms of modern and traditional media communications, through www.courts.ie, the Information Office, and a full-time Media Relations Service.

The Courts Service is moving the management of the courts into a new era. It is leaving behind the Victorian era and embracing a 21st century court system. It is adopting new methods of work and management and embracing the opportunities offered in our modern age. The great traditions and best practices of the past are being incorporated into the development of a world class Courts Service.

On behalf of the Courts Service I would like to thank the Minister for Finance, Mr. Charles McCreedy, T.D. and the staff of the Department of Finance for their assistance and encouragement. The funding and support given by the Minister and the Department have been a key factor in the success of our new Service.

On behalf of the Courts Service I thank the Minister for Justice, Equality and Law Reform, Mr. John O'Donoghue, T.D. and the staff of his Department. The assistance and encouragement given by them to this new

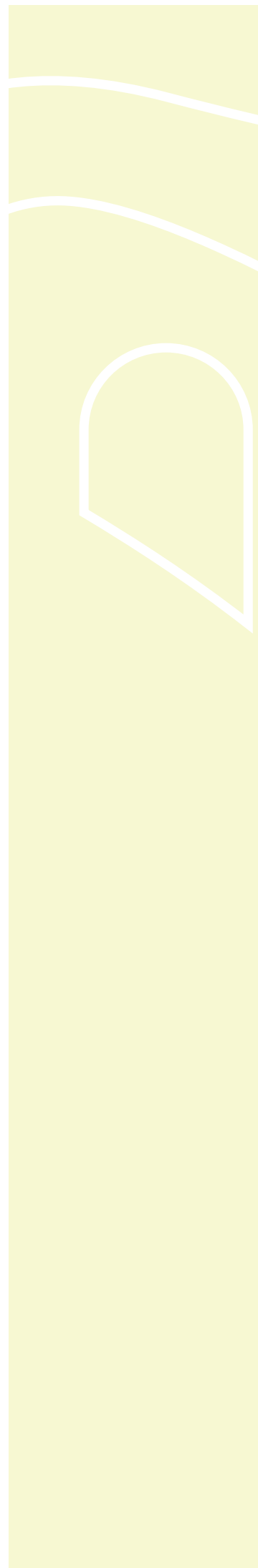
and unique model of court management has been a key instrument in its success.

I am extremely grateful to my colleagues on the Bench for their continued involvement in this great enterprise. I would also like to thank the members of the Board who have given unstinting public service. Most especially I wish to thank the Chief Executive Officer, Mr. P.J. Fitzpatrick, and the staff of the Courts Service for their tireless efforts.



Susan Denham

*Chairperson, Courts Service Board and
Judge of the Supreme Court*



INTRODUCTION

BY THE
CHIEF EXECUTIVE OFFICER

I am very pleased to introduce the Courts Service's second Annual Report for the year ended 31st December 2001. Our first Report outlined the background to the establishment of the Courts Service and explained in some detail the organisational structure and the nature of the work carried on in our various court offices. It remains a very useful resource document and copies are still available from our Information Office and on our website (www.courts.ie).



In this Report, in addition to providing detailed statistics on the work of the courts and court offices and highlighting the major developments during the year, we expand on the factors that influence the work of the courts and court offices and emphasise the steps taken by the Service to anticipate and participate in developments and initiatives, internal and external, that impact on our work. We have also included a chapter emphasising the importance of the staff to our organisation by highlighting the many ways in which they enrich the working environment by their participation in many and varied activities both inside and outside the workplace.

The year 2001 was a very busy one for all offices and staff within the Service. It is just over two years since the establishment of the Service and there has been considerable disruption to offices and staff movement in the meantime. However, I am pleased to be able to report that despite this all offices very successfully managed to support the operation of the courts and generally manage the business of their offices during the year. A new organisation with new structures necessitated the introduction of many change initiatives which required considerable input by the staff of court offices. The change initiatives introduced will of course yield significant benefits in the medium and longer term but in the short term have imposed an extra burden on already busy offices. An indication of the volume, type and nature of cases processed can be seen from an examination of the statistics in Chapter 3 of this Report.

INTRODUCTION BY THE CHIEF EXECUTIVE OFFICER

The following summary illustrates some of the volumes:-

- 648 appeals lodged in the Supreme Court (including the Court of Criminal Appeal).
- 459 cases disposed of by the Supreme Court (including the Court of Criminal Appeal)
- 24,163 cases initiated in the High Court (including appeals).
- 12,810 cases disposed of in the High Court.
- 82,391 items of pre-trial activity in the High Court.
- 60,282 cases dealt with in the Circuit Court
- 647,906 cases dealt with in the District Court
- €760m managed on behalf of Minors and Wards of Court.
- €29m collected in fines and fees.

In addition to processing cases for court and managing court lists, staff in the offices of the Supreme, High, Circuit and District Courts dealt with many thousands of court related matters not requiring actual hearings.

Following the preparation and publication of our 3 Year Strategic Plan in 2000 all Directorates and offices prepared detailed business plans for their units for the year 2001. This was the first time such plans were prepared. The business plans are the means by which the high level goals and objectives contained in our 3 Year Strategic Plan are implemented by individual Directorates and offices on an annual basis. During 2001 implementation of the Performance Management and Development System (PMDS) commenced and by the year end almost all staff had completed Phase One training. The PMDS system is closely aligned with the business planning process and also informs our training programmes. Our first formal Training Programme was prepared and published and its implementation commenced

during the year. During 2001 almost €0.800m (IR£0.630m) was spent on training compared with €0.070m (IR£0.055m) 3 years ago.

I am pleased to report that we have been particularly successful in recruiting and retaining staff and by the year end virtually all positions were filled.

Our partnership arrangements continue to develop very satisfactorily. The Partnership Committee which I personally chair has and continues to successfully address a wide range of issues. Our Change Management/Modernisation Programme continued apace during 2001. You will see from this Report that very considerable progress has been made in implementing our 5 year Information Technology Programme, our 7 year Building/Refurbishment Programme, the management and investment of court funds, the establishment of regional offices and the devolution of functions from the centre to local offices. An important mandate of the Service is the provision of information to the public. Our Information Office during 2001 continued to produce and distribute information booklets, leaflets and bulletins regarding various aspects of the work of our offices and courts. Further significant progress was made in developing our website. For example, the Legal Diary continued to be available each evening on our website for the following day and days. By year end considerable progress had been made in placing court forms on the website which can be downloaded by staff, practitioners and the public.

We formally reviewed progress on the implementation of our 3 Year Strategic Plan as of 31st December 2001 and I am pleased to be able to report that very significant progress (which is detailed in the various chapters of this Report) was made in implementing and progressing all of the 127 recommendations and targets.

During the year the Board decided to establish a group to review court jurisdictions. A Directorate titled Reform and Development will be established in early 2002 to provide research and secretarial support

CHAPTER 1

STRUCTURES AND ENVIRONMENT

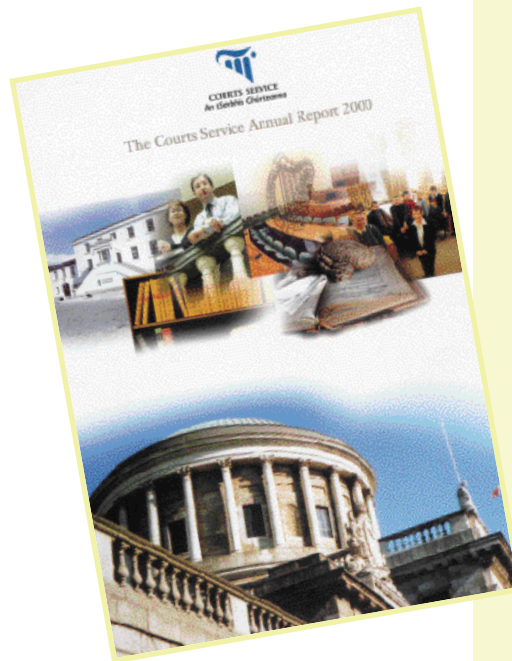
CHAPTER 1 - STRUCTURES AND ENVIRONMENT

STRUCTURAL OUTLINE

The key recommendation of the Working Group on a Courts Commission was the establishment on a statutory basis of an independent and permanent body, the Courts Service, to manage a unified courts system. The Courts Service Act, 1998, provided for

The functions of the Service are to:

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



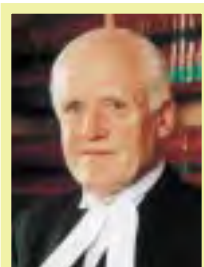
the establishment of an independent Courts Service with a unified organisation and structure to manage the courts. The background to the establishment of the Service is set out in detail in Chapter 2 of the Courts Service Annual Report 2000. Copies of that Report and this Report are available from the Information Office and both Reports can be accessed on the Courts Service website (www.courts.ie).



THE BOARD OF THE COURTS SERVICE



The Hon. Mrs. Justice
Susan Denham, Judge of
the Supreme Court,
Chairperson*

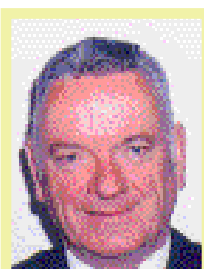


Secretary to the Board:
Ms. Marie Ryan

* replaced The Hon. Mr.
Ronan Keane, Chief
Justice.

** replaced The Hon. Mr.
Justice Frederick Morris.

*** replaced The Hon. Mrs.
Justice Susan Denham.



CHAPTER 1 - STRUCTURES AND ENVIRONMENT

The Service manages the courts under the direction of a Board whose functions are to consider and determine policy for the Service and to oversee the implementation of that policy by the Chief Executive. The Chief Executive is responsible for the day to day management of the staff, administration and business of the Service and is the Accounting Officer for the Service.

The Board has established 3 Committees to consider matters relating to Finance & Audit, Family Law Court Development and the District Court.



The members of the Finance & Audit Committee are:

The Hon. Mrs. Justice Susan Denham,
Chairperson

The Hon. Mr. Justice Joseph Finnegan

His Honour Judge Sean O'Leary

His Honour Judge Peter Smithwick

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 Catherine McGuinness, Chairperson

The Hon. Mr. Justice Peter Kelly

The Hon. Mr. Justice Esmond Smyth,
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,
Chairperson

Judge William Early

Mr. Patrick O'Connor, Solicitor

Ms. Paula Carey

Ms. Elisha D'Arcy

Mr. P.J. Fitzpatrick

COURTS SERVICE ORGANISATIONAL CHART



P.J. Fitzpatrick
Chief Executive
Officer



Nuala McLoughlin
Chief Registrar,
Director of
Operations Supreme
& High Court



Diarmaid Mac Diarmada
Director of
Operations, Circuit
and District Courts



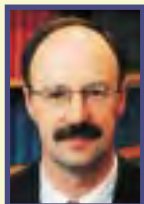
Brendan Ryan
Director of
Corporate Services



Jim McCormack
Director of Estates
& Buildings



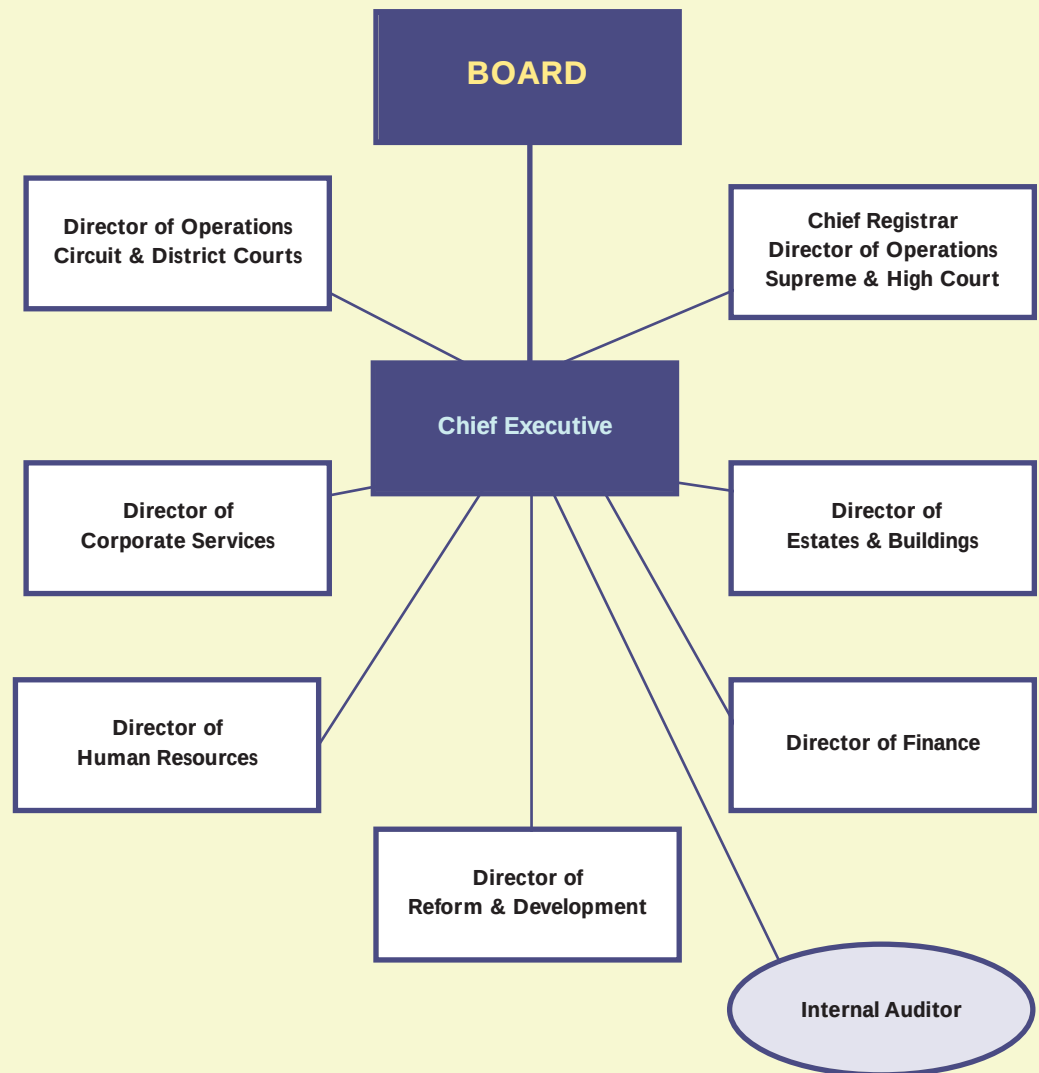
Sean Quigley
Director of Finance



Moling Ryan
Director of Human
Resources



Noel Rubotham
Director of Reform &
Development



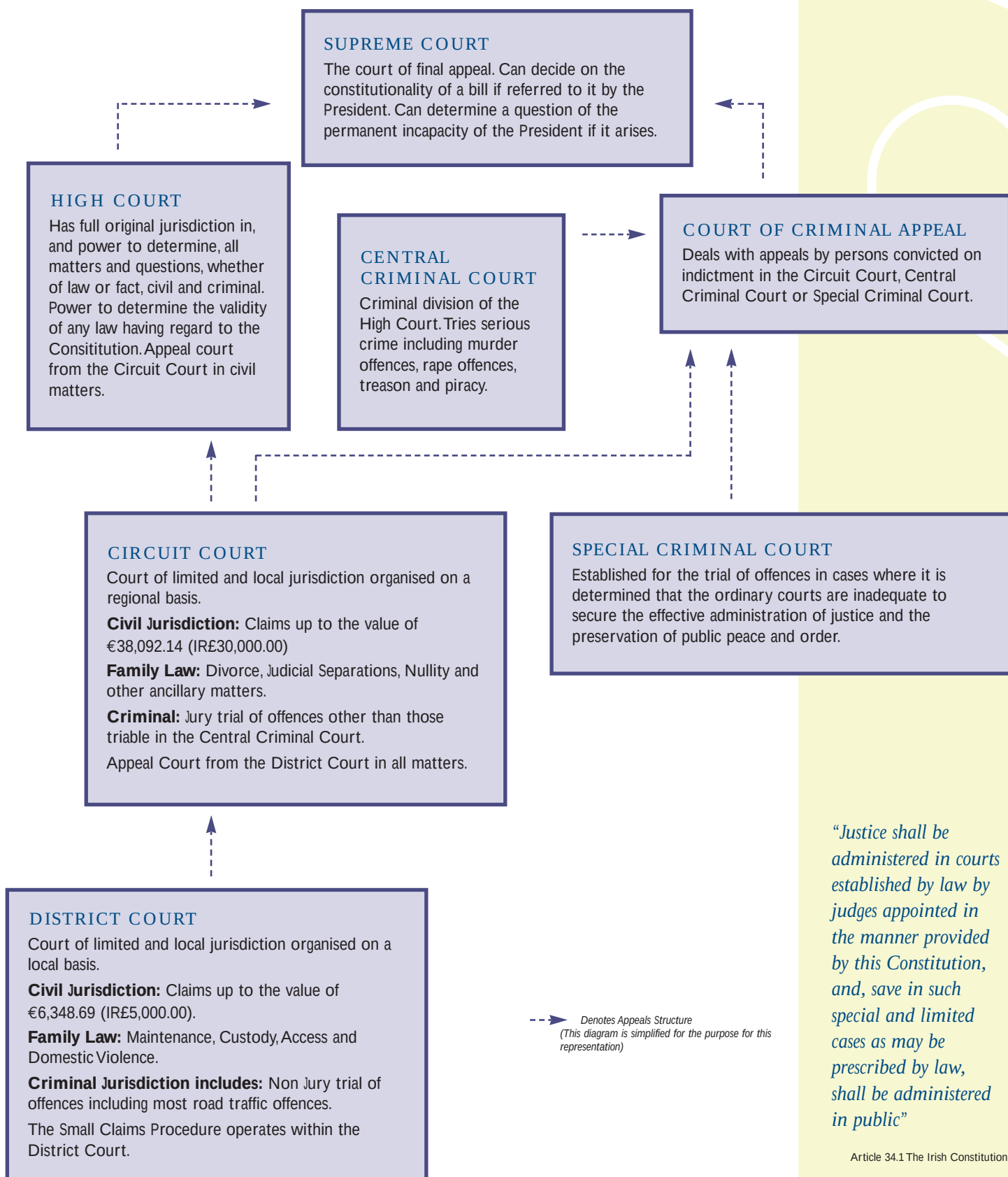
ORGANISATIONAL/ MANAGEMENT STRUCTURE

The Senior Management Team comprises the Chief Executive, Chief Registrar and Director of Operations for the Supreme and High Courts, Director of Operations for the Circuit and District Courts and five Support Directors - Human Resources, Finance, Estates & Buildings, Corporate Services and Reform and Development.

REGIONAL OFFICES

Regional offices have been established in 6 locations outside Dublin: Monaghan, Naas, Tullamore, Waterford, Cork and Limerick. An additional regional office will be established in Castlebar in 2002. The administrative remit of the regional offices is based on the regions of the Circuit Court: Northern, Eastern, Midland, South Eastern, Cork, South Western, and Western. Further information on the development of the Regional Offices is contained in Chapter 2.

STRUCTURE OF THE COURTS



Membership of the Working Group on the Jurisdiction of the Courts:

Chairman:

The Hon. Mr. Justice Nial Fennelly, Judge of the Supreme Court

The Hon. Mr. Justice Declan Budd, Judge of the High Court (President of the Law Reform Commission)

The Hon. Mr. Justice Paul Carney, Judge of the High Court

His Honour Judge Pat McCartan, Judge of the Circuit Court

His Honour Judge Peter Smithwick, President of the District Court

Judge Michael Reilly, Judge of the District Court (National Crime Council)

Mr. John Cronin, Department of Justice, Equality and Law Reform

Mr. Michael Durack, S.C., General Council of the Bar of Ireland

Mr. Donal Egan, Victim Support

Mr. Michael Errity, Department of Finance

Ms. Caitlín Ní Fhlaitheartaigh, B.L., Office of the Attorney General

Professor Finbarr McAuley, Faculty of Law, University College Dublin

Mr. John McGreevy, Courts Service staff nominee

Mr. Ken Murphy, Director General, Law Society of Ireland

Mr. Tom O'Malley, Law Faculty, National University of Ireland

Mr. Noel Rubotham, B.L., Director of Reform & Development, Courts Service

ESTABLISHMENT OF WORKING GROUP TO REVIEW JURISDICTIONS OF THE COURTS

At the end of 2001, the Board established a Working Group to examine and report on the operation and organisation of the various jurisdictions of the courts system. The Group, titled "Working Group on the Jurisdiction of the Courts", will undertake the first major root and branch review of the organisation of our courts since the establishment of our courts system in 1924 and will report to the Board with its findings and recommendations. The work of the Group will include research into the manner in which the courts have operated since 1924 and how future operations will be affected if existing structures remain as they are.

The Group will carry out its work in modules with the first module being an examination of the criminal courts. Membership of the Group which includes judges of all jurisdictions, representatives of professional bodies, the academic community, court users and staff of the Service offers an innovative model of collaboration between the various interests.

CHAPTER 1 - STRUCTURES AND ENVIRONMENT

ENVIRONMENTAL ANALYSIS

Many changes have occurred in society and the economy in recent years. These changes include a huge increase in the volume and complexity of litigation and the introduction of many new areas of litigation. They are reflected in the type and volume of the business of the courts and have affected the way business is conducted. Many of these issues were detailed in the Reports of the Working Group on a Courts Commission which are available on the Courts Service website (www.courts.ie).

PLANNING FOR LEGISLATIVE CHANGE

In any given year there will always be legislation enacted domestically and by the European Union, that impacts on how the Service manages its resources and processes. To illustrate this, an examination of some legislative developments in 2001 highlights how such legislation impacts on the administration of the courts and which the Service must plan for and respond to:

Courts and Court Officers Bill, 2001

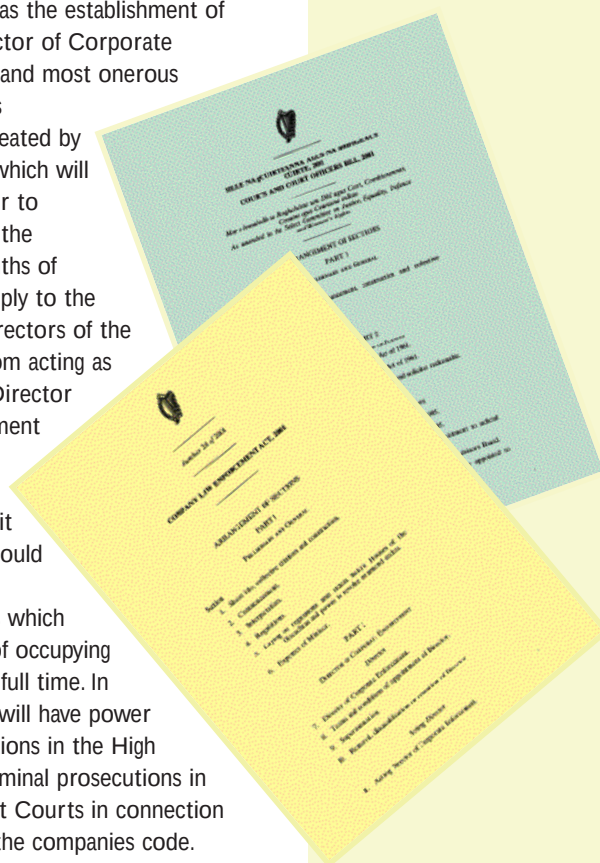
The Service provided extensive input by way of observations on administrative, as distinct from policy/legislative issues, during the drafting stage of the Courts and Court Officers Bill, 2001 which is expected to be enacted in April 2002. Some of its provisions have major implications for the administration of the courts - most notably the provision to increase the civil jurisdictional limits of the Circuit Court (from IR£30,000 to €100,000) and the District Court (from IR£5,000 to

€20,000). The new jurisdictional limits will be introduced by regulation or order of the Minister with effect from a date to be specified.

Company Law Enforcement Act, 2001

The Company Law Enforcement Act, 2001 which is being implemented incrementally has wide ranging implications for the court offices and the courts, particularly for the High Court. A number of sections were implemented in August and more in October 2001. Further provisions will be implemented in March 2002.

A feature of the Act was the establishment of the Office of the Director of Corporate Enforcement. The first and most onerous block of work which is expected to arise is created by section 56 of the Act which will require every liquidator to present an account to the Director within 6 months of appointment and to apply to the High Court to have directors of the company restricted from acting as directors (unless the Director of Corporate Enforcement dispenses with the need to apply). Based on figures for the UK, it is estimated that this could result in 400 or more restriction applications which could have the effect of occupying one High Court judge full time. In addition, the Director will have power to seek Mareva injunctions in the High Court and to bring criminal prosecutions in the District and Circuit Courts in connection with infringements of the companies code.



CHAPTER 1 - STRUCTURES AND ENVIRONMENT (CONTINUED)

PARTICIPATING IN THE LEGISLATIVE/POLICY PROCESS TO FURTHER STRATEGIC AIMS

The Service does not merely seek to react passively to environmental factors but also to anticipate and to create opportunities for inputs and suggestions regarding the administrative processes contained in new legislation. Examples in 2001 include:

The Company Law Review Group

The Company Law Review Group has been established as a statutory body under the Company Law Enforcement Act, 2001 and is due to report further in early 2002 on the reform and simplification of company law. During 2001 the Service was represented on this Group by the Examiner of the High Court.

Personal Injuries Assessment Board Implementation Group

The Government decided to establish a Personal Injuries Assessment Board. An Implementation Group was subsequently established to advise the Government on how best to implement its decision. During 2001 the Service was represented on this Group by a senior registrar of the High Court.

Informing staff

Staff must be apprised of changes in legislation which will affect the operation of their offices and the courts. During the year staff were briefed on the implications and procedural changes arising from new legislation including the Extradition (European Union Convention) Act, 2001, the Sexual Offenders Act, 2001, and the EU Regulations on the Service of Legal Documents. These briefings included the preparation by local managers and staff of manuals and procedural guides.

Directorate of Reform and Development

The importance of the process of procedural reform in the courts was emphasised by the decision in 2001 to establish a dedicated Directorate. The Directorate titled "Reform and Development" will be established in early 2002 to co-ordinate initiatives for changes in legislation on courts administration, assist the Court Rules Committees with the modernisation and simplification of court rules and terminology and improve practices and procedures in court offices. The Director of Reform and Development will represent the Chief Executive on the Rules Committees.

A significant aspect of the modernisation brief will comprise assessing the implications of information technology and e-Government initiatives for court rules and practices. The principal initial tasks of the new Directorate will be to provide administrative support to the Working Group reviewing the jurisdiction of the courts, which will commence deliberation on the first module within its terms of reference - the criminal jurisdiction of the courts - in January 2002 and to formulate proposals for reform of wardship law and procedure in conjunction with the President of the High Court and the Registrar of Wards of Court. Other such reviews of court offices will also be undertaken.

CHAPTER 1 - STRUCTURES AND ENVIRONMENT (CONTINUED)

EMBRACING THE OPPORTUNITIES PRESENTED BY THE POLICY ENVIRONMENT

Since the commencement of the Strategic Management Initiative (SMI) by the Government in partnership with the Public Sector in 1996 the landscape of policy making in the public sector has changed beyond recognition. The SMI created a climate and an impetus for the decision to establish the Service as an independent agency to manage the courts and the new model is entirely consistent with the new policy approaches being adopted. The SMI programme being pursued embraces four main areas: Legislative Reform, Human Resource Management, Quality Customer Service and Financial Reform. The ongoing programme of Public Sector Reform poses many challenges for an organisation such as the Service. It also provides tremendous opportunities to modernise and reform the way business is done and to create a dynamic learning environment which empowers staff to develop and maximise their potential. The following examples illustrate the positive way the Service has harnessed this new environment during 2001:

Embedding a new culture of Strategic and Business Planning

The first Strategic Plan for the Service was adopted for the period 2000-2003 and during 2001 the first yearly Business Planning Cycle was implemented. The business plans are the means by which each office and Directorate implements the high level goals and objectives of the 3 Year Strategic Plan on an annual basis. Each office prepared a formal business plan setting out its key measurable actions and objectives. The preparation of business plans, while a completely new concept for almost all staff, was acknowledged as providing a much clearer focus for the management of the business units of the Service.

The implementation of the Performance Management and Development System (PMDS) is part of a civil service-wide initiative. The unique approach taken by the Service to its implementation which is outlined in detail in Chapter 2 has been of considerable interest to a number of other Government departments.

The ultimate aim of the public sector reform process is enhanced delivery of service to users of public services - the citizens of the State. During 2001, as part of the partnership programme, a draft Customer Service Strategy which will be published in 2002 was produced by a group comprised of a cross section of staff from different offices and grades within the Service. The group was a good example of the new participative structures which partnership has established. These new structures signify a radical shift away from the old culture of the civil service hierarchy.

Responding to societal pressure for transparency and accountability

In our modern society, with a watchful media and an increasingly sophisticated public, the institutions of State can no longer perceive themselves as being exempt from public scrutiny. Never has the need for public bodies to show themselves to be open and transparent in their dealings with the public been so paramount. Some examples of the response of the Service in 2001 include:

Court Funds

The courts manage in excess of €760m (IR£600m) funds made up of assets of 'Wards of Court' (people who are incapable of managing their own affairs) and financial awards made to minors (persons aged under 18 years). The Service, at a very early stage, identified this as an area which needed to be reformed and modernised - indeed the Working Group on a Courts Commission had already catalogued the issues which needed to be addressed such as the fact that, despite the huge monetary amounts involved, most of the accounting systems being employed were still manual.

CHAPTER 1 - STRUCTURES AND ENVIRONMENT (CONTINUED)

In 2001 considerable progress was made in modernising arrangements for the management and investment of court funds. An external governance practice review of the management of funds in the Office of the Accountant of the Courts of Justice was arranged, annual financial statements were produced and the first full external audit of the Accountant's Office was completed in respect of the year ended 30th September 2001. Both external examinations confirmed that the system of internal controls were satisfactory.

A further review, with a specific focus on the investment of court funds, was undertaken by external consultants and their recommendations were accepted by the Board. These included the establishment of a dedicated office to manage all court funds together with an investment committee with a governing role.

The changes being implemented will bring about greater efficiency and transparency with the ultimate beneficiary of the modernisation process being the customer. One real and tangible benefit of the new system will be that each individual who has money under court control will receive an annual financial statement from the Service.

The modernisation of Courts Funds Management is the subject of a separate highlight in Chapter 2.

Court Fines

Following the publication of a Report on a value for money study by the Comptroller and Auditor General on the collection of fines, a High Level Working Group comprising representatives of the Department of Justice Equality and Law Reform, the Courts Service, an Garda Síochána, the Department of the Environment and Local Government and the Department of Social, Community and Family Affairs examined the system of collecting fines during 2001. The two areas where the Service was responsible for difficulties involved in the collection of fines process were the length of time taken between the application for a summons and the date that a

court hearing was allocated and the delay in issuing warrants where a fine had not been paid within the specified period decided by the court.

The Service implemented a series of initiatives to reduce these delays e.g. scheduling additional courts and reallocating staff resources. The result was a reduction in the time between an application for a summons and a date for court in Dublin from 32 weeks to 22 weeks and a reduction in the time taken to issue fines warrants from 17 weeks to between 6-8 weeks. A delay of 6-8 weeks is regarded as up to date as the bulk of fines are paid within this period. Any reduction below 6 weeks would result in large numbers of warrants being recalled when fines are paid which could involve considerable additional work for court staff and the Gardaí. Outside Dublin there were no excessive delays in listing summonses or in issuing warrants.

Freedom of Information Act, 1997

The Service, in common with other state agencies, is subject to the provisions of the Freedom of Information Act, 1997. In compliance with its commitment to openness and transparency and in pursuance of its policy to comply with the spirit of the Act the Service provides access to records held by it without requiring applicants to utilise the procedures outlined in the Act whenever possible. An examination of the requests received confirms that the majority are dealt with outside the formal procedures contained in the Act. Details of the number and nature of requests received by the Service in 2001 are in Appendix I.

The Freedom of Information Act, 1997 does not generally apply to records created by the courts. The matter of access to court documents is being considered separately by the Service. Consideration is being given to the development of proposals for a consistent nation-wide policy on access to court documents.

CHAPTER 1 - STRUCTURES AND ENVIRONMENT (CONTINUED)

Media Relations Service

A Media Relations Service (MR Service) to improve the communication of information to the media was established by the Service in 2000. The MR Service also assists the judiciary. Details of progress made in developing the MR Service in 2001 are included in Chapter 2.

ADAPTING TO CHANGED ECONOMIC CIRCUMSTANCES

The budget of the Service increased substantially in recent years largely as a result of Government endorsement of the strategies which the Service has formulated under its reform mandate to enable it tackle the pressing structural problems identified by the Working Group on a Courts Commission particularly in areas such as courthouse refurbishment and information technology.

In 2001 the Service spent the full allocation received for its court building/refurbishment, Information Technology and other programmes. While emphasising that these programmes are making great progress, it also highlights the need for prudent management of resources and the need to obtain maximum value for money from the projects.

The Government, as part of a national policy approach, has adopted a policy of progressing major public service infrastructural projects to the greatest extent possible by way of Public Private Partnerships. During 2001 the Service had extensive discussions with the Departments of Justice, Equality and Law

Reform and Finance regarding a public private partnership approach to major elements of its 7 year building and 5 year Information Technology programmes.

INTEREST FROM ABROAD AND OTHER GOVERNMENT DEPARTMENTS IN THE SERVICE

During 2001 there was considerable interest in the new Service from other court jurisdictions including visits from the Northern Ireland Courts Service and the Deputy Attorney General responsible for the Courts Service in Canada. There were enquiries from the English and Scottish Courts Service about the structures of the Service particularly about the Board and its role and functions. The Chief Executive has been invited by the English Court Service to address a representative group of judges and senior staff from their Magistrates Courts which will shortly be integrated with their Court Service.

In November 2001, a first meeting of the four Courts Services in the United Kingdom and Ireland was hosted by the English Court Service in London. The Chief Executive and some Courts Service senior staff attended this joint meeting which provided an excellent forum for a very useful exchange of experiences and ideas. It is planned to have two such meetings per year and the next meeting will take place in Dublin in 2002.

EXPENDITURE 1997-2002

	1997	1998	1999	2000	2001	2002 (projected)	Total	Increase in provision 2002 on 1997	Increase in provision 2002 on 1999
Expenditure category	€000	€000	€000	€000	€000	€000	€000	%	%
I.T.	1,120	3,198	6,877	6,337	7,287	8,257	33,077	638%	20%
Capital Buildings	7,476	11,028	10,772	20,123	19,365	21,200	89,964	184%	97%
Total expenditure	8,596	14,226	17,649	26,460	26,652	29,457	123,041		

CHAPTER 2

IMPLEMENTING OUR MANDATES

The Courts Service 3 year Strategic Plan published in November 2000 contains a challenging set of targets and objectives. Progress made during 2001 was considerable. The most obvious manifestation has been the progress made in the refurbishment of court buildings. There have also been major developments and progress in areas less visible but of equal importance to the success of the organisation and its effective contribution to the administration of justice.

MANDATE 1: MANAGING THE COURTS

The single most important function of the Service is to manage the day to day work of the courts and the court offices. The Strategic Plan is designed to provide a framework within which the courts can provide an efficient, speedy and user friendly service for people seeking a legal remedy. During 2001 the Service continued to place particular emphasis on a number of key strategies identified in its Strategic Plan as being of major importance in the management of the courts: the implementation of an information technology strategy to meet the operational requirements of all offices and facilitate the provision of a high quality service to all who use the courts; the introduction of a proactive financial management system to allow for full accountability in relation to court funds; and the development of a people-focused human resource management strategy to maximise the efficiency, effectiveness and competence of staff and the organisation and foster high performance with an emphasis on teamwork and partnership.

During the year court offices throughout the state organised and processed in the order of 750,000 cases. In addition to managing court lists, staff in the offices of the Supreme, High, Circuit and District Courts dealt with many thousands of court related matters not requiring a court hearing.

The management of court offices posed a particular challenge in 2000 and 2001 following the establishment of the new Service. The introduction of many necessary change initiatives required considerable input by staff over and above managing the work of the courts and while there will be many benefits from these initiatives they impose particular burdens on already busy offices. In addition, the number and frequency of staff changes resulted in considerable disruption with the loss of expertise in many areas.

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Many offices conducted business with relatively inexperienced staff and had to divert resources to provide on-the-job training for new staff. Notwithstanding all the difficulties, staff in the court offices managed to process an enormous amount of work and ensured that business was conducted in courts throughout the country in accordance with the sittings. The court statistics in Chapter 3 provide information on the amount of work processed in court offices in 2001.

Staff also continued to actively assist the judiciary during the year in respect of all initiatives undertaken by them in relation to judicial case management. The implementation

Extra courts were held in the Dublin District Family Law Court in August, when hearings are not normally held. Waiting times for the hearing of applications for barring orders following the granting of interim barring orders were reduced from 9 weeks to 2¹/₂ weeks and the waiting time for other family law hearings was reduced from 20 weeks to 12 weeks. Court sittings commenced at earlier times in District numbers 8,9,20 and 23.

RECRUITMENT AND FILLING OF POSITIONS

The Service was successful in recruiting and retaining staff and at the end of 2001 the number of vacancies to be filled was very small. At the same time the Service maintained a very high retention rate for staff. This is essential to enable the Service build expertise and maintain a high level and quality of service.

“During 2001 almost €0.800m (IR£0.630m) was spent on training, both financial and staffing. This compares with €0.070m (IR£0.055m) three years ago.”

of judicial Practice Directions aimed at reducing waiting times in the Non-Jury/Judicial Review List in the High Court which enables parties who are ready and willing to go to trial to obtain a speedy hearing is a good example.

Major efforts were made by staff of the Dublin District Court in conjunction with the District Court judges to reduce waiting times in criminal and family law matters. Extra criminal courts were held in September 2001 with the support of the Circuit Court registrars (the Circuit Court was on vacation in September). The waiting time for cases in criminal matters was reduced from 7 months to less than 5 months during this period. A new call over list was introduced for drunk driving prosecutions in the criminal court. There was an increase in the number of sittings in Cloverhill District Court from 3 days to 4 days each week and an increase in the number of scheduled sittings in Swords District Court from 3 days to 4 days each week. The waiting time for hearings in the Summons Court was reduced from 36 weeks to 20 weeks.

TRAINING AND DEVELOPMENT

An extensive Training Needs Analysis was conducted in late 2000 and early 2001 involving questionnaires, focus groups and individual meetings with staff following which a formal training programme was prepared with input from the Partnership Committee. The Programme was formally launched early in 2001. The approach adopted is a modular training programme reflecting the core needs of each grade which will be supplemented by on-the-job training and other initiatives. The Programme includes a training strategy for the Service reflected in 7 broad principles the most notable being that training will no longer be a matter of choice for staff but a requirement reflecting the commitment to career-long development for staff at all levels. During 2001 almost €0.800m (IR£0.630m) was spent on training, both financial and staffing. This compares with €0.070m (IR£0.055m) three years ago.

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PARTNERSHIP

The Chief Executive continues to chair the Central Partnership Committee which addressed a range of issues during 2001. Partnership committees dealt with issues relating to customer service, identification cards, training and development, internal communications and work sharing.

DEVELOPING A CUSTOMER SERVICE STRATEGY

The area of Quality Customer Service is seen as a key factor in delivering visible change to the public in terms of a more flexible and responsive approach to service delivery.

The Customer Service Committee of the Central Partnership Committee was tasked in 2001 with preparing a Customer Service Strategy and promoting the importance of Customer Service throughout the organisation. The Committee, comprising staff from all levels of the Service, met on several occasions during the year and actively engaged in an information gathering exercise which included benchmarking best practices in other organisations, meeting with people who have an expertise in the field and inviting submissions from staff and court users. The draft Customer Service Action Plan prepared by the group will be finalised by the Central Partnership Committee in 2002.

THIRD LEVEL PROGRAMME FOR STAFF OF THE SERVICE

The Service commissioned a Report from the Institute of Public Administration (IPA) in late 2001 on the feasibility of a unique and novel third level programme for staff combining training provided internally with technical training and other education with a view to developing a formal externally certified programme. It is anticipated that the IPA will report to the Service in early 2002.



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PERFORMANCE MANAGEMENT AND DEVELOPMENT

The Service is committed to introducing a system of performance management to ensure that the work, performance, career and development needs of staff are managed and developed in their interest and in the wider interest of the Service and the people it serves. This commitment was underlined in 2001 by the introduction of a system with several unique features.

Planning for the introduction and implementation of the Performance Management and Development System (PMDS) began in early 2001 with the setting up of a management team and a project board both of whom met regularly during the year. A series of 23 workshops to introduce PMDS were conducted in Dublin and the provinces during June with a final 2 workshops held in Dublin in September.

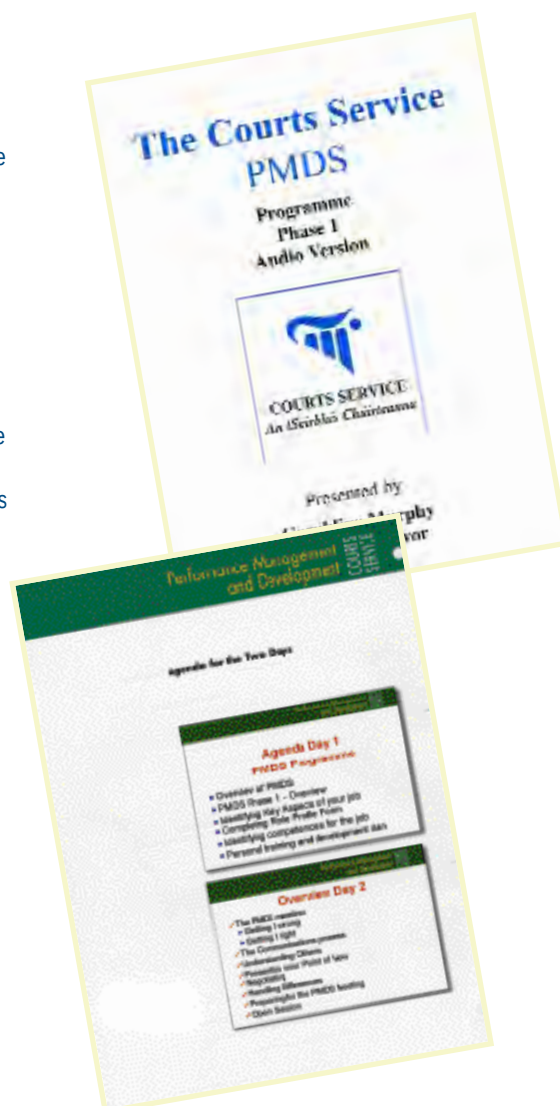
The emphasis during 2001 was on the first phase of PMDS training. An 8 day residential training programme designed by the Training Centre of the Service in conjunction with the external trainers engaged to assist the Training Centre was held for the 14 members of staff assigned to deliver PMDS training throughout the Service. This course provided both PMDS training and the soft skills necessary to prepare the staff as trainers. Final training prior to the actual introduction of PMDS was provided at the end of August.

PMDS Phase 1 training commenced on 17th September and ended on 18th December. In total, 77 training courses of 2 days duration were held in Dublin, Cork, Limerick, Galway, Sligo, Carrick-on-Shannon, Monaghan, Mullingar, Portlaoise and Kilkenny. There was an attendance of over 95% with absenteeism due only to factors such as illness and maternity leave.

To enhance the training experience for staff and to underline the importance the Service attaches to PMDS a number of unique steps were taken, including:

- The publication of fully designed and printed Leaders and Participant Guides
- The production of a specially commissioned video and audio tape for use in the training
- The production of a CD for use by visually impaired staff in their training

The focus in 2002 will be on an evaluation of the first phase and planning for delivery of Phases 2 and 3 of the programme.



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FOUR COURTS ELECTRONIC INFORMATION BOARD

The range of information available on the electronic information board beside the Information Desk off the Round Hall in the Four Courts was expanded during the year. The electronic board now shows the courtroom number, the name of the judge presiding and the name of the case at hearing. This assists practitioners and members of the public attending the High Court and, in particular, witnesses appearing in civil cases. Consideration is now being given to providing similar boards for other court locations.

SUPPORTING THE RULES COMMITTEES

Rules Committees exist at each jurisdictional level of the court structure to make Rules of Court.

Where legislative changes are made affecting operations in court offices, the Rules Committees make corresponding amendments and changes to the Rules of Court. During 2001 staff of the Service assisted the various Rules Committees by drafting forms and documents for their assistance. Staff of the Office of Wards of Court and the Office of the Accountant of the Courts of Justice prepared an amendment to the Rules of the Superior Courts (Order 77) enabling the Office of Wards of Court to

The Probate Office (High Court)

During 2001, the Office introduced a system of issuing Grants of Representation electronically. This replaced the manual production system and facilitates the speedier issue of Grants.

Office of the Court of Criminal Appeal (Supreme Court)

The office was relocated in 2001 and is now incorporated into the Supreme Court Office on the first floor of the Four Courts. The new location provides much needed additional accommodation for the office and allows for greater integration with the staff of the Supreme Court office.

avail of the wider range of investment products permitted by the Trustee (Authorised Investments) Order, 1998. This change was approved by the Superior Court Rules Committee in early 2001 and came into effect in July 2001.

Staff of the Supreme and High Courts participated in a committee established by the Superior Court Rules Committee to update and modernise the Rules relating to applications under the Companies Acts. Staff also participated in a group established by the Superior Courts Rules Committee to address the issue of case management in the High Court on the civil side. The group chaired by the President of the High Court, met on several occasions during the year and submitted its Report to the Committee in May 2001.

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Staff of the Circuit Court assisted the Circuit Court Rules Committee with the preparation of Consolidated Rules which were launched by the Minister for Justice, Equality and Law Reform at the end of 2001.

Reports of the Rules Committees for 2001 are on page 107.

REGIONAL OFFICES

There are 67 Circuit and District Court offices outside of Dublin. One of the difficulties in managing the courts, both in terms of providing proper support to local offices and ensuring standardisation of practices, has been that all decision making in relation to matters such as human resource and personnel functions, accommodation and other issues has traditionally been centralised. The Working Group on a Courts Commission recommended that appropriate functions should be decentralised. This is also in line with Government policy (Strategic Management Initiative). An increased emphasis on local managerial accountability and devolution of responsibility is also reflected in Delivering Better Government and included in the Service's Strategic Plan.

In 2001 the Service established Regional Offices in 6 venues outside Dublin and commenced putting in place arrangements for

the devolution of authority to Regional Managers for a range of matters including budgets, personnel issues, ongoing maintenance of courthouses and premises, management of local building projects, control of existing building stock, co-ordination of the consultation process at the planning stages for new building projects and certain responsibilities in relation to the vesting of property in the Service.

The Regional Offices were established coterminous with the Circuit Court Circuits and are located in Monaghan (Northern Circuit), Naas (Eastern Circuit), Tullamore (Midland Circuit), Waterford (South Eastern Circuit), Cork (Cork Circuit) and Limerick (South Western Circuit). The remaining Regional Office will be opened in Castlebar (Western Circuit) in 2002.

REORGANISATION OF DISTRICT COURT AREAS, DISTRICTS AND VENUES OF THE DISTRICT COURT

The work of the District Court Committee established by the Board to review existing District Court areas, districts and venues continued during 2001. The Committee reviewed and prepared proposals which were approved by the Board for a major

REGIONAL OFFICE	LOCATION	COUNTIES COVERED	POPULATION*
Northern Regional Office	Monaghan	Cavan, Donegal, Leitrim, Monaghan	259,308
Eastern Regional Office	Naas, Co. Kildare	Kildare, Louth, Meath, Wicklow	439,573
Midland Regional Office	Tullamore, Co. Offaly	Laois, Longford, Offaly, Roscommon, Sligo, Westmeath	313,338
South Eastern Regional Office	Waterford	Carlow, Kilkenny, Tipperary, Waterford, Wexford	449,538
Cork Regional Office	Cork	Cork	420,510
South Western Regional Office	Limerick	Clare, Kerry, Limerick	385,180
Western Regional Office	Castlebar, Co. Mayo	Galway, Mayo	300,378

*Figures based on 1996 census

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reorganisation of districts to align them with county boundaries to the greatest extent possible and offices to align them with districts. Traditionally, districts of the District Court were not related to county boundaries and offices did not have responsibility for geographical areas coinciding with districts or county boundaries.

The changes in District Court Areas and Districts in 2001 implemented following consultation with judges, staff and court users are in Appendix II.

CLOVERHILL COURT

Cloverhill prison is the male remand prison for Leinster, not including Longford but including Monaghan. In 2001, the Prison Service provided a courthouse adjacent to the prison which is used by the District Court to hear applications for remand and by the High Court to hear applications for bail. The High Court commenced sitting at Cloverhill courthouse in February 2001 and the District Court in May 2001.

CASTLEREA COURTHOUSE

In 2001 the Prison Service provided a court facility in the Prison Visitors Centre at Castlereah Prison. Sittings of the District Court commenced in the new facility in June 2001. The court deals with persons remanded in custody to that prison from the west of the country.

The fact that persons on remand in prison are appearing in the courts such as those in Cloverhill and Castlereah has yielded significant savings in travel, overtime, security costs and risks for both an Garda Síochána and the Prison Service.

The use of the courthouses in Cloverhill and Castlereah has brought about significant cost savings to the Prison Service and to an Garda Síochána in that it is possible to deal with persons on remand at these courts rather than transport them to the courts throughout the particular regions.

PILOT DRUG COURT

The 1997 Programme for Government included, in the context of measures to combat the drugs problem, a recommendation for the creation of a Drug Court system which would involve court supervised treatment programmes for less serious drug related offences.

A Pilot Drug Court Programme for persons who have committed non-violent drug related offences was commenced in the Dublin District Court in January 2001 and will run for 18 months. Dublin's North Inner City was the area selected for the project because of the extent of the problem of drug misuse and the availability of treatment in the area. The Drug Court is based in the North Inner City at the Richmond courthouse in North Brunswick Street, Dublin. The pilot programme is being evaluated by external evaluators and the extension of drug courts to other areas will be considered following completion and evaluation of the Pilot Project.

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In 2001, 54 persons were referred to the Drug Court from the Dublin District Court sitting in Chancery Street. 33 persons proceeded to become participants by the end of the fourth quarter. 16 offenders were assessed as ineligible and referred back to the District Court for sentencing. A further 5 offenders were in the assessment period at the end of the quarter. Of the participants that entered the programme, 6 were terminated and referred back to the District Court to be re-sentenced. A participant may be terminated from the Drug Court for non-compliance with the programme or arrests for other offences. Once a person has been terminated from the Drug Court programme, he/she is referred back to the original court for finalisation of his/her case.

FAMILY LAW

The Family Law Court Development Committee of the Board met regularly during 2001 and oversaw the implementation of a number of initiatives in the area of family law, including:

Improved accommodation

During 2001 plans were prepared and work commenced on the conversion of the ground floor of the new Courts Service building in Smithfield, Dublin into accommodation for the Dublin Circuit Family Court. Consultations took place with court users, including the Judicial Building Committee of the Circuit Court, staff and representatives of the legal profession. The new facility, expected to open in April 2002, will provide 3 new courtrooms. A legal practitioners room will also be provided together with 8 consultation rooms to facilitate private discussions between legal advisors and their clients. A large public foyer area will be provided with adequate seating areas for the public and a reception desk. Modern office accommodation and facilities will also be provided for staff. The offices and courts will include modern information technology infrastructure.

Plans were finalised during the year for a major Family Court complex at Ormond Quay in Dublin. Planning was completed for a 10 courtroom facility which will accommodate all High, Circuit and District Family Courts and will provide consultation and waiting rooms adjacent to and serving all the courtrooms. At year end, planning permission in respect of the proposed development had been sought from Dublin City Council.

Courtrooms dedicated to family law cases are being provided as part of the upgrading of court accommodation in county towns throughout the country. Separate family law facilities were provided in Trim courthouse which were refurbished in 2001 and in Sligo where refurbishment will be completed in early 2002.

Family Law Recording Project

The Working Group on a Courts Commission recommended that the Service, when established, seek to progress by way of a Pilot Project the recording and reporting, by a qualified Legal Practitioner, of judgments in family law cases in the Circuit and District Family Law Courts. Following extensive consultation with judges and the legal profession, a Pilot Project was devised and a qualified legal practitioner was engaged as Recorder for a 12 month period. There were 3 separate elements within the project:

- The recording and reporting of Circuit Family Court and District Family Court judgments
- The production of general information regarding family law and the courts
- The provision of more meaningful statistics regarding family law

Considerable progress was made in relation to the latter 2 elements of the project during 2001. A number of Family Law Information Bulletins were prepared, published and widely distributed. The Bulletins dealing with family law matters in the Circuit Court and in the District Court are available from the Information Office and on the website (www.courts.ie). Considerable progress was and continues to be made in developing more meaningful statistics regarding family law.

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During the early stages of the project an issue emerged regarding the legal right of the Recorder to be present in Family Law Courts even where the consent of the parties was obtained. This issue arose despite the wholehearted support of judges and practitioners for the Pilot Project. At the end of 2001 the Board had sought an opinion from Senior Counsel on the issue.

Legal services

The Legal Aid Board was provided with an office in the Family Law Office of the Dublin Metropolitan District Court in Dolphin House to enable the Board provide a service to those involved in family law cases.

Dedicated Family Law Days - High Court

In the High Court judges hear family law cases in a dedicated list called the Family Law List. Only family law cases are heard when the court is dealing with this list.

- Circuit Court

In the Circuit Court in Dublin and Cork judges are assigned for particular periods of time to deal exclusively with family law cases. As with the High Court the cases are heard separate from other court business in dedicated courtrooms.

DISTRICT COURT AREAS WITH SITTINGS DEDICATED TO FAMILY LAW

District Court number	Venue	Number of family law sittings
3	Ballina	One sitting each month
15	Carlow	One sitting each month
3	Castlebar	One sitting each month
21	Clonmel	One sitting each month
20	Cobh	One sitting each month
19	Cork	Three sittings each week
6	Drogheda	One sitting each month
	Dublin	Daily
6	Dundalk	One sitting each month
12	Ennis	One sitting each month
20	Fermoy	One sitting each month
7	Galway	One sitting each month
	Letterkenny	One sitting each month
14	Limerick	One sitting each week
20	Mallow	One sitting each month
	Midleton	One sitting each month
	Mitchelstown	One sitting each month
9	Mullingar	One sitting each month
16	Naas	One sitting each month
15	Portlaoise	One sitting each month
2	Sligo	One sitting each month
10	Trim	One sitting each month
9	Tullamore	One sitting each month
22	Waterford	One sitting each month
3	Westport	One sitting each month
23	Wexford	One sitting each month

In provincial Circuit Courts family law cases are dealt with by the judge assigned to the circuit on separate days to the exclusion of other court business.

- District Court

In the District Courts progress continued to be made in 2001 towards separating family cases from the rest of the work of the courts. Judges in Dublin continue to be assigned on a full time basis to the family law courts. In many districts additional days were allocated exclusively to family law and in others existing sittings have been similarly



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dedicated. In some districts family law cases are now dealt with in the larger population centres such as county towns. This means that they can be dealt with at venues with more appropriate facilities and on dedicated family law days. Emergency and urgent cases are dealt with in all venues as the need arises.

CHILDREN'S COURT

An archival service was established in the Dublin Metropolitan District Children's Court in Smithfield, Dublin to provide information and records relating to cases affecting children in the care of the State since 1926 to the legal profession, unrepresented litigants and the Laffoy Commission established by the Government to look into matters relating to the abuse of children.

PROVISION OF COURT
TRANSCRIPTS - PILOT PROJECT

A pilot project to test different systems of recording court proceedings was carried out in the Dublin criminal courts over a number of months in 2001. The systems were tested

with regard to their suitability for the process of logging and transcribing court proceedings. Two systems were piloted: an analogue system which uses a four-channel audiocassette recorder to record evidence and a digital system which records evidence on to compact discs using computer software. By year end an evaluation report on the pilot project had been prepared.

VIDEO LINK EVIDENCE

History was made in the Dublin Circuit Criminal Court in 2001 with the first ever video link transmission of evidence from the United States of America. 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. In 2000 the video link system was upgraded in order that it could communicate with video conferencing systems located outside the State.

An examination of the requirements of providing video link facilities in court venues outside Dublin commenced in 2001. It is intended to provide video link facilities in a number of strategically located venues. The basic cabling and infrastructure to allow evidence by video link has been provided in Sligo courthouse where a major refurbishment project will be completed in early 2002. Similar cabling and infrastructure will be included as part of building projects to be undertaken in Limerick, Dundalk and Cork in 2002.

INFORMATION TECHNOLOGY

During 2001, expenditure on information technology amounted to €7.28m (IR£5.73m). The Service continued to make significant progress in the provision of infrastructure and modern information and communication technologies. Information technology will

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provide the foundation for the electronic delivery of a range of services both internally and externally.

A 5 Year Information Technology Strategic Plan titled "eCourts" was prepared and published in February 2001. The strategy closely aligns technological development to the overall 3 year Strategic Plan and provides for:

- The development of a number of strategic business applications to meet the specific business needs of the Service
- The introduction of modern accounting and financial management systems across the organisation
- The development of modern management and executive information systems to enable the Service respond to ever changing business and operational requirements
- The delivery of a range of eGovernment services consistent with the Government's commitment to the development of the Information Society.

The implementation of the Plan represents a major challenge for the Service in the years immediately ahead and involves major investment in technology, business re-engineering and related services. During 2001, research was undertaken at home and abroad regarding the development of an appropriate model for the implementation of such an extensive programme of work so as to ensure that the Service obtains maximum business benefit and value for money from the implementation of the Plan.

During the year, the Service continued and further extended the programme of work associated with the deployment of modern information systems to judges and offices.

Criminal Case Tracking System

The Criminal Case Tracking System (CCTS) is part of the 5 year Information Technology Strategic Plan of the Service (eCourts). It is an Oracle relational database designed to utilise modern database capabilities to allow for the efficient processing and tracking of criminal cases. It also allows the Service to achieve a centralised and uniform collection of data on criminal cases allowing for the production of meaningful statistical information. CCTS will allow the Service gather and analyse statistical information for management information purposes and also to provide meaningful and detailed statistics for a number of individuals and organisations outside the Service including those involved in academic research and members of the media.

The development and implementation of CCTS at offices in Dublin and Limerick was completed during 2001 covering 22 courts and 110 staff. During 2002, further enhancements to the system will be provided and deployment will commence to the 43 District Court offices nation wide.

Infrastructure

The deployment of a comprehensive, secure and flexible Local and Wide Area Network infrastructure was completed during the year at all offices in the greater Dublin Area. By the end of the year over 600 judges and staff had access to the networks, e-mail and modern office productivity tools. In addition, procurement was completed to extend this infrastructure to an additional 50 offices and a further 600 staff throughout the country. Implementation commenced in November 2001 and on completion, for the first time, all offices will be linked via a modern communication infrastructure based on one of the most modern communication platforms available.

Financial Management System

The Service, together with the Department of Justice, Equality and Law Reform and An Garda Síochána completed the procurement of a Financial Management System for the Service and other agencies associated with the Department which will be implemented in a Shared Services Centre in Killarney. Work on the implementation of the system will commence in 2002.

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INFORMATION TECHNOLOGY

Interim System Development:**Status of Projects at December 2001****Circuit Criminal Court Office**

This system will be implemented in a live environment by mid 2002.

Central Criminal Court Office

It is anticipated that this system will be installed during 2002

Examiners Office (High Court)

The second phase of user acceptance testing will be completed in early 2002.

Dundalk and Clonmel Circuit Court Civil Offices

The Circuit Court civil office system in use in Dublin was set up on the local network in Dundalk and Clonmel on a pilot basis with the objective of establishing additional requirements for provincial offices. This system will be available to all Circuit Court offices during 2002.

Court of Criminal Appeal Office

Minor enhancements are required and this system is scheduled for implementation in early 2002.

Supreme Court Office

The second phase of this project within the Supreme Court will be implemented in March 2002.

Interim Case Management Systems

Pending the implementation of the strategic systems outlined in the 5 Year Information Technology Strategic Plan, work continued on the development and implementation of interim case management systems to meet specific business requirements in a number of offices. Interim systems were implemented in: The Office of Wards of Court (High Court), Dublin Circuit Court civil office and the Supreme Court Office during 2001 and at year end work was continuing on the development of systems in the Dublin Circuit Court criminal office, the Central Criminal Court office, the Examiners Office of the High Court, Dundalk and Clonmel Circuit civil offices (pilot systems) and the Court of Criminal Appeal office.

Management Information System

During 2001, the Service agreed a set of Key Performance Indicators which will form the basis for the future measurement of performance within the organisation.

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Judges' Intranet Project

During 2001 all members of the judiciary were issued with a laptop computer, provided with a secure e-mail service and given access to a Judges' Electronic Benchbook updated on an ongoing basis containing rules, statutes and regulations. In addition, judges have access to the Lexis/Nexis system, which is comprised of on-line electronic databases which provide legal and business information. Further information about the Judges' Intranet Project is on page 41.

Courts Service website

Work on the development of the website continued in 2001 with enhancements to existing sections and plans to include additional sections. Further information about the development of the website is on page 46.



eCourts

The 5 Year Information Technology Strategic Plan has detailed the future basis for electronic service delivery by the Service based on three dimensions: Business to Consumer, Business to Business and Business in Business.

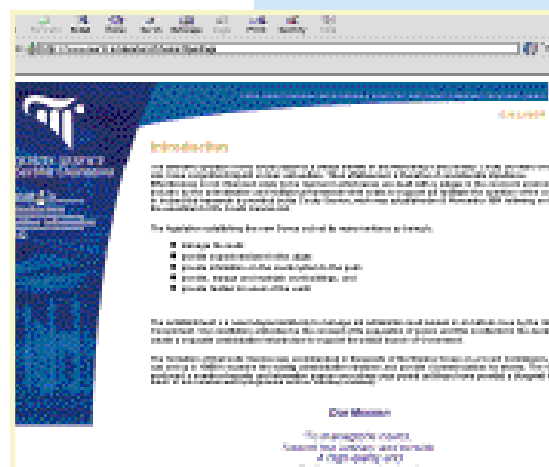
The Service has selected a number of pilot projects for the delivery of electronic services. During 2002 it is intended to develop a web enabled small claims

Small Claims procedure

The Service, in conjunction with the Department of Enterprise, Trade and Employment and the Department of Justice, Equality and Law Reform, has established a Committee to examine an on-line small claims procedure. A sub-committee to examine operational jurisdictional issues that may arise was set up and will commence its work in early 2002.

procedure in co-operation with the Department of Enterprise, Trade and Employment. During 2002 the feasibility of providing for the payment of court fines electronically will be examined. Discussions are continuing with an Garda Síochána in relation to the integration of the respective agencies' systems. Following discussions with the judges of the Supreme Court, arrangements are being made for the introduction on a pilot basis of the electronic display of documents in the courtroom. An extensive consultation process has commenced with judges, staff and users. It is planned to have the technology and other elements implemented by November 2002 to facilitate the hearing of a small number of cases on a pilot basis with the intention of gradually extending the service.

Both the eSmall Claims and ePayment initiatives have been included in the Government's new Information Society Action Plan.



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FINANCIAL MANAGEMENT

Courts Accounting System

Manual accounting systems have traditionally been used in High, Circuit and District court offices to process receipts and payments. Apart from changes to the types of transactions and an increase in the volume of transactions such as family law maintenance payments, little about the process had changed over the years.

In January 2001 following a detailed analysis of user requirements the Service issued a EU Open Procurement Tender for the provision of computerised accounting systems for Circuit and District court offices. The AGRESSO financial accounting system was selected and implementation commenced in October 2001. The rollout of Phase 1 to pilot offices is expected to commence in July 2002. Phase 1 includes family law receipts and payments in the District Court offices and payments in respect of funds of Minors in Circuit Court offices. It is intended to roll out Phase 2, which will cater for all remaining receipt and payment processes, to the pilot offices in late 2002. The roll out of the AGRESSO system to all other Circuit Court and District Court offices will continue in 2003. The benefits to court offices from the introduction of a computerised system include:

- More efficient processing of all accounting transactions and in particular high volume transactions such as family law receipts and payments
- Improved and timely management information on the volume, type and status of accounting transactions processed by court offices and
- Support for e-Government initiatives.

The Euro Changeover

The changeover affected business in all court offices including those involved in accounting transactions, accounting procedures, management and investment of funds. It also had implications for many other areas including computer systems, some primary and secondary legislation, fees orders, rules of court, court orders, payments to suppliers and staff, payments from court users, banking, communications and staff training. The Service established an Action Group tasked with ensuring that all relevant business and systems would operate in dual currency in advance of 31st December 2001 where necessary and be fully Euro compliant on 1st January 2002.

Issues raised in the course of a series of workshops to assess training needs held at various locations throughout the country in August and September 2001 and attended by over 200 staff were incorporated into a training manual which was used at subsequent training seminars attended by 468 staff between October and December.

The Service anticipates a smooth changeover to the Euro on 1st January 2002 based on a number of positive indicators including the timely identification by the Action Group of all the relevant issues and the actions required to resolve them, continuous monitoring of the implementation of the Action Plan and ongoing liaison with groups such as the Euro Changeover Board, the Department of Justice, Equality and Law Reform, Court Rules Committees, the Law Society, the Institute of Chartered Accountants, the public and staff of the Service.



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MANAGEMENT OF COURT FUNDS

One of the key issues addressed by the Working Group on a Courts Commission in their Third Report was court funds management and the need to apply modern systems and best practices. The Service has responsibility for the management and investment of approximately €760m (IR£600m) comprised of some 22,000 separate accounts. All of these have been traditionally managed manually by the Office of the Accountant of the Courts of Justice in the High Court, the Office of Wards of Court in the High Court, the 26 individual Circuit Court offices and the 45 District Court offices throughout the country. The bulk of the funds relates to the Office of the Accountant of the Courts of Justice and to the Dublin Circuit Court office.

Since the establishment of the Service, the matter of funds management has been given a high priority. In March 2000, the National Treasury Management Agency (NTMA) made a number of recommendations including one that a suitable computerised system was a fundamental requirement before many of the other improvements needed could be put in place. In 2001 requirements for a computerised funds accounting system were agreed and an EU procurement exercise to select a suitable computer system was carried out. In addition, governance and control practices were externally reviewed in the Office of the Accountant of the Courts of Justice and all aspects of court funds management and investment were reviewed.

The Service engaged Mercer Investment Consultants (Mercer) to carry out a comprehensive assessment of the existing arrangements for the investment of court funds with a view to recommending a framework for the administration of court funds that would accord with best practice elsewhere. In 2001 Mercer produced a report containing a wide range of recommendations including the establishment of an Investment

Changes being made in the management of court funds will bring about significant improvements in the level of service provided to beneficiaries and their representatives and improved returns on investment.

Committee to oversee the management and investment of court funds, the establishment of a Central Funds Office to manage all court funds and the appointment of independent investment advisors and a small number of fund managers.

Following the procurement exercise previously referred to the Service selected a computerised accounting system, AGRESSO, in 2001 to support the transaction processing and fund accounting requirements. Implementation of this system will commence in the Office of the Accountant of the Courts of Justice in early 2002 and is expected to be completed by early 2003. It will also support the accounting activities of the Office of the General Solicitor for Minors and Wards of Court and will ultimately provide a central database for the management of all court funds.

The Investment Committee recommended by Mercer will be established in early 2002 with requests for proposals for external Investment Advisors and Fund Managers to follow later in the year.

There were other significant developments in the area of court funds in 2001. The annual financial statement of court funds held in the Office of the Accountant of the Courts of Justice was audited by independent external auditors PricewaterhouseCoopers. The audited Statement of Account is on page 119.



CHAPTER 2 - IMPLEMENTING OUR MANDATES

MANDATE 2:

PROVIDING SUPPORT TO THE JUDICIARY

The total number of judges in all four court jurisdictions Supreme Court, High Court, Circuit Court and District Court, as of 31st December 2001 was 112.

The Irish judiciary

Jurisdiction	Legislative position	No. appointed
Supreme Court	8 incl. the Chief Justice	8
High Court	25* incl. the President	25**
Circuit Court	28 incl. the President	28
District Court	51 incl. the President	51
Total	113	112

*26 when the President of the Law Reform Commission in a High Court Judge, as is currently the case

**1 vacancy as of December 2001

THE JUDICIAL STUDIES INSTITUTE

The Judicial Studies Institute was established in 1996 to oversee expenditure and planning for judicial training following a formal commitment in legislation to provide Government funding for judicial training. The Board of the Judicial Studies Institute consists of the Chief Justice and the Presidents and one ordinary judge from each court jurisdiction.

During 2001, the Service continued to provide increased funding, secretarial and administrative support for the Institute. Seminars and training conferences were organised by the support staff for each of the jurisdictions in a variety of locations nationwide and a national conference was organised for all judges in Dublin. A number of the Irish judiciary also travelled abroad to various conferences and seminars with the support of the Institute.

ALLOCATION OF FUNDS TO JUDICIAL STUDIES INSTITUTE

YEAR	ALLOCATION
1998	€63,486 (IR£50,000)
1999	€76,184 (IR£60,000)
2000	€261,566 (IR£206,000)
2001	€365,684 (IR£288,000)

A Judicial Studies Newsletter was initiated and five editions were published in 2001 covering a wide range of issues and developments of interest to the judiciary. A Judicial Studies Journal was also initiated in 2001 which was a unique development in the history of the judiciary since it marked the first appearance of a journal devoted exclusively to legal topics of interest to the judges.

THE JUDICIAL APPOINTMENTS ADVISORY BOARD

During 2001, staff of the Service continued to provide administrative support for the Board. The eligibility of solicitors for appointment to positions of judges of the higher courts with the enactment of the Courts and Court Officers Bill, 2001 expected in mid 2002 will lead to an increase in the administrative work of the Service in this area.

RESEARCH ASSISTANCE FOR THE JUDICIARY

Research Assistants continue to provide excellent research and support assistance to the judiciary using modern research tools such as the various legal research sites (Jill, Lexis-Nexis, OPAC, Celax, ECI, etc.) accessed through the Internet and traditional tools such as the most up to date text books, reports and periodicals.

At the beginning of 2001 one Senior Judicial Research Assistant and six Judicial Research Assistants were employed by the Service. Three additional researchers were recruited during 2001.

CHAPTER 2 - IMPLEMENTING OUR MANDATES

JUDGES' LIBRARY

The Judges' Library provides a library and information service for the judiciary of all courts, for the judicial research assistants and for staff in many offices of the Service. Publications are in both hard copy and electronic format.

In 2001, the library continued to provide this service and in particular, contributed to the work of the Judges' Intranet Project Board and evaluated and selected a number of online services. An additional Administrative Library Assistant post was filled and the Service advertised for an additional professional librarian. Plans for the relocation of the library to improved accommodation were drawn up during the year and it is anticipated that the move to the new location will take place in 2002. Staff of the library received thorough training in the regulations relating to the Copyright and Related Rights Act, 2000. The library continues to supply judgments of the Supreme and High Courts to the British and Irish Legal Information Institute (BAILII) who make them freely available on the Internet. (www.bailii.org)

JUDICIAL SUPPORT UNIT

A small dedicated unit within the Corporate Services Directorate titled the "Judicial Support Unit" continued to develop excellent working relationships with the judiciary in 2001 and provided assistance to them on a range of issues.

MEDIA RELATIONS SERVICE

The Media Relations Service established to improve communications between the Service and the media continued to assist the judiciary on an individual and collective basis during 2001. Further details about the Media Relations Service are on page 46.

JUDGES' INTRANET PROJECT

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

During 2001 all members of the judiciary were issued with modern laptop computers, provided with a secure e-mail service and given access to a Judge's Electronic Benchbook, which is updated on an ongoing basis, with various rules, statutes and regulations. In addition, the judges have access

CHAPTER 2 - IMPLEMENTING OUR MANDATES

to the Lexis/Nexis system, which is comprised of on-line electronic databases which provide legal and business information. The range of services available to judges is being continually extended as additional requirements are identified by them. Judges can also access electronically The Irish Law Reports which comprises reported Irish judgments since 1919.

criminal matters was reduced from 7 months to less than 5 months during this period. A new call over list was introduced for drunk driving prosecutions in the criminal court. It is expected that this call over list will streamline the manner in which such cases are dealt with. There was an increase in the number of sittings in Cloverhill District Court from 3 days to 4 days each week and an increase in the number of scheduled sittings in Swords District Court from 3 days to 4 days each week. The waiting time for hearings in the Summons Court was reduced from 36 weeks to 20 weeks.

Extra courts were held in family law in the Dublin District Family Court in August, when hearings are not normally held. Waiting times for the hearing of applications for barring orders following the granting of interim barring orders were reduced from 9 weeks to 2½ weeks and the waiting time for other family law hearings was reduced from 20 weeks to 12 weeks.

SUPPORTING INITIATIVES UNDERTAKEN BY THE JUDICIARY

During the year staff continued to actively assist the judiciary in respect of initiatives undertaken by them in relation to judicial case management, an example being the implementation of judicial Practice Directions aimed at reducing waiting times in the High Court Non-Jury/Judicial Review List which enables parties who are ready and willing to go to trial to obtain a speedy hearing.

Major efforts were made by staff of the Dublin District Court in conjunction with the District Court judges to reduce waiting times in criminal and family law matters. Extra criminal courts were held in September 2001 with the support of the Circuit Court registrars (the Circuit Court was on vacation in September). The waiting time for cases in

IMPROVING ACCOMMODATION FOR THE JUDICIARY

During 2001, to enhance the standard of accommodation for all court users including the judiciary, work continued at a number of court venues throughout the country as part of the refurbishment and improved maintenance programme for courthouses. The environment in many courtrooms has been greatly improved through new ventilation, heating and lighting systems. In addition, acoustics in courtrooms have been improved through the installation of acoustic panelling. The judiciary have also benefited from the progress being made on the capital building programme with improvements to their offices including the provision of new furniture and fittings. For more information about the building programme of the Service see page 48.

CHAPTER 2 - IMPLEMENTING OUR MANDATES

MANDATE 3: PROVIDE INFORMATION ON THE COURTS SYSTEM TO THE PUBLIC

The progress made by the Service in 2000 with its programme to provide information on the courts system for all users of the courts utilising modern design and print capabilities and electronic publishing via the Internet continued in 2001.

PUBLICATIONS

The programme for the publication of material developed in 2000 provided the basis for an expanded range of publications in 2001. The publications produced were aimed at a number of different user groups including staff, the legal profession and the general public.

Publications directed at the general public included "The Courts System in Ireland - An Introduction" a booklet designed to provide basic information on the structure of the courts in Ireland and introduce the Courts Service, a leaflet titled "the Drug Court" which included an overview of the Pilot Drug Court project in Dublin, a leaflet titled "Cloverhill Courthouse" which provided location details (including a map) and "The Courts Service" a leaflet which provided details of the organisational structure of the Service. A leaflet with a more targeted audience titled "Setting Proceedings Down For Trial in the High Court" provided a step by step guide to the procedure for obtaining a date for the trial of civil proceedings in the High Court.

The range of publications also included the following:

"Courts Service News"

Five issues of the Courts Service News - the newsletter of the Service - were published and circulated in 2001 to staff, judges, solicitors, barristers and many individuals and organisations interested in developments in the Service. A new front page look, together with several additional features, added to the attraction of the newsletter and ensured that it continued to play a major role in the area of communication both internally and externally.

Family Law Publications

Much attention was devoted to the matter of information on the operation of the family law courts during the year. Leaflets with the series title "Family Law Information Bulletin" were published highlighting the work of the Circuit Family Court and the District Family Court, providing useful details on how to present an application to the District Court and including some District Court statistics. It is intended to publish a two part focus on the matter of domestic violence in early 2002.

CHAPTER 2 - IMPLEMENTING OUR MANDATES

Courthouse Refurbishment Publications

The refurbishment of Trim courthouse was highlighted in a brochure published by the Service on the occasion of its official reopening in 2001 emphasising the aesthetic value of this magnificent building, detailing the nature of the work carried out and acknowledging the part played by the design team including the architects, engineers and designers to the project. It is intended to produce a series of similar brochures in 2002 to acknowledge the cultural and architectural importance of similar such buildings and their value to the heritage of Ireland.

Calendars and Wall Planners

Nine of the most imposing courthouses in Ireland were selected for inclusion on the wall planners and calendars of the Service published at the end of the year. The publications feature an impressive watermark of the Four Courts in the background and are a bright and colourful alternative to the more traditional range of Public Service calendars. They will be distributed in early 2002 together with a range of diaries.

Information Supplement

An information supplement produced by the Service was distributed with the Irish Times newspaper at the end of September. Staff were interviewed by a team of Irish Times journalists to provide material for the supplement. The resulting publication contained a wealth of information on the courts system and the work carried on in various court offices together with explanations of the functions and organisation of the Service and highlights of major developments made in areas such as information technology and buildings. The supplement has proved to be a valuable resource to explain aspects of the work of the courts and court offices to visiting groups, particularly school groups.

Publications in Irish

The Courts Service Annual Report 2000 and a booklet introducing the Service were published in Irish in 2001. In addition, the amount of information available in Irish on the website was considerably extended. Contact details for staff of court offices in Dublin and around the country were published in Braille and approved by the National Council for the Blind.

Plain English Campaign

The language used in several of the publications was approved by the Plain English Campaign, an organisation based in the UK which campaigns for the use of easy to understand language in official and corporate publications.

Further details of all Service publications are on page 132 of this Report and most publications are available on the website (www.courts.ie).

Publications for schools

The Service participated in "Irish Times Business 2000" an advanced multimedia teaching and learning resource developed in partnership with the Department of Education and Science, the Business Studies Teachers Association of Ireland and the Irish Times. It featured case studies of 26 leading public and private organisations and was designed to present real life examples of the conduct of business today. The studies were compiled in hard copy and CD-ROM format and distributed to every secondary school and 85 colleges and universities free of charge. The venture is in its fifth year and in 2001 included a website (www.business2000.ie). The entry by the Service is recommended to business students interested in the changing role of management.

CHAPTER 2 - IMPLEMENTING OUR MANDATES

EDUCATION PROGRAMME

Visitor programme

The publication of material was complemented by the introduction, in October 2001, of a visitor programme which encourages members of the public to visit courts in Dublin and around the country to observe the operation of the courts system at first hand. Illustrations of courtroom scenes and diagrammatic representations of the structure of our courts system were combined with organised tours of the Four Courts. Between October and December 2001, the Service accommodated hundreds of visitors including over 800 second level students and their teachers on the organised tour programme.

Mock Trial Competition

The Service supported the Schools Mock Trial competition - the largest transition year team competition in Ireland - which was developed to educate students on the operation of our courts system not only by inviting them to visit the courts but by allowing them participate in mock court cases. The competition attracted entries from over 100 secondary schools around the country and the final was presided over by the Chief Justice.

“What better way to provide access to information on the courts than to invite hundreds of young people not only to attend the Four Courts but to practice the work which goes on there?”

Chief Justice Mr. Ronan Keane

Organised second level school visits to the Four Courts - October 2001 - December 2001

Number of tours	Number of schools	Number of students
57	43	868

Presentations

Staff of the Service made a number of presentations during the year explaining aspects of the operation of our courts system to groups including newly qualified barristers, apprentice solicitors and groups visiting from abroad including judges and lawyers.



CHAPTER 2 - IMPLEMENTING OUR MANDATES

COURTS SERVICE WEBSITE (WWW.COURTS.IE)

In 2001, the Service continued to develop the website. Regular updates to existing sections continued together with work on new sections including a section directed at students and a section highlighting the importance of court buildings to the heritage of Ireland. Work commenced on a project to make commonly used court forms available on the website in a downloadable and ready to use format and the first selection of forms was made available at the end of the year. Progress was made on the development of a pilot project for the electronic publication of judgments of the Supreme Court.

It is intended to re-launch the site in mid 2002. New features will include the new sections for students and heritage previously referred to, a revised site navigation which will afford users greater ease of interaction, a "Quick Links" section to allow easy access to frequently visited areas of the site, a "Take a Tour" option to provide views of the interior of the Four Courts and a section to highlight developments in the Service as they occur.

The number of visits which the site attracts continues to grow steadily. A new high for visits of 17,223 was recorded for the month of November 2001. By way of comparison, in the first full year of its existence in 2000 average monthly visits to the site were approximately 3,000. This indicates a five fold increase in average monthly visits over the intervening period.

MEDIA RELATIONS SERVICE

In response to an ever increasing media interest in the courts and in line with a recommendation of the Working Group on a Courts Commission, the Service established a Media Relations Service (MR Service) at the end of 2000. There is now one central point for the media to contact the Service for information. A measure of the success of the MR Service is that during the year, 1,200 enquires were received from members of the media in Ireland and abroad relating to a broad range of issues including information on court times and dates, requests for copies of court judgments, requests for information on the structure, practice and procedure of the courts system in Ireland and the management, operation and organisational structure of the Service.

CHAPTER 2 - IMPLEMENTING OUR MANDATES

The MR Service continued to improve the transmission of information during 2001 including same day electronic transfer of judgments of the Supreme Court, Court of Criminal Appeal and Special Criminal Court (limited to those cases of major public interest.) In addition, the MR Service provided the media with advance notice of the delivery of such judgments.

Considerable efforts were made by the MR Service in 2001 to raise awareness of developments in the Service. Initiatives included:

- arranging for the media to interview the Chief Justice, the Chairperson of the Board and other judges, the Chief Executive, Directors and staff;
- conducting interviews for articles featured in "Courts Service News" during the year;
- co-ordinating and facilitating the preparation of the information supplement referred to on page 44.

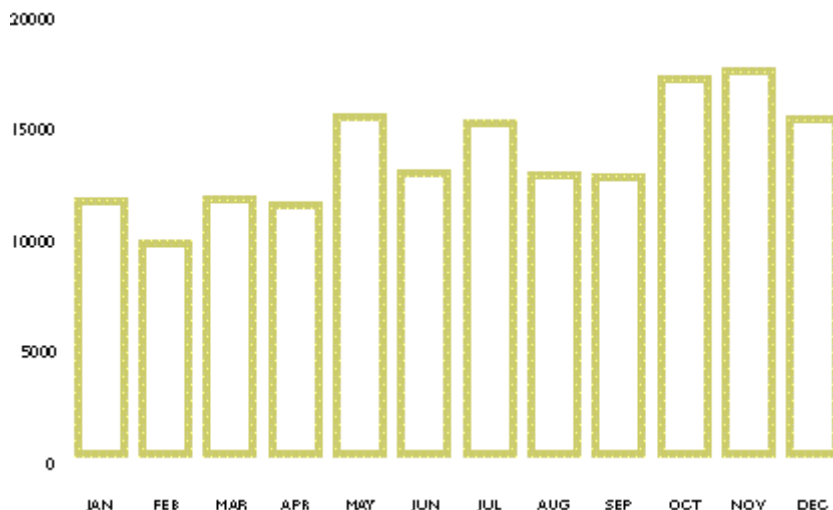
The MR Service also facilitated visits from third level media students in 2001 by developing a programme which combines visits to selected courts with a lecture on the topic of "Reporting the Courts - Ethics, Accuracy and Earning a Living".

The Service is committed to providing accommodation for the media in courthouses in Dublin and around the country. During 2001, the MR Service participated at the planning stages of the refurbishment of many court buildings. The refurbishment plans include desk and telephone facilities for the media and in some cases dedicated areas in the courtrooms. In Dublin, the MR Service consulted with journalists who attend at the Four Courts complex and identified the particular needs of the media in respect of this historic building. It is intended to provide media facilities as part of the Development Plan for the Four Courts (referred to on page 52).

STATISTICS

In 2001 the Service continued to make improvements in the range of statistical material available on the courts system across all jurisdictions particularly in the area of family law and criminal law. The installation of modern computer systems will greatly improve the ability of the Service to produce qualitative material. The Criminal Case Tracking System provides a good example of the potential of these systems (see page 35).

WEBSITE VISITS



CHAPTER 2 - IMPLEMENTING OUR MANDATES

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

Court facilities should not only be efficient and comfortable, they should also reflect in their design the independence, dignity and importance of the business transacted in them. Public respect for the courts system depends on many factors, but the condition of the buildings in which justice is administered ranks among those having the greatest influence on how the public view our courts system.

**CAPITAL BUILDING
PROGRAMME**

In 2001, the Service prepared a 7 year Capital Building Programme for the years 2002-2008 titled "Building for the Future". The programme analyses the difficulties faced by the Service as it seeks to bring court buildings up to acceptable modern standards, sets out a work programme and estimates the cost involved at €305m (IR£240.21m).

The preparatory work on the Capital Building Programme was greatly assisted by the work of the District Court Committee, the Circuit Court Judges sub-committee and the Judicial Building Committee of the High, Circuit and District Courts. Consultations took place with court users on all capital projects in line with the protocol on consultation and this protocol continues to be adhered to on each project. During 2001 a total of €19.36m (IR£15.25m) was spent on the building/refurbishment programme.

Design teams were appointed during the year for refurbishment projects at Nenagh, Thurles, Swinford, Youghal, Westport, Tullamore and Newcastle West.

CHAPTER 2 - IMPLEMENTING OUR MANDATES

BUILDING/REFURBISHMENT PROJECTS COMPLETED 2001		UNDER CONSTRUCTION AT END OF YEAR	
COURTHOUSE	PROJECT COST	COURTHOUSE	PROJECT COST
Mallow	€1.2m (IR£0.95m)	Limerick Circuit Court	€9.02m (IR£7.25m)
Athy	€1.3m (IR£1.02m)	Arva	€0.32m (IR£0.25m)
Cloverhill	€2.9m (IR£3.94m)	Dundalk	€10.67m (IR£8.4m)
Trim	€7.3m (IR£5.75m)	Borrisokane	€0.38m (IR£0.30m)
Buncrana	€0.57m (IR£0.45m)	Sligo	€7.87m (IR£6.2m)
Carrickmacross	€1.05m (IR£0.83m)	Kilrush	€1.1m (IR£0.87m)
Westport Phase 1	€0.32m (IR£0.25m)	Tubbercurry	€0.32m (IR£0.25m)
		Castlerea (Remand Court beside Prison)	€0.5m (IR£0.39m)
		Smithfield (Circuit Court Family Law)	€1.62m (IR£1.28m)

BUILDING/REFURBISHMENT PROJECTS AT ADVANCED PLANNING STAGE

DURING 2001
(Planning completed and plans signed off)

Courthouse

Circuit Court, Washington St., Cork

Longford (additional buildings
purchased during 2001)

Castlebar (additional buildings
purchased during 2001)

Ennis (additional buildings purchased
during 2001)

Nenagh

Thurles

Clifden

Swinford

Boyle

Ormond Quay, Dublin (Family Law
Centre)

Fermoy

BUILDING/REFURBISHMENT PROJECTS WHERE PLANNING COMMENCED DURING 2001

Courthouse

Killarney

Bray

Newcastle West

Drogheda (additional site acquired
during 2001)

Navan

Monaghan (additional space purchased
during 2001)

Youghal

Rathkeale

Lismore

Carrick-on-Suir

Mullingar

Castlepollard

Wexford

Dungarvan

Cashel

CHAPTER 2 - IMPLEMENTING OUR MANDATES

Major maintenance works completed in 2001 included:

Athlone
 Cavan Town
 Tullamore
 Bray
 Naas
 Áras Uí Dhálaigh, Dublin
 Chancery Street, Dublin
 Kilmainham
 Ballymote
 Ballina
 Belturbet
 Galway City
 Kilkenny
 Castlereagh
 Four Courts
 Richmond Hospital, Dublin
 Riverbank, Dublin
 Mitchelstown
 Loughrea
 Ballyconnell
 Macroom
 Glenties
 Newcastle West
 Children's Court, Dublin
 Dún Laoghaire
 Old Public Records Building
 Portlaoise
 Ballinasloe
 Monaghan
 Tullow
 Mullingar
 Dolphin House, Dublin
 Swords
 Green Street, Dublin

Major maintenance works commenced but not completed during 2001 included:

Ballinasloe
 Elphin
 Clonmel
 Strokestown
 Cashel
 Derrynea
 Cobh

PUBLIC PRIVATE PARTNERSHIPS

During 2001, the Service identified a number of significant building projects which could be provided by means of Public Private Partnerships. These included the Family Court Complex at Ormond Quay, Dublin, the siting of the business of the criminal courts in Dublin in a single location and the provision/refurbishment of a number of courthouses throughout the country. Proposals in respect of these projects will be pursued during 2002.

JOINT DEVELOPMENTS

The localised nature of the District Court means that the Service must attempt to procure suitable venues for court sittings in local areas often for not more than one or two days each month. Over the years sittings of the District Court were often held in rented halls in accommodation unsuitable for conducting court business. The Service has made efforts to join with appropriate local interests, particularly local authorities, to obtain the necessary facilities for use on a monthly basis for court sittings. Examples of this collaboration include Abbeyfeale, Co. Limerick where the Service traditionally shared its facility with the local library and more recently in Arva, Co. Cavan. During 2001, work commenced on similar facilities at Tubbercurry, Co. Sligo and planning commenced on shared facilities at Castleisland and Killorglin, Co. Kerry. Discussions also commenced with Mayo County Council regarding a joint development at Belmullet, Co. Mayo.

SIGNAGE

During 2001, the Service arranged for the installation of signage at 20 additional venues. The signage has been designed and constructed to agreed specifications and incorporates the corporate colours and logo of the Service. Special care is taken with signage where buildings are of particular architectural and cultural value. Consultations took place with the National Council for the

Blind and Braille has been included on all appropriate signs. All signage is provided in both Irish and English in line with Government policy.

MAINTENANCE

A total of €3.07m. (IR£2.415m) was spent on maintenance works in 2001. During 2001 agreement was reached with the Office of Public Works (OPW) under which the OPW carried out maintenance works on courthouse properties which will vest in the Service and on a number of other courthouses where, notwithstanding joint occupancy, the local authorities are not in a position to undertake the necessary works.

LEASED ACCOMMODATION

It is necessary for the Service to lease accommodation on both a long-term and short-term basis. For example, long-term leases are in place for the new Smithfield building, the Richmond courthouse, Dolphin House and Riverbank courthouses in Dublin. Accommodation must also be leased in certain cities and towns when major refurbishment work is being undertaken (e.g. Dundalk, Cork, Castlebar and Ennis) as it is not always possible to transfer court sittings to alternative court venues in nearby towns due to the volume of the business being transacted. The poor standard of accommodation and the lack of space to provide an adequate service to the public means that the service must relocate some courts and offices to leased accommodation, e.g. Tuam, Killarney, Longford, Nenagh, Swords, Thurles, Fermoy and Clonakilty. Some buildings were in such poor condition that they had to be closed.

Total expenditure on leases in 2001 amounted to €6.65m (IR£5.24m).

CHAPTER 2 - IMPLEMENTING OUR MANDATES

VESTING

The Courts Service Act, 1998 provides a mechanism whereby court accommodation currently in the ownership of local authorities or the Office of Public Works may be transferred by Order of the Minister for Justice, Equality & Law Reform to the Service. The Service initially identified 78 buildings to be vested in the Service.

A solicitor was engaged to prepare the necessary Vesting Orders and Vesting Certificates. The format of these Orders/Certificates has been agreed with the Office of the Chief State Solicitor. The solicitor liaises with the local authorities and the Office of Public Works as appropriate regarding the buildings to be vested to ensure that the provisions of the Courts Service Act, 1998 regarding vesting of property are complied with. It is expected that 5 Vesting Orders and Vesting Certificates will be submitted to the Minister for Justice, Equality and Law Reform early in 2002 for signature. Once these have been signed it is expected that the remainder of the buildings will be vested by the end of 2002.

COURTS SERVICE BUILDING, SMITHFIELD

The acquisition of this building has facilitated the transfer of six High Court Offices from the Four Courts, Probate Office, Office of the Official Assignee in Bankruptcy, Examiner's Office, Office of the General Solicitor for Minors and Wards of Court, Office of Wards of Court and Office of the Accountant of the Courts of Justice. The Chief Executive Officer and all of the Directorates were also transferred to the Smithfield Building from Green Street Courthouse and from offices in Conyngham Road. The I.T. Unit, Internal Audit Unit and the Training Section were also accommodated in the new building. Adequate meeting and conference facilities have been provided in the building together with a restaurant. Towards the end of 2001 it was decided to lease the ground floor of the building for a five year period to facilitate the provision of modern Circuit Family court facilities.

COURT BUILDINGS TO BE VESTED IN THE COURTS SERVICE

County	Courthouse
Carlow	Carlow.
Clare	Ennis, Kilrush.
Cork	Bandon, Clonakilty, Kanturk, Macroom, Mallow, Middleton, Youghal, Washington Street, Anglesea Street.
Donegal	Buncrana, Donegal, Letterkenny, Glenties,
Dublin	Green Street, Tallaght, Balbriggan, Swords, Dún Laoghaire, Smithfield, (Children's Court)
Galway	Ballinasloe, Clifden, Galway, Gort, Loughrea, Portumna, Tuam.
Kerry	Killarney, Killorglin, Listowel, Tralee,
Kildare	Athy, Kilcock, Naas.
Kilkenny	Callan, Castlecomer, Thomastown.
Laois	Portlaoise, Portarlinton, Rathdowney, Mountrath,
Leitrim	Carrick-on-Shannon.
Limerick	Limerick City District Court, Limerick City Circuit Court, Newcastle West.
Longford	Longford.
Louth	Drogheda (site), Dundalk.
Mayo	Ballina, Ballinrobe, Ballyhaunis, Castlebar, Swinford, Westport.
Meath	Dunshaughlin, Trim.
Monaghan	Carrickmacross, Monaghan.
Offaly	Tullamore.
Roscommon	Boyle.
Sligo	Sligo.
Tipperary North	Borrisokane, Roscrea, Templemore, Thurles.
Tipperary South	Carrick-on-Suir, Cashel, Clonmel, Tipperary Town.
Waterford	Dungarvan, Kilmacthomas, Waterford.
Westmeath	Athlone.
Wexford	Enniscorthy, New Ross.
Wicklow	Baltinglass.

CHAPTER 2 - IMPLEMENTING OUR MANDATES

BENEFITS OF A CRIMINAL COURT COMPLEX

- All criminal court business dealt with in one location
- Improved safety and security for all who use the Four Courts complex
- Holding cells for accused/convicted persons with direct access to all courtrooms
- Improved facilities for judges, staff, victims, witnesses, juries, the legal profession, prison officers, gardaí and accused/convicted persons

DEVELOPMENT OF THE FOUR COURTS

In October 2001, the Board reviewed the Four Courts Development Plan which was prepared in November 2000.

Having regard to the estimated cost of the refurbishment of the Áras Uí Dhálaigh building and the architectural significance of the other buildings on the site, particularly the Four Courts building, the Board decided that the Áras Uí Dhálaigh building should not be refurbished but ought to be demolished and replaced with a new building designed to complement the main Four Courts building. Central to the implementation of the plan is the relocation of the Land Registry Offices from the Four Courts complex. When the Land Registry offices are relocated to their new offices in Church Street a number of public offices located at present in Áras Uí Dhálaigh, including District and Circuit Court offices and possibly the High Court Central Office, located at present in the Four Courts will be located in a refurbished Land Registry building. Pending the relocation of the Land Registry to their new offices a number of interim improvements will be progressed including:

- The relocation in 2002 of the Judges' Library and researchers to Áras Uí Dhálaigh from the East Wing of the Four Courts
- The retention of the Central Office in the East Wing of the Four Courts while carrying out a substantial upgrading of the Office in mid 2002 together with the provision of an escape stairs

- The procurement of a study into the feasibility of providing a Criminal Court complex to accommodate all criminal court business either within the Four Courts complex or in the immediate vicinity.

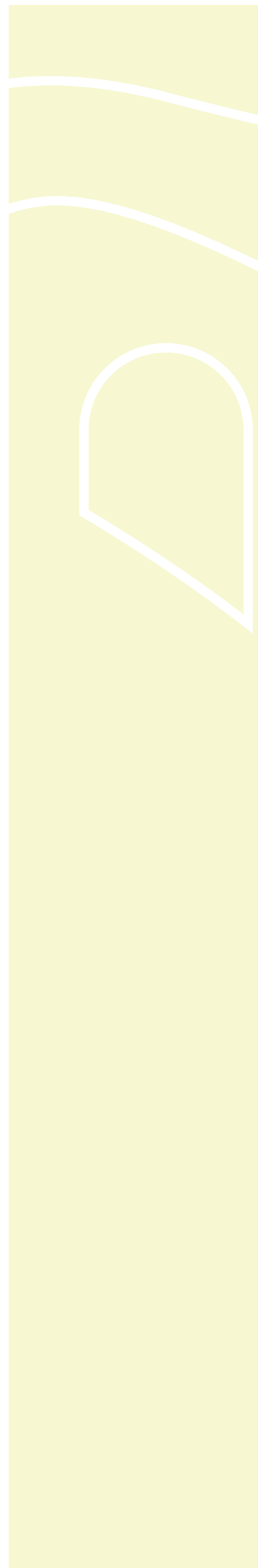
Progress with additional elements of the Four Courts Development Plan will continue in 2002 including the relocation of the Office of the Taxing Masters of the High Court from Áras Uí Dhálaigh to the Riverbank courthouse and planning for the development of a 10 courtroom Family Law Complex at Ormond Quay in respect of which planning permission has been sought from Dublin City Council.

FACILITIES FOR USERS WITH DISABILITIES

The Service provided facilities for users with disabilities in all buildings refurbished during 2001 including barrier free access, ramps, toilets and induction loops for those with hearing difficulties. All of the new signage erected on buildings of the Service includes, where appropriate, a panel providing information in Braille in a format approved by the National Council for the Blind. The Service consults with Dúchas and the Heritage Council when the particular building is a protected structure. At the request of the Service, the Office of Public Works engaged the services of an architect specialising in the area of facilities for the disabled to conduct an audit of the Four Courts complex. The architect's Report will be available in 2002. In the interim the following works will be carried out to improve access for the disabled throughout the complex:

- Provision of access ramp at the East Wing of the Four Courts
- Provision of access ramp and lift in the building in Chancery Place
- Provision of access lift to the Custody Courts at the Bridewell.

The total estimated cost of these works is €1.27m (IR£1.09m).





CHAPTER 2 - IMPLEMENTING OUR MANDATES

TRIM COURTHOUSE

The work carried out on Trim courthouse exemplifies the careful and considered approach of the Service to the renovation and restoration of our historic courthouses and provides an excellent example of how a modern courthouse facility can be successfully provided alongside an existing historic one.

The project involved the renovation and restoration of the listed courthouse, the original design of which is accredited in part to Richard Morrison circa 1810, and the addition of an extension of the building to meet the requirements of a modern court facility

There are now 4 courtrooms available for sittings of the High, Circuit and District Courts. The new family law suite comprises a courtroom with judges' chambers, 2 consultation rooms and 2 waiting rooms and is situated in the new extension away from the business of the other courtrooms. The new extension also includes a witness/victim support room. A lift has been installed to ensure access to the first floor for persons with disabilities. The staff of the Circuit Court and the District Court have been provided with modern office accommodation in the new extension and the courthouse is supported by an extensive information technology system throughout. A major achievement of the project is the skilful integration of the complex functional requirements of a modern court building into the constraints of the existing building whilst preserving and restoring the historic architectural features.

DETAILS OF THE WORK CARRIED OUT:

A detailed historical research and conservation study was carried out in the planning design phase. The original building structure and fabric was totally restored and protected in accordance with conservation

“The architectural concept for the extension to the courthouse is for an expressive contemporary design which through form and material refers to the medieval and historic context of the site as well as unashamedly expressing its place as a court building for the 21st century. The historic context is respected by the contemporary design but not mimicked by a pastiche replication of the old”

guidelines and in consultation with Dúchas and the Heritage Council. Original architectural features were recorded and restored. These included the detailed restoration of the fine interior to the old District Court courtroom, the reinstatement of the double height entrance and the reconstruction of many features of plaster work to ceilings throughout the building.

The atrium space which connects the old with the new, exposing the existing stonewall is a bright welcoming space for the public in contrast to the more formal interiors of the early 19th century courts.

The court facilities which have been provided at a cost of €7.3m (IR£5.75m) will meet the needs of the town of Trim and surrounding area for the foreseeable future.

PRIZE WINNING PROJECT

Trim courthouse won the prestigious “Plan Expo Opus Building of the Year” award in 2001 in the over £2.5m. category. The jury in making the award praised the “expressive contemporary design of the extension which avoids any banal mimicking pastiche”. The project also won an award for joinery design from the Institute of Designers of Ireland.

CHAPTER 3

COURT STATISTICS

CHAPTER 3 - COURT STATISTICS

This Chapter provides statistical information on the work carried out in the courts and court offices around the country in 2001 together with brief descriptions of the jurisdiction of the courts and the nature of the work carried out in a number of the administrative offices. More detailed descriptions of the nature of the work carried out in the various courts and court offices are contained in Chapter 4 of the Annual Report 2000.

The statistical information reflects the volume, type, range and complexity of cases dealt with by the courts and the role played by the administrative offices of the courts in processing litigation and, where appropriate, in managing cases. In many instances, in addition to statistical information for 2001, statistical information for the year 2000 is repeated for comparison purposes.

In addition to the statistics, details are provided of **average waiting times for court hearings** defined as the time between the court offices being notified that a case is ready to proceed to hearing/trial and the date allocated by the court for the hearing/trial in respect of all court jurisdictions. Details of **average waiting times** for matters processed in administrative offices of the courts not requiring a court hearing such as the issue of Grants of Probate and the marking of summary judgment are included by reference to the particular court office.

Unless otherwise stated the statistics are in respect of the period 1st January 2001 to 31st December 2001.

LAW TERMS 2001

Hilary: 11th January to 6th April
Easter: 23rd April to 31st May
Trinity: 13th June to 31st July
Michaelmas: 8th October to 21st December

SUPREME COURT

The Supreme Court is the court of final appeal in the State with power to hear appeals from all decisions of the High Court and appeals 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. It has other powers under the Constitution including power to give a ruling on a question of law submitted to it by the Circuit Court.

Appeals lodged:	361
Appeals dealt with:	243

OUTCOME OF APPEALS DEALT WITH:

Appeal dismissed, High Court order affirmed	107
Appeal allowed, High Court order discharged	70
Allowed appeal, High Court order varied	6
Appeal struck out by consent	28
Liberty to re-enter granted	2
Remit to High Court	2
Questions answered	1
Appeal withdrawn by consent	1
Other	9

CHAPTER 3 - COURT STATISTICS

FIXING DATES 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 called the list to fix dates. Lists to fix dates are held once a term.

WAITING TIMES:

At the list to fix dates in December 2001 dates were allocated to all cases which had been certified as ready at that time. The dates for hearing allocated were between January and April 2002.

COURT OF CRIMINAL APPEAL

The Court of Criminal Appeal 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 an appeal, or, where such certificate is refused, where the Court of Criminal Appeal itself, on appeal from such refusal grants leave to appeal. The court also hears appeals by the Director of Public Prosecutions (DPP) under Section 2 of the Criminal Justice Act, 1993 and applications under section 2 of the Criminal Procedure Act, 1993.

FIXING DATES FOR HEARING:

Dates for the hearing of appeals are allocated at the list to fix dates held once per term. In 2001 the Court of Criminal Appeal sat once per week and for a continuous week at the end of each term.

WAITING TIMES:

At the list to fix dates in October 2001 dates were allocated to all cases ready to proceed. The dates allocated were from October 2001 to January 2002. A supplementary list was held in December 2001 and dates were allocated up to March 2002.

JUDGMENTS

Reserved judgments outstanding on 01/01	9
Total reserved judgments	107
Total judgments delivered	104
Reserved judgments outstanding at 31/12	12

APPEALS TO COURT OF CRIMINAL APPEAL BY REFERENCE TO TRIAL COURT

Court	Cases on hands 1/1/2001	New appeals lodged	Cases heard	Cases on hands 31/12/2001
Circuit Criminal Court	245	205	152	298
Central Criminal Court	78	45	34	89
Special Criminal Court	18	13	5	26
Courts-Martial Appeal Court	2	1	1	2
Appeals by DPP	23	23	24	22
Total	366	287	216	437

CHAPTER 3 - COURT STATISTICS

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 and give rulings on questions of law submitted by the District Court.

CASES INITIATED IN THE CENTRAL OFFICE OF THE HIGH COURT

SPECIAL SUMMONS	2001	2000
Arbitration Act	20	18
Charities Acts	4	1
Extradition	7	7
Housing Acts 1996	3	5
Garda compensation	214	275
Mortgage suit	66	43
Partition Acts	4	2
Possession	314	177
Return of documents	1	1
Succession	53	43
Social Welfare Act	3	1
Trade Marks Act, 1996		4
Trustees Act	12	9
Vendor & Purchaser	11	18
Total	712	705
Revenue Summons	698	613
Summary Summons	1,161	867

PLENARY SUMMONS	2001	2000
Admiralty	6	19
Assault	1,218	343
Breach of contract	915	521
Conversion	6	10
Chancery declaration	608	518
Defamation	36	44
False imprisonment	10	6
Forfeiture	1	1
Injunction	409	367
Libel	159	178
Malicious prosecution	14	1
Negligence	2,193	156
Nuisance	16	8
Personal injury	12,335	10,480
Fatal injury action	98	108
Probate action	28	17
Rescission	20	11
Slander	19	41
Specific performance	184	199
Trespass	16	18
Wardship	2	1
Miscellaneous	738	231
Total	19,031	14,683

CHAPTER 3 - COURT STATISTICS

OVERVIEW OF
SUMMONSES ISSUED:

Summons type	2001	2000
Revenue	698	613
Plenary	19,031	14,683
Special	712	705
Summary	1,161	867
Total	21,602	16,868

*Details of Section 150 applications initiated in the Examiners Office are on page 78.

COMPANIES MATTERS

	2001	2000
Examinership	9	2
Winding Up Petition	89	91
Restore to Register Petition	312	138
Section 72 **Cos Act, 1963	4	2
Section 73 Cos Act, 1963	1	-
Section 106 Cos Act, 1963	13	14
Section 122 Cos Act, 1963	2	-
Section 135 Cos Act, 1963	2	-

** Cos Act denotes Companies Act

COMPANIES MATTERS
(CONTINUED)

	2001	2000
Section 150 Cos Act, 1990,(excludes Examiners Office*)	2	-
Section 160, Cos Act,1990	2	-
Section 201 Cos Act,1963	-	12
Section 202 Cos Act,1963	-	2
Section 205 Petition Cos Act,1963	21	22
Section 213 Cos Act,1963	2	-
Section 222 Cos Act,1963	2	-
Section 245 Cos Act,1963	1	1
Section 251 Cos Act,1963	7	-
Section 280 Cos Act,1963	11	4
Section 286 Cos Act,1963	2	-
Section 297 Cos Act,1963	2	1
Section 310 Cos Act,1963	1	1
Section 316 Cos Act,1963	2	-
Section 322 Cos Act,1963	-	2
Miscellaneous Cos Act	6	39
Total	493	331

CHAPTER 3 - COURT STATISTICS

MISCELLANEOUS COMMON LAW APPLICATIONS

	2001	2000
Fire Services Act	-	1
Freedom of Information	3	4
Section 27	116	56
Transfer of sentenced persons	9	8
Water Pollution Acts	2	1
Miscellaneous	25	38
Total	155	108

OTHER PROCEEDINGS

	2001	2000
Appeals from the Hepatitis C Compensation Tribunal	8	17
Foreign judgments	57	50
Foreign tribunal evidence	8	5
Intended action applications	156	107
Extension of time under Immigration Act	45	8

PRE-HEARING ACTIVITY

	2001	2000
Affidavits	28,596	25,033
Appearance	18,897	15,923
Discontinuance	1,121	859
Master's motions	4,786	4,089
Notice to Attorney General	5	10
Notice of intention to proceed	1,969	1,787
Notice of change of solicitor	2,287	2,174
Court motions	10,333	8,607
Notice to produce	2,077	1,605
Notice to trustees	22	22
Setting down for trial	7,827	6,885
Third party notice	174	156
Withdraw a case from the list by letters	554	469
Others	3,743	3,082
Total:	82,391	70,701

CHAPTER 3 - COURT STATISTICS

FIXING DATES FOR HEARING - GENERAL

When cases are ready for hearing, they are set down for trial and given a list number. A list to fix dates is held each legal term in respect of most lists. 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. Section 10 (3) of the Courts (Supplemental Provisions) Act, 1961, as amended, states that it is the function of the President of the High Court to arrange the distribution and allocation of the business of the High Court. Lists are prepared by senior court registrars called list registrars with cases being listed in chronological order. The date on which cases are entered in the lists depends on the category of case. With the exception of the Circuit Appeals List responsibility for the allocation of dates is delegated by the President of the High Court to the individual judges having management of the various lists. In cases of urgency where an early hearing is requested and no available dates remain, the parties may apply to the President who will endeavour to assign judges to hear the case depending on the availability of extra judges and the urgency of the cases.

CHANCERY

Year	2001
Cases on hands at 1/1/01	249
New cases received in 2001	133
Cases disposed of in 2001	342
Cases outstanding at 31/12/01	40

FIXING DATES FOR HEARING:

Non Jury and Chancery List cases are not transferred to the list to fix dates until certified as ready for hearing. Certified cases are then listed chronologically (in accordance with the date of filing of the certificate of readiness) in the next list to fix dates. Certain cases at the top of the list may be given priority by the list judge where a date may previously have been assigned but the case failed to get a hearing due to the unavailability of a judge. Lists to fix dates are held at the end of each term and most cases ready to proceed are assigned a date in the following term.

WAITING TIMES:

At the list to fix dates in December 2001, most cases in each of the chancery lists to fix dates were allocated dates from January 2002 to March 2002. Cases which were not assigned dates were directed to be listed at the top of the list to fix dates in the Hilary term 2002.

CHAPTER 3 - COURT STATISTICS

NON-JURY (EXCLUDING FAMILY LAW AND JUDICIAL REVIEW)

Cases on hands 1/8/2000	148
Cases set down	269
Cases disposed of	273
Cases on hands at 31/7/2001	144*

*56 were uncertified cases

FIXING DATES FOR HEARING:

see page 62

*Period from 1st August 2000 to 31st July 2001

WAITING TIMES:

At the list to fix dates in December 2001 dates were allocated to 50% of cases which had been certified as ready at that time. The dates allocated were from January to March 2002. The remainder of cases in the list were adjourned to the top of the list to fix dates in Hilary term 2002.

JUDICIAL REVIEW (EXCLUDING ASYLUM) CASES INITIATED

Case type	2001	2000
Certiorari	497	404
Certiorari, mandamus & declaration	3	5
Mandamus	190	197
Prohibition	78	73
Miscellaneous (including extension of time)	112	-
Total	880	679

FIXING DATES FOR HEARING:

Motions for judicial review are not transferred to the list to fix dates until the list judge is satisfied that all pre-hearing directions have been complied with. The list to fix dates is held at the end of each term to fix dates for the following term.

WAITING TIMES:

At the list to fix dates in December 2001 dates were allocated to 29 of the 153 cases in the list representing approximately 18.95% of the cases in the list. The dates allocated were from January to March 2002. The remainder of cases in the list were adjourned to the top of the list to fix dates in Hilary term 2002.

CHAPTER 3 - COURT STATISTICS

FAMILY LAW
CASES INITIATED:

Case Type	2001
Adoption	11
Child Abduction	29
Divorce	31
Family Law Act, 1995	4
Guardianship of Infants	6
Judicial Separation	76
Maintenance of Spouses & Children	1
Nullity	8
Total	166

FIXING DATES FOR
HEARING:

Cases ready for hearing are included in a weekly list to fix dates.

WAITING TIMES:

3 months where the Master of the High Court deems the case ready for hearing. Parties can obtain an earlier date by applying to be included in a separate list to avail of dates where a case listed for hearing settles or adjourns.

FAMILY LAW:
ORDERS GRANTED

Case type	2001
Divorce	20
Judicial Separation	27
Nullity	4

JURY LIST

Cases on hands 1/1/01	39
New Cases set down	83
Cases disposed of	52
Cases on hand 31/12/01	70

OUTCOME OF CASES
DISPOSED OF

Full hearing:	6
Settled/withdrawn by letter:	46

NUMBER OF DAYS AT
HEARING:

2 days	1 case
3 days	2 cases
6 days	1 case
11 days	1 case
6 weeks	1 case

FIXING DATES FOR
HEARING:

Once an action is set down for trial it is entered automatically in the next list to fix dates according to the setting down date. As there is generally a relatively high number of adjournments and settlements in this list, virtually all cases seeking a date obtain one in the following term.

WAITING TIMES:

At the list to fix dates in October 2001 dates were allocated to all cases which had been certified as ready at that time. The dates allocated were from October to November 2001.

CHAPTER 3 - COURT STATISTICS

*JUDICIAL REVIEW (ASYLUM)

Cases listed	400
Cases disposed of	260
Cases outstanding	140

FIXING DATES FOR HEARING:

Cases are assigned dates by the list judge periodically during the term.

WAITING TIMES:

Motions are listed for hearing on a date within approximately 4 weeks of the notice of motion coming into the list.

**Statistics: October 2001 - December 2001*

BAIL

Applications made	3,634
Applications granted on own surety	675
Applications granted on third party surety	670
Applications refused	266
Applications refused under Bail Act 1997	26
Applications withdrawn	342
Applications struck out	530
Orders varied	116

FIXING DATES FOR HEARING:

Applications are made by way of Notice of Motion issued out of the Central Office.

WAITING TIMES:

The bail motion list is heard by the court each Monday during term. Applications received are listed for the following Monday.

CHAPTER 3 - COURT STATISTICS

MASTER'S COURT

Special Summons	3,245
Motions - for judgment	1,943
- on notice	7,664
Ex Parte applications	676
Examination of Company Directors/Judgment Debtors	17
Total	13,545

FIXING DATES FOR HEARING:

Notices of Motion and Special Summonses are allocated return dates for the Master's Court at the time of issue

WAITING TIMES:

Return dates allocated for Notices of Motion and Special Summonses are approximately 4 to 6 weeks after the date of issue

APPEALS FROM THE CIRCUIT COURT

Appeals lodged	593
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FIXING DATES FOR HEARING:

Circuit Appeals are heard on Monday of each week. Dates are not assigned until the books of appeal are lodged in the Central Office. The next available hearing date is then assigned by the list registrar allowing for the intervention of court vacations. Application is required to be made to the President to assign an extra judge to hear appeals which are expected to last a number of days.

WAITING TIMES:

4 weeks from the date of lodgment of books of appeal

CASES TRANSFERRED FROM THE CIRCUIT COURT.

In the year ending 31/12/2001 there were a total of 876 cases transferred to the High Court from the Circuit Court.

CHAPTER 3 - COURT STATISTICS

PERSONAL AND FATAL INJURIES: DUBLIN

	2001	2000
Cases on hand at 1/1	7,612	9,268
New cases received	4,892	4,178
Cases disposed of	5,690	5,834
Cases outstanding as of 31/12	6,814	7,612

PROVINCIAL VENUES

Dundalk	2001	2000
Cases on hand at 1/1	485	608
New cases received	550	472
Cases disposed of	498	595
Cases outstanding at 31/12	537	485

Galway	2001	2000
Cases on hand at 1/1	603	887
New cases received	548	482
Cases disposed of	585	766
Cases outstanding at 31/12	566	603

Waterford	2001	2000
Cases on hand at 1/1	403	434
New cases received	333	341
Cases disposed of	348	372
Cases outstanding at 31/12	388	403

Kilkenny	2001	2000
Cases on hand at 1/1	142	192
New cases received	188	130
Cases disposed of	160	180
Cases outstanding at 31/12	170	142

Cork	2001	2000
Cases on hand at 1/1	1,473	1,901
New cases received	707	706
Cases disposed of	1,046	1,134
Cases outstanding at 31/12	1,134	1,473

Limerick	2001	2000
Cases on hand at 1/1	770	1,015
New cases received	762	625
Cases disposed of	684	870
Cases outstanding at 31/12	848	770

Sligo	2001	2000
Cases on hand at 1/1	256	189
New cases received	343	343
Cases disposed of	312	276
Cases outstanding as of 31/12	287	256

TOTAL PERSONAL AND FATAL INJURIES CASES

	2001	2000
On hands 1/1	11,744	14,494
New cases received	8,323	7,277
Cases disposed of	9,323	10,027
On hands 31/12	10,744	11,744

CHAPTER 3 - COURT STATISTICS

PERSONAL AND FATAL INJURIES SITTINGS OUTSIDE DUBLIN:GENERAL

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)

PERSONAL AND FATAL INJURIES SITTINGS OUTSIDE DUBLIN

Hilary

CORK	15th January (3 weeks)
GALWAY	5th February (2 weeks)
LIMERICK	19th February (2 weeks)
WATERFORD	5th March (2 weeks)
CORK	26th March (2 weeks)

Easter

LIMERICK	23rd April (2 weeks)
SLIGO	23rd April (2 weeks)
GALWAY	8th May (2 weeks)
DUNDALK	14th May (3 weeks)

Trinity

LIMERICK (ENNIS) At LIMERICK: 18th June (2 weeks)
GALWAY: 18th June (2 weeks)
WATERFORD: 2nd July (2 weeks)
CORK: 2nd July (2 weeks)

Michaelmas

CORK 8th October (2 weeks)
LIMERICK 22nd October (2 weeks)
GALWAY: 22nd October (2 weeks)
SLIGO: 5th November (2 weeks)
KILKENNY: 19th November (2 weeks)
DUNDALK: 3rd December (3 weeks)

CHAPTER 3 - COURT STATISTICS

FIXING DATES FOR HEARING

Dublin List

Once a case is set down the parties may immediately apply for a hearing date two or three weeks from the date of application. Long cases such as medical negligence actions which can last a number of weeks may require that a date be "specifically fixed" by the judge. The date assigned will depend on availability but generally a date will be assigned within three weeks of the application being made.

Venues outside Dublin

Cases are listed in chronological order once set down. Applications to fix the list of cases for hearing are heard by the list judge some weeks in advance of the sittings. Cases not ready for hearing are adjourned.

WAITING TIMES:

Dublin List

There were no delays in this list and the speed with which a case obtained a hearing date was a matter for the parties.

Venues outside Dublin:

The only significant delay was in the Cork list where cases were taking 2 years to be reached. In the Dundalk, Kilkenny, Galway, Waterford and Sligo/Letterkenny lists, cases that were ready to proceed were heard within 3-6 months of setting down. In Limerick cases were heard within 12 months of setting down.

ORDERS GRANTED

	2001	2000
Masters Orders:	4,498	3,858
Divorce:	20	30
Nullity:	4	5
Judicial Separation:	27	27
Personal Injury settlement orders:	3,841	4,033
Supreme Court final orders:	141	132
Supreme Court interim orders:	44	58
Judicial Review final orders:	265	262
Judicial Review interim orders:	756	882
Chancery interim orders {includes interim family law orders & injunctions}:	1,347	1,701
Chancery final orders:	627	494
Common law interim orders:	3,874	2,714
Common law final orders:	1,205	1,177
Stateside interim orders:	173	119
Stateside final orders:	210	290
Miscellaneous	4,845	
Total	21,877	15,782

CHAPTER 3 - COURT STATISTICS

CASES READY FOR HEARING AND AWAITING DATES AT 31/12/01

Chancery 1 List -	35 actions and 30 motions/summons
Chancery 2 List -	19 actions and 38 motions/summons
Non Jury List -	75 actions and 49 motions
Jury List -	68 actions
Judicial Review List -	153 motions

HIGH COURT - WRITTEN JUDGMENTS DELIVERED:

2001	2000
215	227

OTHER CENTRAL OFFICE ACTIVITIES:

Judgments registered:	
- High Court	158
- Circuit Court	708
- District Court	1,571
Deeds poll registered	375
Subpoenas issued	5,628
Applications for service in Ireland under the Hague Convention	276
Judgment mortgage affidavits filed	174
Lis pendens registered	70
Powers of attorney enrolled	38
Judgments in default of appearance marked	386
Judgments marked in pursuance of an order	107
Execution orders issued	562

WAITING TIMES:

Processing of applications for judgment and execution orders:

1 week where no query raised or from discharge of query if raised

Enrolment of miscellaneous deeds e.g. Deeds Poll	1 week
Requests for copy documents	3 days
Certification of documents by the Registrar of Central Office (e.g. Judgment Mortgage Affidavits)	1 week

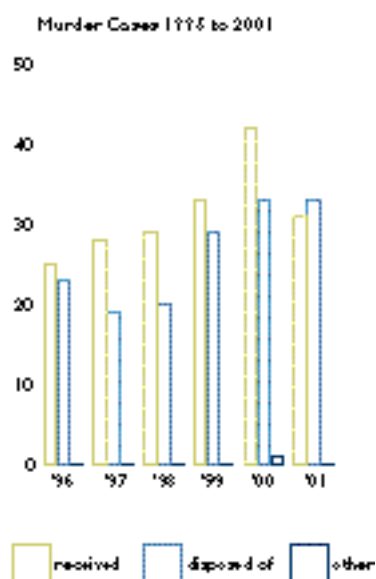
CHAPTER 3 - COURT STATISTICS

CENTRAL CRIMINAL COURT

The High Court exercising its criminal jurisdiction is known as the Central Criminal Court. Although it has full jurisdiction in all types of offences, in practice it only deals with offences where it has exclusive jurisdiction. The court mainly deals with murder, rape and serious sexual assault cases. It also has jurisdiction in respect of piracy and treason cases. From 2002, it will deal with criminal trials under the Competition Act, 2002.

Since the mid 1990's there has been a marked increase in the number of cases, especially rape charges, coming before the Central Criminal Court. For example, in 1996 the number of rape cases returned for trial was 48. In 2001, 92 rape cases were returned for trial.

In 1996, 73 cases were received by the Central Criminal Court and a total of 71 cases were dealt with. In 2001, the Central Criminal Court received 124 cases and dealt with 131. The number received represented a fall in cases for the first time in five years and the number dealt with meant that, for the first time, cases dealt with outnumbered cases received. The number of cases outstanding at the end of 2001 was 286 compared to 296 at the end of 2000.



MURDER CASES DEALT WITH

	2001	2000
Cases outstanding at 1/1	64	56
Cases received	31	42
Cases disposed of	33	33
Other	-	1
Cases outstanding at 31/12	62	64

NUMBER OF MURDER CASES DEALT WITH 1996 TO 2001

	received	disposed of	other
1996	25	23	0
1997	28	19	0
1998	29	20	0
1999	33	29	0
2000	42	33	1
2001	31	33	0
Total	188	157	1

In 2001, 57 cases were dealt with on plea of guilty and there were 59 full jury trials. In 9 cases, nolle prosequi was entered by the prosecution. There were a total of 17 acquittals.

In order to deal with the increase in the number of cases coming before the Central Criminal Court, four judges were assigned to deal with Central Criminal Court business in 2001. On occasions during the year an additional judge was assigned.

Murder cases:

Of the 33 murder cases in 2001 there were 23 trials, 7 guilty pleas and 3 non-prosecutions entered. Of the cases that went to trial, 3 ended in acquittals although some of those who were initially charged with murder were convicted of manslaughter.

CHAPTER 3 - COURT STATISTICS

RESULTS OF
MURDER/MANSLAUGHTER
CASES DEALT WITH

	2001	2000
Persons convicted of murder	13	11
Persons convicted of manslaughter instead of murder	0	1
Persons charged with manslaughter or for whom a plea of manslaughter was accepted in lieu of a murder charge	11	10
Persons convicted of attempted murder or other related offence	1	1
Persons found not guilty by reason of insanity	0	4
Persons acquitted	3	4
Accused deceased	0	2
Other	3	-
Nolle Prosequi	2	-
Total	33	33

SENTENCES IMPOSED IN
MURDER/MANSLAUGHTER
CASES 2001

Life Imprisonment	13
>10yrs	3
>5yrs<10yrs	10
>2yrs <5yrs	1
Other	3
Acquittals	3
not guilty by reason of insanity	0

PLEAS/JURY TRIALS

	2001	2000
Pleas	7	5
Jury Trials	23	26

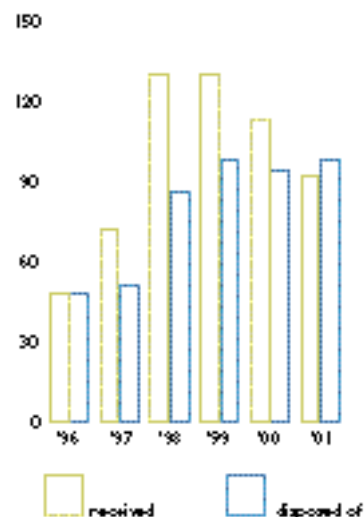
Rape cases:

There were 98 cases of rape and sexual assault in 2001. Of these cases there were 50 guilty pleas and 36 trials with the remainder disposed of by decisions not to prosecute, the death of the accused or other issues. Of the cases that went to trial, in 22 cases the accused was found guilty of rape and/or sexual assault and 14 were acquitted.

RAPE CASES DEALT WITH

	2001	2000
Rape cases outstanding at 1/1	168	149
Rape cases received	92	113
Rape cases disposed of	98	94
Rape cases outstanding at 31/12	162	168

Rape Cases 1995 to 2001



CHAPTER 3 - COURT STATISTICS

OUTCOMES OF RAPE CASES DEALT WITH

	2001	2000
Persons convicted of rape	22	24
Persons convicted of rape and other offences	25	27
Persons convicted of other sexual offences	22	18
Persons acquitted	14	12
Other	15	13
Total	98	94

SENTENCES IMPOSED IN RAPE CASES 2001

>10yrs	6
>5yrs <10yrs	31
>2yrs<5yrs	27
<2yrs	9
other	1
acquittals	14
nolle prosequi	7
Deceased	3

RAPE CASES DEALT WITH 1996 TO 2001

	received	disposed of
1996	48	48
1997	72	51
1998	130	86
1999	130	98
2000	113	94
2001	92	98
Total	585	475

PLEAS/JURY TRIALS

	2001	2000
Pleas	50	52
Jury Trials	36	29

FIXING DATES FOR HEARING:

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

WAITING TIMES:

The average waiting time for trial from the time the office receives a file from the Director of Public Prosecutions to the hearing date was 16 months as at 31/12/2001.

CHAPTER 3 - COURT STATISTICS

SPECIAL CRIMINAL COURT

The Special Criminal Court hears all trials on indictment for offences scheduled under the Offences Against the State Acts unless the Director of Public Prosecutions otherwise directs. It also hears criminal cases directed to be tried in the Special Criminal Court by certificate of the Director of Public Prosecutions. Since 1998, the Court has dealt with 79 cases involving some 123 people.

In 2001, 18 trials involving 32 accused persons were held in the Special Criminal Court. 22 persons entered guilty pleas and 7 were convicted having pleaded not guilty. A nolle prosequi was entered for each of the remaining 3 persons before the court.

	2001
Cases on hands as of 1/1	21
New cases	13
Cases disposed of	18
Cases outstanding at 31/12	16
Total trials	18
Total people	32
Convicted on plea of not guilty	7
Convicted on pleas of guilty	22
Struck out/ nolle prosequi	3
Other	0

CASES DEALT WITH
1998 - 2001

Year	Number of cases	Number of persons
1998	21	37
1999	14	18
2000	26	36
2001	18	32
Total	79	123

FIXING DATES FOR
HEARING:

The accused is charged before the Special Criminal Court and remanded pending the preparation of a Book of Evidence. Cases are not assigned dates for hearing until the Book of Evidence has been served.

WAITING TIMES:

At the 31st December 2001 the average waiting time for the allocation of a date for hearing in respect of cases where books of evidence had been served was 5 months.

CHAPTER 3 - COURT STATISTICS

OFFICE OF THE GENERAL SOLICITOR FOR MINORS AND WARDS OF COURT

The General Solicitor for Minors and Wards of Court is employed by the President of the High Court to act as committee to the estate in certain wardship matters, as guardian of the funds in certain minor matters and as “friend of the court” in certain other cases concerning the rights of persons with a mental incapacity.

	2001	2000
Wardship cases	527	554
Sub cases	102	96

FUNDS HELD:

At 31st December 2001, the balance in the Committee Account (on behalf of Wards and Minors) amounted to €1,026,758.70 (£808,638.25)

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.

	2001	2000
Wardship cases	2,640	2,626
Applications awaiting hearing	1,075	1,188
Total	3,715	3,814
Inquiry orders	163	147
Declaration orders	191	126
Declaration orders(minors) 8		17
Dismissal orders	176	151
Discharge orders(minors) 10		9
Orders (other)	660	590
Enduring powers of attorney registered	72	63

WAITING TIMES:

	2001	2000
From acceptance of application papers to listing before court:	2 weeks from receipt of complete documentation	1 week from receipt of complete documentation
For preparation of dismissal or discharge order from date of filing application	10 weeks	12/15 months
Authorisation of payments	1 week from date of request where there are no queries or from resolution of queries	1 week from date of request where there are no queries or from resolution of queries
Registration of an enduring power of attorney	2 weeks where there are no queries or from resolution of queries	2 weeks where there are no queries or from resolution of queries

CHAPTER 3 - COURT STATISTICS

PROBATE OFFICE

The main functions of the Probate Office of the High Court are the admission of wills to proof, the issuing of grants of probate and administration, the preservation of probate records for inspection, the provision of certified copies of probate documents and the processing of court applications to the judge assigned to deal with probate matters.

There are 14 local Probate Offices called District Probate Registries located in Circuit Court offices around the country.

PRINCIPAL REGISTRY

Probates (and administrations with wills annexed)	6,339
Intestacies	2,125
Personal applicants (included in above)	1,140
Caveats	454
Appearances	42
Court applications	162
Other forms of proceedings:	
Citations	34
Warnings	68

PROBATES AND ADMINISTRATIONS GRANTED

	2001
On hearing of causes	3
On motion before the judge	57
In the registry without decree or order of the judge	8,404
Revocation of probate or administration	20

FEES GENERATED BY OFFICE 2001

Total fees received
€1,304,775.20 (IR£1,027,594.00)

Fees on Personal Applicants
*€290,437.35 (IR£228,738.00)

**included in total figure*

PRINCIPAL REGISTRY: WAITING TIMES

Application by solicitor for grant	8 weeks
Application by personal applicant for grant	10 weeks

DISTRICT PROBATE REGISTRIES- WAITING TIMES:

Castlebar	3 to 4 weeks
Cavan	7 to 10 days
Clonmel	8 weeks
Cork	4 weeks
Dundalk	4 weeks
Galway	3 to 6 weeks
Kilkenny	2 to 3 weeks
Letterkenny	2 months
Limerick	3 to 4 weeks
Mullingar	1 week
Sligo	1 week
Tralee	3 to 4 days
Waterford	2 weeks
Wexford	2 to 3 weeks

CHAPTER 3 - COURT STATISTICS

LOCAL REGISTRIES:

Registry	Probates (and Administrations with wills annexed)	Intestacies
Castlebar	441	217
Cavan	152	78
Clonmel	458	167
Cork	1,076	327
*Dundalk	65	21
Galway	571	209
Kilkenny	336	159
Letterkenny	76	63
Limerick	685	280
Mullingar	271	139
Sligo	264	113
Tralee	387	176
Waterford	291	86
Wexford	323	103

**First quarter statistics only*

CHAPTER 3 - COURT STATISTICS

EXAMINERS OFFICE

The Examiner's Office assists the High Court in chancery and company law matters, following the making of an order by the court, by dealing with accounts and inquiries, settling lists of creditors, arranging sales of properties, countersigning payments and investments and processing applications for the court.

APPLICATIONS UNDER SECTION 150 COMPANIES ACT, 1990

	2001	2000
Directors investigated	84	52
Directors restricted	39	29
Directors not restricted	45	23

Nature of proceedings	Cases pending 1/1	New cases	Cases disposed of	Cases pending 31/12
Company liquidations	601	30	23	608
Mortgage suits	1,022	13	16	1,019
Administration suits	365	0	1	364
Total	1,988	43	40	1,991

The Examiner also has a role in bankruptcy which includes the processing of applications and acting as Registrar to the Bankruptcy Court.

BANKRUPTCY

	2001
Summonses filed	12
Summonses granted	12
Petitions for adjudication filed	21
Adjudications	5
Arrangement petitions filed	1
Orders in aid applied for	2
Orders in aid made	2

CHAPTER 3 - COURT STATISTICS

OFFICE OF THE OFFICIAL ASSIGNEE IN BANKRUPTCY

The Official Assignee in Bankruptcy is primarily concerned with the affairs of person who have been adjudicated bankrupt by order of the High 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.

	2001
Cases ongoing at 1/1	493
New adjudications	6
Cases discharged	7
Cases ongoing at 31/12	492

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.

An audited Statement of Account in respect of the Office of the Accountant of the Courts of Justice for the year ended 30th September 2001, prepared in accordance with Order 77, Rule 96 of the Rules of the Superior Courts, 1986 is included as part of the Financial Statements on page 119.

OFFICE OF THE TAXING MASTER

The function of the Taxing Master is to provide an independent and impartial assessment of legal costs incurred by a person or company involved in litigation. 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.

Bills certified	455
Items certified	57,609
Costs claimed €37,099,669.97	(IR£29,218,364.48)
Costs allowed €26,824,982.03	(IR£21,126,390.15)
Fees (duty) €1,121,637.96	(IR£955,030)
Summonses €12,788.80	(IR£10,027.00)

WAITING TIMES:	
Summons to tax costs to date for hearing:	6-8 weeks.

CHAPTER 3 - COURT STATISTICS

THE CIRCUIT COURT

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

A list of all Circuit Court offices and their volume of business is in Appendix III.

TOTAL CIRCUIT COURT BUSINESS

	Criminal	Civil	Family	Licensing
2001	13,695	40,527	5,518	542
	23%	67%	9%	1%
2000	8,999	39,742	5,226	448
	16.5%	73%	9.6%	0.8%

The general limits of the civil jurisdiction of the Circuit Court at the end of 2001 were:

- Actions in contract & tort where the claim does not exceed €38,092.14 (IR£30,000)
- Probate matters and suits for the administration of estates, where the rateable valuation does not exceed €253.95 (IR£200)
- Equity cases where rateable valuation does not exceed €293.95 (IR£200) or damages do not exceed €38,092.14 (IR£30,000)
- Ejectment actions or applications for new tenancies (fixing of rent etc.) where the rateable valuation of the property does not exceed €293.95 (IR£200)
- Actions founded on hire purchase and credit sale agreements where the hire purchase price of the goods or, as the case may be, the amount of the claim does not exceed €38,092.14 (IR£30,000)

Criminal

In criminal matters, the Circuit Court has jurisdiction to deal with all indictable offences with the exception of murder, rape, aggravated sexual assault, treason, piracy and related offences. Most serious crimes, with the above exceptions, are tried in the Circuit Criminal Court. Cases commence in the District Court and are sent forward to the Circuit Criminal Court for trial or sentencing.

Criminal Trials

In 2001, 2,583 cases were sent forward for trial from the District Court. A total of 2,844 criminal cases were dealt with. 1,745 persons pleaded guilty and had sentences imposed and 376 cases where offenders pleaded guilty were adjourned for sentencing.

Jury Trials

There was a total of 656 jury trials dealt with in 2001. 384 persons were convicted and sentenced and in a further 34 cases the matter was adjourned for sentencing. There were 156 acquittals. 45 offenders who changed their plea to guilty were sentenced in the Circuit Criminal Courts and a further 37 offenders were awaiting sentence. It is estimated that 7,596 jurors served in Circuit Court criminal cases in 2001.

ANALYSIS OF CRIMINAL BUSINESS

	Jury Trials	Guilty Pleas	Nolle Prosequi	Change to Guilty Plea
2001	574	2,121	67	82
2000	508	1,360	67	351

CHAPTER 3 - COURT STATISTICS

Jury Selection

TRIALS AND JURORS SELECTED				
Jury trials dealt with by Circuit Courts*	Estimated number of jurors	Jury trials dealt with by Central Criminal Court	Estimated number of jurors	Total estimated jurors
2001				
574	6,888	59	708	7,596
2000				
508	6,069	55	660	6,729

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

OUTCOME OF JURY TRIALS		
	Convictions	Acquittals
2001		
	384	156
2000		
	293	215

District Court Appeals

The Circuit Court deals with appeals in criminal cases from the District Court by way of full rehearing. The District Court dealt with 450,105 criminal cases in 2001. In the same period, the Circuit Court received 11,052 appeals from the District Court and dealt with 10,851 appeals.

APPEALS FROM THE DISTRICT COURT		
	Received	Dealt With
2001		
Criminal	11,052	10,851
Family law	483	331
Civil	716	642
2000		
Criminal	6,211	6,713
Family law	372	321
Civil	763	850

CHAPTER 3 - COURT STATISTICS

CIVIL BUSINESS
DEALT WITH

	Notices of Trial	Motions	Civil Appeals	Liquor Licences Granted
2001	15,645	24,240	642	542
2000	15,830	23,062	850	448

Civil Business

The civil jurisdiction of the Circuit Court is a limited one unless all the parties to an action consent to unlimited jurisdiction.

Civil proceedings in the Circuit Court commence with the issue of a civil bill. The table on page 83 shows that 44,965 civil bills were issued by Circuit Court offices in 2001.

In 2001, 15,645 civil trials were heard in the Circuit courts. A further 24,240 motions were dealt with: 6,623 by Circuit Judges and 12,198 by County Registrars.

NOTICE OF TRIALS

	2001	2000
Settled	7,647	6,142
Dealt with by County Registrar	743	744
Dealt with by court	6,741	8,699
Adjourned with liberty to re-enter	514	245

MOTIONS

	2001	2000
Settled	4,631	4,460
Dealt with by County Registrar	12,198	10,731
Dealt with by court	6,623	7,274
Adjourned with liberty to re-enter	788	597

CHAPTER 3 - COURT STATISTICS

CIVIL BILLS

Circuit Court Office	Civil Bills issued
CARLOW	458
CARRICK ON SHANNON	228
CASTLEBAR	925
CAVAN	496
CLONMEL	1,586
CORK	5,926
DUBLIN	16,278
DUNDALK	1,505
ENNIS	953
GALWAY	2,039
KILKENNY	786
LETTERKENNY	1,141
LIMERICK	2,509
LONGFORD	370
MONAGHAN	371
MULLINGAR	630
NAAS	1,535
PORTLAOISE	436
ROSCOMMON	466
SLIGO	501
TRALEE	1,098
TRIM	1,178
TULLAMORE	459
WATERFORD	1,081
WEXFORD	1,098
WICKLOW	912
TOTAL	44,965

Family Law

The Circuit Court has concurrent jurisdiction with the High Court to hear applications for divorce, judicial separation and nullity. In hearing such cases, the Circuit Court has jurisdiction to make ancillary orders, such as custody and access orders, maintenance and barring orders. Applications for protection and barring orders may also be made directly to the Circuit Court, although the vast majority of such cases are taken in the District Courts.

Divorce applications

3,459 divorce applications were received in the Circuit Court in 2001 compared with 3,339 applications in 2000. 2,817 divorces were granted and 1 was refused. Of the applications granted, 1,069 were male applicants and 1,748 female.

Judicial separation applications

1,845 applications for judicial separation were received in the Circuit Court in 2001. 1,018 Judicial Separations were granted. 184 applicants were male, 834 were female.

Nullity applications

62 nullity applications were dealt with by the Circuit Court of which 59 were granted, 1 was refused and 2 were withdrawn or struck out.

Section 33 applications

Applications under section 33 of the Family Law Act, 1995 to dispense with the necessity to give three month notice of intention to marry and/or allow people under the age of eighteen years to marry are also dealt with by the Circuit Court. In 2001, a total of 1,189 applications were dealt with by the Circuit Court, of which 1,160 were granted and the remaining 29 were refused.

CHAPTER 3 - COURT STATISTICS

CHANGING TRENDS:
ORDERS GRANTED

	Divorce	Judicial Separation	Nullity
1997*	93	1,431	3
1998*	1,408	920	23
1999*	2,315	967	34
2000	2,710	998	47
2001	2,817	1,018	59

*Years ending on 31/7

APPLICATIONS RECEIVED

	2001	2000
Divorce	3,459	3,339
Judicial separation	1,845	1,592
Nullity	109	84
Section 33	1,210	1,181
Family law appeals	483	372

APPLICATIONS DEALT
WITH 2001

	Granted	Refused	Withdrawn/ Struck out
Divorce	2,817	1	47
Judicial separation	1,018	1	52
Nullity	59	1	2
Section 33	1,160	29	0

APPLICATIONS DEALT WITH
2000

	Granted	Refused	Withdrawn/ Struck out
Divorce	2,710	4	102
Judicial separation	998	0	76
Nullity	47	2	4
Section 33	1,150	31	0

321 Family Law appeals were also dealt with

MALE/FEMALE APPLICANTS
(ESTIMATED)

2001	Judicial Separation	Divorce
male	184	1,069
female	834	1,748
2000		
male	167	1,053
female	831	1,657

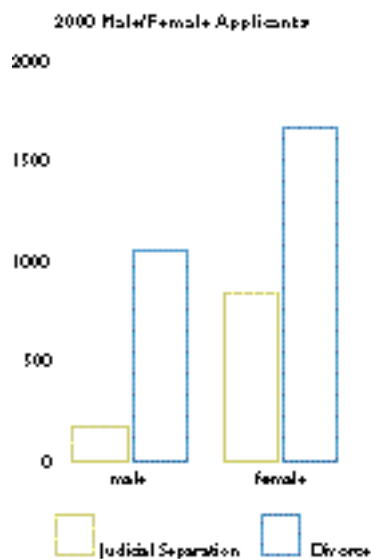
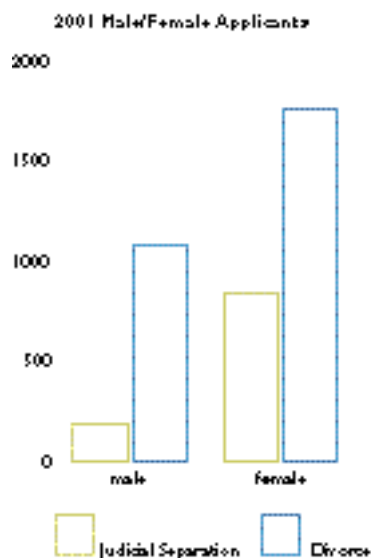
Licensing

A total of 542 licences were granted in 2001, including 399 publicans' licences and 66 hotel licences

LIQUOR LICENCES
GRANTED

	Publican	Hotel	Special Restaurant Certificate	Club	Total
2001	399	66	54	23	542
2000	333	49	50	16	448

CHAPTER 3 - COURT STATISTICS



FIXING DATES FOR HEARING:

Dublin Circuit

Civil

Cases which are ready to proceed are allocated the next available date by the court office.

Criminal

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

Provincial Circuits

Civil

All new cases are returned for hearing to the next sitting of the Circuit Court. Prior to the commencement of each term the County Registrar either calls over a list of cases or contacts 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 adjourned to the next session.

Criminal

All new criminal cases are returned to the next sitting of the Circuit Court. On the first day of the sitting the judge calls over the list to establish which cases are ready to go ahead and sets dates for hearing. Cases not ready for hearing are adjourned to the next session.

WAITING TIMES:

Waiting times for all cases in the Circuit Court are in Appendix V.

CHAPTER 3 - COURT STATISTICS

DISTRICT COURT

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

CASES DEALT WITH

	2001	2000
Criminal	450,105	446,705
Family law	25,123	23,329
Civil	79,533	79,240
Licensing	93,145	93,867

CHANGING TRENDS:
APPLICATIONS DEALT WITH

	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	446,705	23,329	79,240	93,867
2001	450,105	25,123	79,533	93,145

*Years ending on 31/7

APPLICATIONS UNDER THE
ENVIRONMENTAL PROTECTION
ACT, 1992

SECTION 107

	2001	2000
Applications received	3	6
Successful applications	2	5

SECTION 108

	2001	2000
Applications received	62	105
Successful applications	29	80

CHAPTER 3 - COURT STATISTICS

CIVIL BUSINESS

The general limits of the civil jurisdiction of the District Court at the end of 2001 were:

- Actions in contract where the claim does not exceed €6348.69 (IR£5,000)
- Actions relating to hire-purchase and credit sales agreements where the hire-purchase price of the goods or the amount of the agreement does not exceed €6,348.69 (IR£5,000)
- Actions relating to tort (except slander, libel, seduction, slander of title, malicious prosecution and false imprisonment) where the claim does not exceed €6,348.69 (IR£5,000)
- Actions in ejectment proceedings for non-payment of rent or overholding in any class of tenancy, where the annual rent does not exceed €6,348.69 (IR£5,000)
- Actions for wrongful detention of goods where the value of the goods claimed does not exceed €6,348.69 (IR£5,000).

CIVIL APPLICATIONS DEALT WITH

	2001	2000
Ejectment proceedings	106	2,606
Summary judgment	33,363	29,818
Small claims	3,081	3,150
Ordinary civil process	10,084	7,465
Summonses of a civil nature	9,699	13,687
Examination orders	7,943	7,067
Instalment orders	9,385	9,305
Committal orders	5,782	5,546
Foreign judgement	9	12
Other		506
Total	79,452	79,162

FIXING DATES FOR HEARING:

Dublin District

Civil

- Ordinary cases

Applicant is given a return date to allow time for such matters as service of the Civil Process

- Summary judgment cases

Dates are assigned by the court office.

- Family law cases

Emergency applications are dealt with immediately. In relation to all other applications, the court assigns the next available date.

Provincial Districts

- New cases

Applicants select the date and cases are listed before the court on the date selected.

- Family law cases

Emergency applications are dealt with immediately. In relation to all other applications, the solicitor/applicant selects the date and cases are listed before the court on the date selected.

WAITING TIMES:

Waiting times for all cases in the District Court are in Appendix VI.

CHAPTER 3 - COURT STATISTICS

Small Claims procedure

The Small Claims procedure is designed to deal with consumer claims for up to €1,269.74 (IR£1,000) speedily, inexpensively and without the need to engage a solicitor. A small claims action 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.

The table below outlines the type of small claims applications received and how they were dealt with for the years 2000 and 2001.

CASES ADJUDICATED BY COURT

	2001	2000
Decrees granted	444	427
Dismissed	118	98
Withdrawn/struckout	317	318

	2001	2000
Holidays	484	530
Professional services	150	106
Dry cleaners	178	189
Building	145	144
Damage to private property	126	154
Key money	356	381
Electrical goods	207	228
Audio/computer	169	155
Clothing	125	167
Shoes	50	78
Furniture	218	256
Carpets/flooring	95	110
Doors/roofs	142	169
Cars	210	180
Other	612	612

CLAIMS DEALT WITH

	2001	2000
Not covered by procedure	32	36
Not proceeded with	283	230
Decrees by default	432	430
Settled by registrar	1,453	1,611
Referred to court	879	843

CHAPTER 3 - COURT STATISTICS

FIXING DATES FOR HEARING:

Dublin District

Criminal

- *Computerised summonses*

Computerised summonses are allocated to a specific court by the court office on the next available date.

- *Manual summonses*

Manual summonses are allocated to a specific court by the court office on the next available date.

- *Charge sheets*

New charge sheets are brought directly to the appropriate court by an Garda Síochána where they are immediately included in the court list.

Provincial Districts

- *Computerised summonses (Cork and Limerick only)*

Computerised summonses are allocated to a specific court by the court office on the next available date

- *Manual summonses (all provincial offices)*

S.I. No. 5 of 1961 sets out the dates, times and venues of court sittings in provincial court areas. An Garda Síochána or the Prosecution select the court venue and date. Summonses which have been served are included in the court list for the return date on the summons.

- *Charge sheets*

New charge sheets are brought directly to the appropriate court by an Garda Síochána where they are immediately included in the court list.

CRIMINAL

CASES DEALT WITH:

	2001	2000
Summary cases	386,075	386,719
Indictable cases dealt with summarily	50,431	47,815

SUMMARY CASES

	2001	2000
Road traffic cases	301,148	329,146
Other summary offences	84,927	57,573

CHAPTER 3 - COURT STATISTICS

OUTCOMES:
SUMMARY OFFENCES

	2001	year ending 31/7/00
Imprisonment/ detention*	12,171	14,216
Fines**	111,817	129,430
Community service	4,725	2,419
Other***	257,362	271,441
TOTAL	386,075	417,506

* Maximum sentence that can be imposed by the District Court in respect of any offence is 12 months. The cumulative duration in respect of consecutive sentences cannot exceed two years.

** The maximum fine the District Court can impose depends on the offence. In general the maximum fine which the District Court can impose in respect of any one offence is €1,904.61.

*** Probation, peace bond, strike out, adjourn generally, taken into consideration and dismiss.

OUTCOMES:
INDICTABLE CASES DEALT
WITH SUMMARILY

	2001	year ending 31/7/00
Imprisonment/ detention*	7,373	11,792
Fines**	5,275	4,320
Community service	1,553	2,089
Other***	36,230	34,970
TOTAL	50,431	53,171

* Maximum sentence that can be imposed by the District Court in respect of any offence is 12 months. The cumulative duration in respect of consecutive sentences cannot exceed two years.

** The maximum fine the District Court can impose depends on the offence. In general the maximum fine which the District Court can impose in respect of any one offence is €1,904.61.

*** Probation, peace bond, strike out, adjourn generally, taken into consideration and dismiss.

Year	Number of bails received	Amount received
2001	19,139	€4,969,138 (IR£3,913,514)
2000	12,965	€4,681,570 (IR£3,687,036)

CHAPTER 3 - COURT STATISTICS

The statistics on pages 91 - 96 relate to the Dublin Metropolitan District only.

LARCENY CASES DEALT WITH*

Result Type	Indictable Offences dealt with Summarily	Offenders
Community service order	86	66
Detention	63	71
Detention - suspended	6	6
Dismiss- Probation Act	671	588
Dismiss	237	196
Fines	171	164
Imprisonment	733	395
Imprisonment - suspended	218	206
Peace bond	30	27
Poor box	36	36
Probation	314	166
Struck out	1,265	1,008
Taken into consideration	377	224
Withdrawn	54	39
Total	4,261	3,192

Larceny offences returned for trial 217

Persons returned for trial on larceny offences 84

Average number of days taken to deal with larceny cases from date of first court appearance to final determination 131

DRUG CASES DEALT WITH*

Result Type	Summary Offences	Offenders	Indictable Offences dealt with Summarily	Offenders
Community service order	8	6	14	13
Detention	7	6	6	6
Detention - suspended	1	1	3	3
Dismiss- Probation Act	46	37	136	128
Dismiss	9	9	2	3
Fines	34	32	213	200
Imprisonment	37	23	57	38
Imprisonment - suspended	20	20	23	22
Peace bond	6	6	21	15
Poor box	3	3	15	15
Probation	17	13	34	29
Struck out	200	126	374	287
Taken into consideration	60	42	111	67
Withdrawn	8	5	10	8
Total	456	329	1,019	834

Drug offences returned for trial 350

Persons returned for trial on Drug offences 158

Average number of days taken to deal with drug cases from date of first court appearance to final determination 111 days

*Figures include Dún Laoghaire, Swords, Richmond and Chancery Street and exclude Kilmainham, Tallaght and the Children's Court.

CHAPTER 3 - COURT STATISTICS

TOTAL ROAD TRAFFIC OFFENCE CASES DEALT WITH*

Result type	Summary offences	Offenders	Indictable offences dealt with summarily	Offenders
Community service order	71	55	21	19
Detention	340	254	47	39
Detention - suspended	24	21	10	10
Dismiss- Probation Act	1,919	1,367	14	14
Dismiss	6,426	2,655	22	21
Fines	19,693	13,653	24	24
Imprisonment	1,026	859	54	49
Imprisonment - suspended	123	108	10	10
Peace bond	22	10	4	6
Poor box	128	128	2	2
Probation	117	42	12	11
Struck out	47,938	18,797	136	132
Taken into consideration	11,800	3,451	47	44
Withdrawn	163	79	10	10
Total	89,790	41,479	413	391
Disqualifications	1,283	1,001	3	3
Road traffic offences returned for trial			55	
Persons returned for trial on road traffic offences			28	
Average number of days taken to deal with cases from date of first court appearance to final determination			20	

*Figures include Dún Laoghaire, Swords, Richmond and Chancery Street and exclude Kilmainham, Tallaght and the Children's Court.

CHAPTER 3 - COURT STATISTICS

SPECIFIC ROAD TRAFFIC OFFENCE CASES DEALT WITH *

Result Type	Dangerous Driving		Drink Driving		Parking Offences		Unauthorised Taking of Motor Vehicles	
	Summary offences	Offenders	Summary offences	Offenders	Summary offences	Offenders	Indictable offences dealt with summarily	Offenders
Community service order	4	3	5	5			15	13
Detention	21	13	4	4			38	32
Detention suspended	nil	nil	1	1			5	5
Dismiss	34	33	142	142	139	139	23	23
Fines	111	108	939	939	1,655	1,651	22	22
Imprisonment	17	15	28	28			36	34
Imprisonment suspended	4	2	12	12			6	6
Peace bond	1	1	1	1			5	3
Poor box	nil	nil	1	1			1	1
Probation	4	4	1	1			8	7
Struck out	199	171	224	224	3,661	3,658	88	85
Taken into consideration	30	28	135	135	39	32	37	34
Withdrawn	8	8	12	12	1	1	9	9
Total	241	211	1,505	1,505	5,495	5,481	293	274
Disqualification	97	97	977	977			52	43
Average time to deal with case	66 days		55 days		11 days		123 days	

*Figures include Dún Laoghaire, Swords, Richmond and Chancery Street and exclude Kilmainham, Tallaght and the Children's Court

CHAPTER 3 - COURT STATISTICS

BAIL LODGED

From 1st January 2001 to 31st December 2001 there were 9,187 items of bail lodged and the totals are set out below:-

	Lodged	Re-Lodged	Interest	Transferred to Fines	Forfeit	To Poor Box	Invested	Actual Refund	On Hands
March 2001	IR£334,681.38	IR£60,447.66	IR£247.94	IR£7,698.00	IR£5,207.36	IR£750.00	IR£123,631.66	IR£178,476.99	IR£79,612.97
June 2001	IR£429,188.14	IR£120,953.00	IR£293.27	IR£5,645.00	IR£1,914.81	IR£1,100.00	IR£182,731.67	IR£259,999.62	IR£99,043.31
Sept. 2001	IR£317,507.90	IR£44,731.00	IR£75.22	IR£5,405.71	IR£0.00	IR£250.00	IR£86,879.00	IR£168,738.52	IR£101,040.89
Dec. 2001	IR£464,918.32	IR£7,530.00	IR£0.76	IR£5,274.30	IR£0.00	IR£562.19	IR£44,496.00	IR£253,350.80	IR£168,765.79
Total	IR£1,546,295.74 €1,963,390.50	IR£233,661.66 €296,688.41	IR£617.19 €783.67	IR£24,023.01 €30,502.01	IR£7,122.17 €9,043.29	IR£2,662.19 €3,380.28	IR£437,738.33 €555,813.03	IR£860,565.93 €1,092,693.30	IR£448,462.96 €569,430.50

Bail Act, 1997

The value and number of cash lodgments paid into District Courts increased in 2000 and 2001 following the introduction of section 5 of the Bail Act, 1997.

CHAPTER 3 - COURT STATISTICS

SUMMARY OF LODGMENTS

Amounts lodged	no. of items	% of total items	value in €s	value in IR£s
*1p - £1	53	0.58%	13.92	10.96
£1 to under £10	1931	21.02%	5,948.93	4,685.16
£10 to under £20	693	7.54%	9,407.92	7,409.34
£20 to under £30	433	4.71%	11,414.88	8,989.95
£30 to under £50	1626	17.70%	64,666.03	50,928.64
£50 to under £100	1147	12.49%	79,193.44	62,369.90
£100 to under £200	1603	17.45%	237,463.85	187,017.98
£200 to under £500	1080	11.76%	372,764.38	293,575.81
£500 to under £1,000	356	3.88%	281,751.93	221,897.68
£1,000 and over	265	2.88%	900,765.30	709,410.32
Totals	9,187	100%	1,963,390.50	1,546,295.74

*Lowest = 5p, Highest 50p

CHAPTER 3 - COURT STATISTICS

ASSAULT/PUBLIC ORDER CASES DEALT WITH*

Result Type	Summary Offences	No. of Offenders	Indictable Offences dealt with summarily	Offenders
Community service order	60	53	-	-
Detention	62	46	2	2
Detention - suspended	11	10	-	-
Dismiss- Probation Act	-	-	5	5
Dismiss	463	381	7	7
Fines	897	814	2	2
Imprisonment	330	252	2	2
Imprisonment - suspended	201	172	-	-
Peace bond	162	143	4	4
Poor box	299	299	4	4
Probation	149	81	2	2
Struck out	1,899	1,562	29	28
Taken into consideration	1,162	859	5	5
Withdrawn	106	81	-	-
Total	5,801	4,753	62	61

Average number of days taken to deal with assault/public order cases from date of first court appearance to final determination

98 days

*Figures include Dún Laoghaire, Swords, Richmond and Chancery Street and exclude Kilmainham, Tallaght and the Children's Court.

Juvenile Courts

Persons under the age of 17 years* are dealt with by the juvenile courts. In most provincial locations, the juvenile courts are held in conjunction with the normal sittings of the District Court, but with cases heard in the presence of the parties involved and the media only and at designated times. In Dublin, Waterford, Limerick and Cork the juvenile court is known as the Children's Court and it can deal with all charges against children, except those by reason of their gravity or other special circumstances the District Judge considers are not fit to be dealt with.

*The Children Act, 2001 increased the age of persons who can be dealt with by juvenile courts to those under 18 years.

APPLICATIONS FOR
COMMITTAL TO SPECIAL
SCHOOLS

Determination	31/12/01	31/07/00
Juveniles committed to industrial schools	78	46
Juveniles committed to reformatory schools	42	51
Cases struck out/refused	174	36
Total	294	133

CHAPTER 3 - COURT STATISTICS

Family Law

Domestic Violence

The Domestic Violence Act, 1996 provides for the granting of protection, safety, barring and interim barring orders in the District Court. The overall number of applications dealt with increased from 11,819 in 2000 to 12,795 in 2001. Orders were granted in 8,017 cases, 463 applications were refused and 4,271 cases were either withdrawn or struck out.

2001 DOMESTIC VIOLENCE ACT, 1996

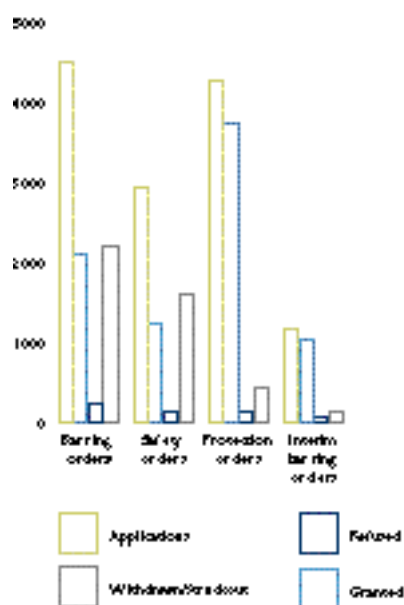
	Applications	Granted	Refused	Withdrawn/ Struckout
Barring orders	4,470	2,067	216	2,187
Safety orders	2,903	1,232	104	1,567
Protection orders	4,263	3,711	107	401
Interim barring orders	1,159	1,007	36	116

44 Interim Barring Orders granted in lieu of Protection Orders.

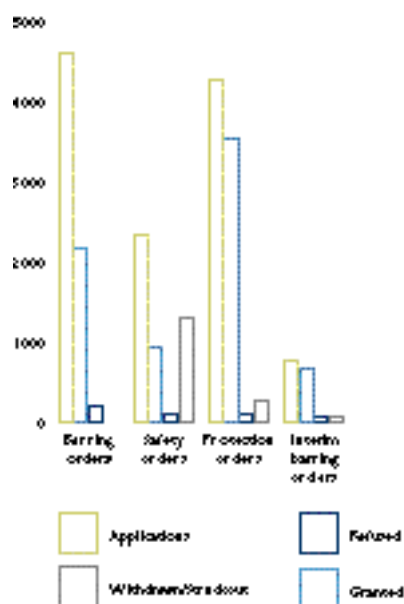
2000 DOMESTIC VIOLENCE ACT, 1996

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

2001 Domestic Violence Act, 1996



2000 Domestic Violence Act, 1996



CHAPTER 3 - COURT STATISTICS

PROTECTION ORDER APPLICATIONS DEALT WITH (BY STATUS OF APPLICANT) 2001

	Granted	Refused	Withdrawn /Struckout
Spouse	2,257	76	226
Common law	1,032	22	96
Parent	367	6	64
Other	54	3	13
Health board	1	0	2
Total	3,711	107	401

44 Interim barring orders granted in lieu of Protection Orders

PROTECTION ORDER APPLICATIONS DEALT WITH (BY STATUS OF APPLICANT) 2000

	Granted	Interim Barring in Lieu	Refused	Withdrawn /Struckout
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) 2001

	Granted	Refused	Withdrawn /Struckout
Spouse	794	63	951
Common law	313	18	396
Parent	107	7	188
Other	18	16	32
Health board	0	0	0
Total	1,232	104	1,567

SAFETY ORDER APPLICATIONS DEALT WITH (BY STATUS OF APPLICANT) 2000

	Granted	Refused	Withdrawn /Struckout
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

CHAPTER 3 - COURT STATISTICS

BARRING ORDER APPLICATIONS DEALT WITH (BY STATUS OF APPLICANT) 2001

	Granted	Refused	Withdrawn /Struckout
Spouse	1,285	168	1,416
Common law	500	32	534
Parent	270	16	228
Other	10	0	9
Health board	2	0	0
Total	2,067	216	2,187

BARRING ORDER APPLICATIONS DEALT WITH (BY STATUS OF APPLICANT) 2000

	Granted	Refused	Withdrawn /Struckout
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

INTERIM BARRING ORDER APPLICATIONS DEALT WITH (BY STATUS OF APPLICANT) 2001

	Granted	Refused	Withdrawn /Struckout
Spouse	558	22	79
Common law	246	13	25
Parent	200	1	10
Other	0	0	2
Health board	3	0	0
Total	1,007	36	116

INTERIM BARRING ORDER APPLICATIONS DEALT WITH (BY STATUS OF APPLICANT) 2000

	Granted	Refused	Withdrawn /Struckout
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	45

CHAPTER 3 - COURT STATISTICS

CHANGING TRENDS:

	1995	1996	1997	1998	1999	2000	2001
Barring orders applications	4,448	5,120	5,217	4,792	4,668	4,908	4,470
Barring orders granted	1,891	2,059	2,145	2,004	2,219	2,319	2,067
Protection orders applications	3,107	3,716	4,352	4,409	3,619	4,381	4,263
Protections orders granted*	2,982	3,521	3,781	3,474	3,390	3,467	3,711
Safety order applications	-	272	1,792	1,779	2,039	2,336	2,903
Safety orders granted	-	188	739	837	970	988	1,232
Interim barring orders applications	-	174	589	733	1,120	1,119	1,159
Interim barring orders granted*	-	170	543	677	1,002	415	1,007

*Some interim barring orders were granted on foot of applications for protection orders. Likewise, some protection orders were granted on foot of applications for interim barring orders.

Guardianship of Children

APPLICATIONS FOR
CUSTODY AND ACCESS 2001

	Dealt with	Granted	Refused	Withdrawn /Struckout
Custody & access	731	528	28	175
Custody only	617	390	38	189
Access only	2,441	1,860	91	490
Unmarried fathers section 6(a)	1,016	785	37	194
Total	4,805	3,563	194	1,048

APPLICATIONS FOR
CUSTODY AND ACCESS
2000

	Dealt with	Granted	Refused	Withdrawn /Struckout
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)	1,009	763	41	205
Total	4,457	3,257	172	1,028

CHAPTER 3 - COURT STATISTICS

MAINTENANCE 2001

	Dealt with	Granted	Refused	Withdrawn /Struckout
Married & unmarried	3,508	2,489	114	905
Maintenance Act, 1994 applications	11	10	0	1
Maintenance Foreign Jurisdictions Act, 1974	51	33	5	13
Total	3,570	2,532	119	919

MAINTENANCE 2000

	Dealt with	Granted	Refused	Withdrawn /Struckout
Married	1,925	1,274	127	524
Unmarried	1,432	992	67	373
Other*	35	21	0	14
Total	3,392	2,287	194	911

*Applications under Maintenance Act 1994 and Foreign Jurisdiction Act, 1974

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.

LICENSING APPLICATIONS DEALT WITH

Renewal of publican licences	2,262
Temporary transfer of licence	1,027
Annual dance licence	1,538
Temporary dance licence	458
Restaurant certificate	1,201
Special exemption orders	75,498
Lottery licence	1,343
Other	9,818
Total	93,145

CHAPTER 3 - COURT STATISTICS

COURT 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.

FEES COLLECTED AND TRANSFERRED

	€000's	IR£000's
Revenue Commissioners	7,828	(6,165)
Exchequer	10,691	(8,419)
Land Registry	100	(79)
Total	18,619	(14,663)

FINES

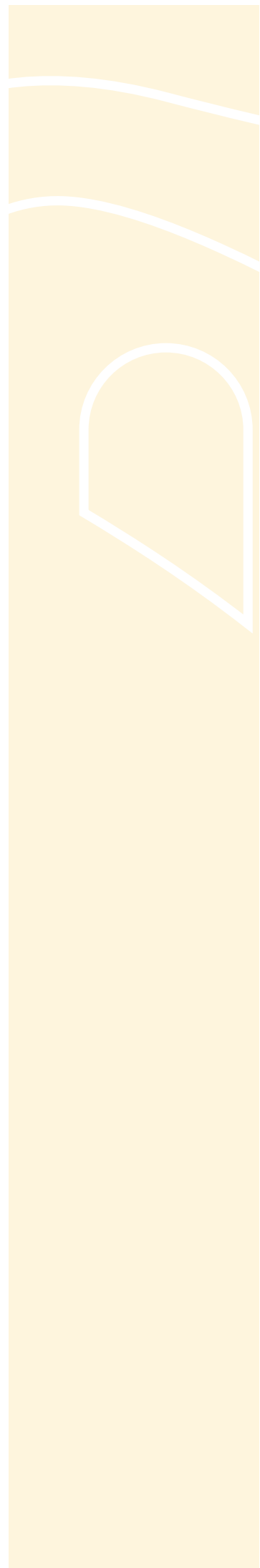
When a fine is imposed by the courts the Service collects the fine from the offender. In many cases these fines are collected by the Service on behalf of the other Government agencies or public bodies e.g. fishery fines are transferred to the Department of the Marine and Natural Resources. The Service 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.

For information regarding improvements in the system of collecting fines during 2001 see Chapter 1.

FINES COLLECTED AND TRANSFERRED

	€000's	IR£000's
Exchequer (Motor Fines)	6,132	(4,829)
Revenue Commissioners	1,101	(867)
Dept. of the Marine and Natural Resources	274	(261)
Retained by the Service	3,039	(2,393)
Total	10,546	(8,305)

CHAPTER 3 - COURT STATISTICS



CHAPTER 4 OUR STAFF



CHAPTER 4 - OUR STAFF

The efficiency and effectiveness of the judiciary in administering justice is dependent on the support provided by the staff of the Service. During 2001 the continued interest and support of the staff for the ongoing programme of reform and development ensured the success of many projects including partnership

arrangements, the introduction of the Performance Management and Development System, the staff training programme, information technology programmes, building projects and the introduction of the Government work sharing scheme within the Service.

An initiative designed to recognise the contribution of staff introduced into the Civil Service in 1994 was available to the Service in 2001 with staff below Assistant Secretary General level eligible for awards to acknowledge exceptional performance.

The Service, as part of its policy of equality of opportunity for all staff, appointed a Disability Liaison Officer during the year to act as a point of contact for information and advice for staff in relation to disability issues. A code of practice for the employment of people with disabilities was put in place with copies supplied to all new staff members.

The Employee Assistance Service which provides assistance and support on a strictly confidential basis to staff (serving or retired) who may be experiencing either work related or personal difficulties continued to support staff during 2001. Issues raised were regularly reviewed and efforts were made to progress them.

Staff participation outside of working hours in matters such as education programmes, projects to promote the work of the Service, sporting pursuits and social events enabled them acquire team building and other skills which have enhanced their contribution to the work of the Service. Examples of these achievements include the following:

ACADEMIC ACHIEVEMENTS

National Certificates in Legal Studies from Waterford Institute of Technology were presented to members of staff in Wicklow Circuit Court. The three year course, the first of its kind, is accredited by the NCA and was organised on a pilot basis by the County Registrar for Wicklow with the assistance of the Training Centre of the Service. Staff, all of whom work full time, undertook lectures and tutorials after work in the local courthouse in subjects including contract law, labour law, constitutional law, criminal law, family law, probate law and law of torts.

CHAPTER 4 - OUR STAFF

Many members of staff achieved academic success in third level degree programmes in a variety of colleges including the Institute of Public Administration, University College Dublin, University College Cork and the Honourable Society of Kings Inns.

TRAINING ACHIEVEMENTS

The acting talents of our staff were displayed to great effect in a training video made with staff of the Dublin District Family Court office acting in role play situations. The video was launched by the Service in 2001. It is aimed at all court staff, encouraging them to examine the way they approach and deal with people. It highlights the particular need for a sensitive and professional approach when dealing with family law situations.

ENCOURAGING CAREERS IN THE PUBLIC SERVICE

Staff of the Service participated in the Higher Pool Recruitment Fair held at the RDS in Dublin in April 2001 to encourage interest in careers in the Public Service. Up to 7,000 people attended the exhibition designed to showcase the variety of positions available in the Public Service today.

Visitors to the exhibition had the opportunity to speak to representatives from a number of offices and Departments (including staff of the Service) about the work they undertake.

COURTS SERVICE CHOIR

The choir, in addition to being a popular social outlet, has quickly established itself as a important musical resource for the Service in Dublin performing at numerous events during 2001. An invitation to perform during the VI Conference of the International Association of Women Judges to be held in Dublin in May has been accepted and will be one of the highlights for the choir in 2002.

FUNCTION FOR THE RETIRED MEMBERS OF STAFF

The Service organised a function in the Four Courts in 2001 for retired members of staff in the Dublin area. Many former staff members availed of the opportunity to renew old acquaintances and see at first hand the improvements that have taken place in recent years. It is intended to promote similar functions for retired members of staff in provincial locations in 2002.

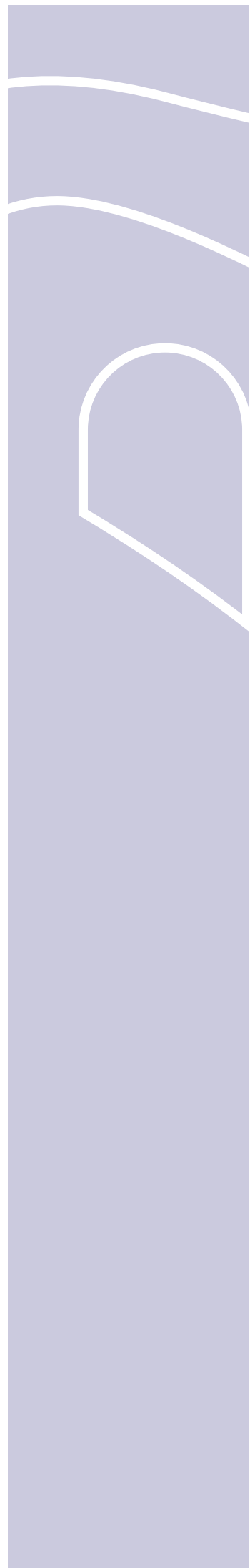
SPORTING ACHIEVEMENTS

Staff continued to impress in the world of sport not only as players but as managers and referees. From Gaelic football to bridge, our staff proved that their talents and skills are much in demand.

SOCIAL CLUB

A variety of events organised by the Social Club of the Service in 2001 allowed staff from operational and administrative offices of the Service to meet in a social environment. The events included a wine tasting evening, a barbecue and the annual Christmas party.

CHAPTER 4 - OUR STAFF



REPORTS OF THE RULES COMMITTEES

REPORTS OF THE RULES COMMITTEES

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 2001:

- The Chief Justice, the Hon. Mr. Ronan Keane (Chairman)
- The President of the High Court, the Hon. Mr. Justice Joseph Finnegan (Vice-Chairman)
- The Master of the High Court, Mr. Edmond W. Honohan 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, is the Secretary of the Committee

The Committee met on seven occasions during 2001.

The following rules of the Superior Courts were drafted by the Committee and signed by the Minister for Justice, Equality and Law Reform in 2001:

- S.I. No. 268 of 2001 Rules of the Superior Courts (No. 1) (Amendment to Order 77), 2001
- S.I. No. 94 of 2001 Rules of the Superior Courts (No. 1) (Child Abduction and Enforcement of Custody Orders Act, 1991), 2001
- S.I. No. 269 of 2001 Rules of the Superior Courts (No. 2) (Amendment to Order 3), 2001
- S.I. No. 270 of 2001 Rules of the Superior Courts (No. 3) (Investor Compensations Act, 1998), 2001
- S.I. No. 535 of 2001 Rules of the Superior Courts (Chief Prosecution Solicitor), 2001
- S.I. No. 536 of 2001 Offences against the State Acts, 1939 to 1998 (Special Criminal Court Rules), 2001
- S.I. No. 585 of 2001 Rules of the Superior Courts (No 4) (Euro Changeover), 2001

REPORTS OF THE RULES COMMITTEES

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, 2001:

- The President of the Circuit Court, the Hon Mr. Justice Esmond Smyth (Chairman)
- 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, is the Secretary to the committee.

The Committee met on ten occasions during 2001.

The Circuit Court Rules, 2001 (consolidated) were launched on the 28th November 2001 effective from the 3rd December 2001.

The following rules of the Circuit Court were drafted by the Committee and signed by the Minister for Justice, Equality and Law Reform in 2001:

S.I. No. 433 of 2001 Circuit Court Rules (No. 1) Sex Offenders Act, 2001

S.I. No. 510 of 2001 Circuit Court Rules, 2001 (Consolidated) Rules of the Circuit Court

Continued consideration was given by the Committee to rules in various matters including:

- Employment Equality Legislation
- The implications of the Euro changeover
- The rules relating to licensing
- EC regulations including:

(a) Regulation (EC) 1347/2000 on the enforcement of judgments in matrimonial matters and in matters of parental responsibility for children of both spouses;

(b) Regulation (EC) 1348/2000 on the service in Member States of judicial and extra judicial documents on civil and commercial matters and

(c) Regulation (EC) 44/2001 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters.

The Committee also considered the implications of the Court and Court Officers Bill, 2001 with particular reference to the proposed repeal of section 7(6)(a)(ii) of the Courts Act, 1964 together with correspondence received on various matters.

REPORTS OF THE RULES COMMITTEES

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, 2001:

- The President of the District Court, His Honour Judge Peter Smithwick (Chairman)
- Judge Uinsin MacGruairc, 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, is the Secretary of the committee.

The Committee met on four occasions during 2001 and considered and passed a number of Rules.

The following rules of the District Court were signed by the Minister for Justice, Equality and Law Reform between the 1st January 2001 and the 31st December 2001:

- S.I. No. 194 of 2001 District Court (Criminal Justice) Rules, 2001
- S.I. No. 448 of 2001 District Court (Criminal Justice) (No. 2) Rules, 2001

Rules under consideration by the Committee at year end:

- Criminal Justice Bill, 2000
- Copyright and Related Rights Act, 2000
- Children Act, 2001
- Industrial Designs Act, 2001
- Terms of Employment (Information) Act, 1994

FINANCIAL STATEMENTS

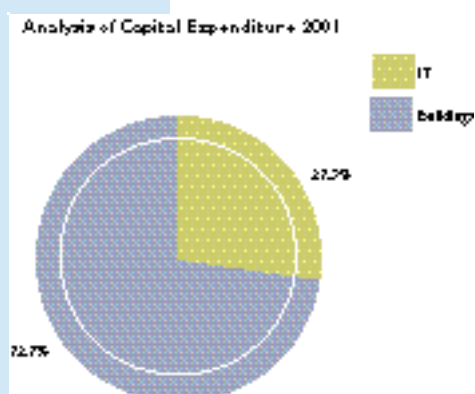
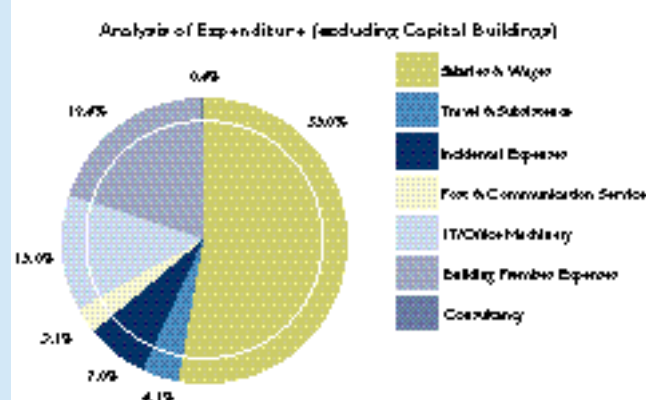
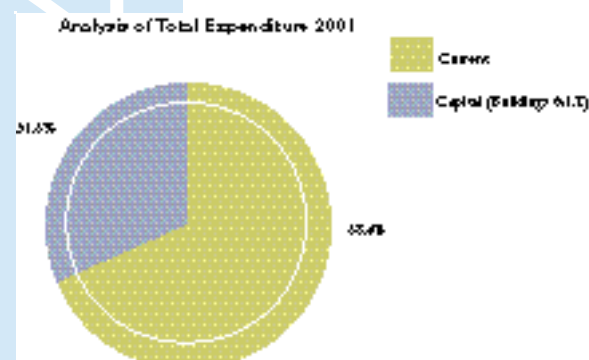
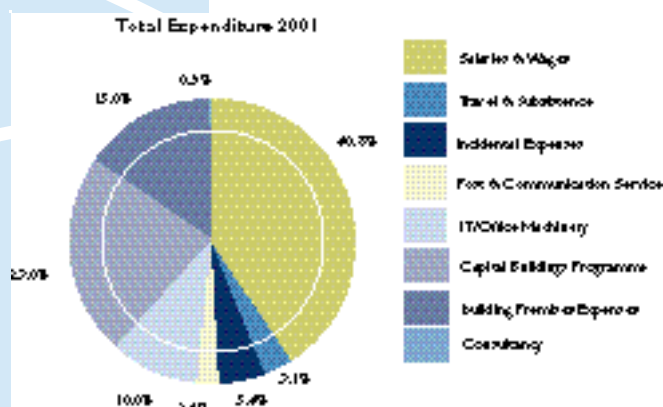
FINANCIAL STATEMENTS

EXPENDITURE AND INCOME DATA FOR THE YEAR 2001

	2001 €'000	2000 €'000
Current Expenditure		
Salaries and wages	34,349	29,184
Travel and subsistence	2,633	2,710
Staff and judicial training	776	700
Stenography and other fees	1,663	1,238
Legal services	198	141
Postal services	716	574
Telecommunications	1,296	1,091
Office equipment and materials	1,157	1,152
Courthouse maintenance	3,899	4,852
Heat, light and fuel costs	1,180	738
Furniture and fittings	866	1,016
Leases (Note 1)	6,653	0
Consultancy (non I.T related)	254	0
Incorporated Council of Law Reporting of Ireland	30	0
Incidental/miscellaneous costs	1,897	1,675
Total Current Expenditure	57,567	45,071
Capital Expenditure		
Computer systems	7,287	6,335
Courthouses and other buildings	19,365	20,125
Total Capital Expenditure	26,652	26,460
Total Expenditure	84,219	71,531
Income (Appropriations-in-Aid)		
Fines	3,859	2,824
Fees and miscellaneous	1,051	729
Total Income	4,910	3,553
Net Expenditure	79,309	67,978

Note: The 2001 lease charge includes a once off VAT payment for the new Courts Service building in Smithfield. In addition, two new lease agreements were entered into during 2001

These figures are provisional and subject to audit by the Comptroller and Auditor General.



STATEMENT OF COMPLIANCE - PROMPT PAYMENT OF ACCOUNTS ACT, 1997

The Courts Service undertakes to comply with the Prompt Payments of Accounts Act, 1997.

The following information is provided in accordance with the Act and within guidelines issued by the Department of Enterprise, Trade and Employment:

Procedures established to ensure compliance with the Act

The Service has procedures in place to ensure that all invoices received are paid within the time limits on the invoices or the statutory time limit if no period is specified. While the procedures are designed to ensure compliance with the Act, they can only provide reasonable and not absolute assurance against material non-compliance with the Act. These procedures operated in the financial period under review and in the case of late payments, the relevant suppliers were notified and interest paid to them.

In accordance with the Prompt Payment of Accounts Act, 1997 the following information is provided for the financial period ending 31st December 2001:

(a) Payment Practices

The Service makes payments to suppliers in accordance with the terms stated on invoices or terms specified in individual contracts if appropriate. The standard terms are 45 days.

FINANCIAL STATEMENTS

(b) Late payments

Invoice Amount	No. of Invoices	Amount if interest paid €
Under €317 (IR£250)	597	797
Over €317 (IR£250)	221	3,339
Total	818	4,136

(c) Overall percentage of late payments, total payments and total interest paid

- The overall percentage of late payments to total payments was 1.9%
- The total amount of interest paid with respect to late payments was €4,136 (IR£3,257)

POOR BOX RECEIPTS THROUGH COURT OFFICES 2001

	Balance at 01/01 €	(IR£)	Receipts €	(IR£)	Payments €	(IR£)	Balance at 31/12 €	(IR£)
High Court	nil		nil		nil		nil	
Circuit Court	37,165	(29,270)	15,402	(12,130)	22,874	(18,015)	29,693	(23,385)
District Court	117,032	(92,170)	733,114	(577,374)	658,406	(518,537)	191,739	(151,007)
Total *	154,197	(121,440)	748,516	(589,504)	681,280	(536,552)	221,432	(174,392)

POOR BOX RECEIPTS THROUGH COURT OFFICES 2000

	Balance at 01/01 €	(IR£)	Receipts €	(IR£)	Payments €	(IR£)	Balance at 31/12 €	(IR£)
High Court	nil		nil		nil		nil	
Circuit Court	53,329	(42,000)	19,046	(14,999)	33,013	(25,999)	39,362	(31,000)
District Court	105,388	(82,999)	524,402	(413,000)	518,053	(407,999)	111,737	(88,000)
Total	158,717	(124,999)	543,448	(428,000)	551,066	(433,999)	151,099	(119,000)

*The opening balance at 01/01/01 is €3,098 (IR£2,440) more than the closing balance in the Annual Report for 2000 due to revised details provided by court offices

FINANCIAL STATEMENTS

OFFICE OF THE ACCOUNTANT OF THE COURTS OF JUSTICE

ANNUAL STATEMENT OF ACCOUNT

Report of the Accountant of the Courts of Justice

Statement of responsibilities

The Accountant of the Courts of Justice is responsible for the preparation of the Statement of Account for the year ended 30 September 2001 in accordance with the Rules of Superior Courts, Order 77, Rule 96. The basis of preparation and the accounting policies are on page 120.

Management of Court Funds

Virtually all of the records and systems used to support the management and investment of court funds are manual. As stated below such manual systems have serious limitations when dealing with large volumes of transactions across thousands of individual accounts. The audit that has been performed on the Statement of Account for the year ended 30th September 2001 is the first independent audit of these funds.

One of the issues addressed by the Working Group on a Courts Commission, which recommended the establishment of the Courts Service, (Third Report, November 1996) and one upon which it was identified that changes were required was the area of management of court funds. Since the establishment of the Courts Service this issue has been given a high priority. Just a few months after the establishment of the Service, in February 2000, the National Treasury Management Agency (NTMA) was engaged to review this operation and to make broad recommendations as to the changes that were needed to progress this matter to a satisfactory conclusion. The NTMA identified that there were many issues to be addressed, but fundamentally a suitable computer system would have to be installed before any significant improvements could be

made. Following a lengthy procurement process that lasted for much of 2001 a suitable computer system was selected. Implementation of this system will commence in April 2002. The annual financial statement for the year ending 30th September 2002 will be the last to be produced from the manual system.

During 2001 two reviews were carried out, as follows:

- (a) In July, Ernst & Young completed a Governance Practice Review in respect of the management of court funds. The main focus of this report was the internal controls and procedures in operation, particularly in the Accountants Office, in relation to the management of court funds and was seen as an important precursor to the first independent audit of the Accountants Office.
- (b) In December, Mercer Investment Consultants completed a comprehensive review of all aspects of court funds management and investment. Their report addressed the following issues:

- A governance framework
- The various services required by the Courts Service in respect of; (a) investment advisors; (b) investment products; and (c) fund managers
- Technology required to be deployed within the Courts Service and by third parties providing services to the Courts Service in relation to the management and investment of court funds

FINANCIAL STATEMENTS

Accounting records

The Rules of the Superior Courts, Order 77, Rule 96, require that a Statement of Account should be produced annually, detailing total funds received into court and total payments out of court. The statement is extracted from the books of account. Currently, the books of account are manual records and involved in excess of 38,000 documents in the year 2001, handwritten by staff and, in turn, handwritten into ledgers.

The Service has recently selected a modern computerised financial system and the implementation of this system during 2002 will overcome the limitations identified below in the current manual accounting system. The manual system has a number of inherent limitations including:

- bank reconciliations are prepared without the use of specialised reconciliation software;
- summarised data in respect of cash receipts and payments is not readily available;
- summarised data and valuations in respect of non-cash receipts, such as insurance policies, Form 9s (lodgments with defence), equities and other investments are not readily available;
- summarised data in respect of interest earned is not available. Interest is recorded in the year end account valuations and included in the Statement of Account. It is not, however, possible to readily identify the actual amount received and paid out by the Service due to limitations in the manual accounting system. There are in excess of 6,750 individual interest-earning accounts.

With the exception of the identification of the amount of deposit interest received and paid by the Accountant during the year, all information on total receipts and payments was available for audit. The auditors have drawn attention to this exception in their Audit Report. Additional resources and the introduction of the new computerised system will address this issue in the future.

Through a combination of the introduction of a modern computerised financial system and the application of a new approach to the investment of court funds the year 2002 will see major changes to the way in which court funds are managed and invested.



Sean Quigley

Accountant of the Courts of Justice

Date: 28th March 2002

FINANCIAL STATEMENTS

AUDIT REPORT TO THE ACCOUNTANT OF THE COURTS OF JUSTICE

We have audited the Statement of Account of the Accountant of the Courts of Justice on page 119.

Respective responsibilities of the Accountant of the Courts of Justice and auditors

The Accountant of the Courts of Justice is responsible for preparing the Statement of Account in accordance with the Rules of Superior Courts, Order 77, Rule 96. Our responsibilities, as auditors are set out in our letter of engagement dated 23 November 2001.

We report to you our opinion as to whether the Statement of Account gives a true and fair view of the funds held by the Accountant of the Courts of Justice at 30 September 2001 and has been properly prepared in accordance with the Rules of the Superior Courts, Order 77, Rule 96. We state whether we have obtained all the information and explanations we consider necessary for the purpose of our review and whether the Statement of Account is in agreement with the books and records.

Basis of opinion

We conducted our audit in accordance with our letter of engagement dated 23 November 2001. Our audit included an examination on a test basis, of evidence relevant to the amounts and disclosures in the Statement of Account. It also includes an assessment of whether the accounting policies are consistently applied and adequately disclosed.

We planned our audit so as to obtain all the information and explanations which we considered necessary in order to provide us with sufficient evidence to give reasonable assurance that the Statement of Account is free from material misstatement, whether caused by fraud or other irregularity or error. However, information in relation to deposit

interest received and applied by financial institutions to deposit accounts was not available due to limitations in the manual accounting system. There are in excess of 6,750 individual interest-earning deposit accounts. As a result, the amount of interest earned on the deposit accounts is not disclosed in the Statement of Account and related notes. Confirmation of balances on deposit accounts at 30 September 2001 was obtained by the Accountant of the Courts of Justice and these balances have been included in the Statement of Account.

Qualified Opinion

Except for the disclosure of the amount of interest received into the deposit accounts during the year, in our opinion, the Statement of Account prepared by the Accountant for the year ended 30 September 2001 has been properly prepared in accordance with the Rules of the Superior Courts, Order 77, Rule 96.

With the exception alone of the disclosure of the amount of deposit interest received into the deposit accounts during the year:

- we have obtained all the information and explanations we consider necessary for the purposes of our review.
- the Statement of Account of the Accountant for the year ended 30 September 2001 is in agreement with the books and records.

The Statement of Account gives a true and fair view of the funds held by the Accountant of the Courts of Justice at 30 September 2001.

PRICEWATERHOUSECOOPERS 

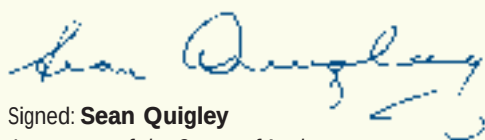
28 March 2002

FINANCIAL STATEMENTS

OFFICE OF THE ACCOUNTANT OF THE COURTS OF JUSTICE

STATEMENT OF ACCOUNT FOR THE YEAR ENDED 30 SEPTEMBER 2001 IN ACCORDANCE WITH ORDER 77, RULE 96 OF THE RULES OF THE SUPERIOR COURTS

	2001 €'000	2001 IR£'000
Current Account		
Opening Balance 1 October 2000	2,589	2,039
Receipts Lodged in Court	86,091	67,802
Receipts from Sale of Investments	151,350	119,198
Purchase of Investments	(128,334)	(101,071)
Payments from Court	(109,503)	(86,241)
Closing Balance 30 September 2001	2,193	1,727
Non-Cash Balances		
Deposit Funds	349,959	275,615
Managed Funds	221,431	174,391
Government Funds	2,207	1,738
Insurance Policies	928	731
Equities	66,972	52,745
Total Non-Cash Balances	641,497	505,220
Total Funds	643,690	506,947



Signed: **Sean Quigley**

Accountant of the Courts of Justice

Date: 28 March 2002

FINANCIAL STATEMENTS

NOTES TO STATEMENT OF ACCOUNT YEAR ENDED 30 SEPTEMBER 2001

ACCOUNTING POLICIES

Accounting convention

The Statement of Account is prepared under the receipts and payments basis, modified by the inclusion of investments at market value. Receipts and payments are only recognised to the extent that they have been presented and cleared in the bank.

Payments from court as disclosed in the Statement of Account do not include cheques drawn and dispatched, but as yet unrepresented in the bank. At the year-end the value of these cheques amounted to €2,530,290 (IR£1,992,765). Of this amount, €99,117 (IR£78,061) related to investment purchases which were not included in the investment balances disclosed in the Statement of Account at the year end. Of the total cheques outstanding at the year end, €1,197,202 (IR£942,873) were outstanding less than one month - the remaining were outstanding more than one month and are therefore past their one month expiry date.

Valuation of investments

Listed investments are valued at their bid price where they are quoted on a recognised stock exchange. Insurance policies are valued at their surrender value as confirmed independently by the insurance companies. Other investments are valued at their deposit value including interest accrued at the year-end.

Lodgments with defence

Lodgments with Defence (Form 9 receipts) are lodged directly to deposit accounts and therefore do not flow through the cash account as a receipt into court or a payment out of court unless they are cashed and repaid. Lodgments with Defence received during the year amounted to €14,613,942 (IR£11,509,415). Of this amount €29,641,629 (IR£7,593,400) remained in court at the end

of the year and were included in the non-cash balances at their relevant year-end valuations. The remaining amounts received were cashed and paid out at a value of €5,369,791 (IR£4,229,054).

Non-cash balances

Non-cash receipts are included directly in the appropriate non-cash balances and therefore do not flow through the cash account as a receipt into court or a payment out of court unless they are cashed and repaid. The valuation of non-cash items received into court during the year ended 30 September 2001 amounted to €4,589,364 (IR£3,614,418). Of this amount €3,673,136 (IR£2,892,830) remained in court at the end of the year and was included in the non-cash balances at the relevant year-end valuations.

The remainder of the non-cash receipts were either transferred out of court without being liquidated €364,659 (IR£287,192), liquidated and paid out of court €104,990 (IR£82,686) or liquidated and reinvested into court €196,652 (IR£154,876). The valuation of non-cash receipts relating to prior years but transferred out without being liquidated in the current year was €2,875,456 (IR£2,264,606).

Deposit interest earned

Deposit interest earned is lodged directly to deposit fund accounts by the financial institutions and therefore does not flow through the cash account as a receipt into court or a payment out of court unless the deposit is cashed and repaid. It is not possible to quantify the amount of deposit interest earned for the year, and the analysis between that included in deposit funds at the year end and that cashed and paid out during the year.

APPENDIX I

FREEDOM OF INFORMATION ACT, 1997

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.

The Freedom of Information Act on the 1st March 2000 was extended to include the Courts Service by regulation made by the Minister for Finance under Section 3 of the Freedom of Information Act 1997 (Prescribed Bodies) Regulations, 2000.

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 Courts Service.

REQUESTS UNDER THE FREEDOM OF INFORMATION ACT, 1997, 2001

Number of requests	55
Access granted/part granted	9
Refused/records restricted under section 46(1)(b)	17
Handled outside the Act / withdrawn	26
Transferred	2
Being dealt with by Internal Reviewer	1

REQUESTS UNDER THE FREEDOM OF INFORMATION ACT, 1997, 9TH NOVEMBER 1999 - 31ST DECEMBER 2000

Number of requests	30
Access granted/part granted	5
Refused/Records restricted under section 46 (1)(b)	14
Handled outside the Act / withdrawn	10
Transferred	1

APPENDIX II

CHANGES IN DISTRICT COURT AREAS AND DISTRICTS

VARIATION ORDERS ENACTED IN 2001

Title	S.I. Number.	Purpose of Variation Order
District Court Districts and Areas (Amendment) (Districts 8 and 14) Order, 2000	384/2000	Transfer of Nenagh District Court from District No. 14 to District No. 8
District Court (District No 8) (Variation of Hours) Order, 2000	385/2000	Change in time of sittings in District No. 8
District Court Districts and Areas (Amendment) and Variation of Hours (Banagher and Eyrecourt) Order, 2000	386/2000	Change in time of sittings in Banagher and Eyrecourt District Courts
District Court Districts and Areas (Amendment) and Variation of Days (Kilcormac) Order, 2000	387/2000	Change in day and time of sitting of Kilcormac District Court
District Court Districts and Areas (Amendment) and Variation of Days (Portumna and Woodford) Order, 2000	388/2000	Amalgamation of District Court Areas of Woodford and Portumna
District Court Districts and Areas (Amendment) and Variation of Days (Nenagh) Order, 2000	389/2000	Change in day and time of sitting of Nenagh District Court
District Court Districts and Areas (Amendment) and Variation of Days (Ballycroy and Belmullet) (No. 2) Order, 2000	398/2000	Re-opening of Belmullet District Court
District Court Districts and Areas (Amendment) and Variation of Days (Newport and Westport) Order, 2000	416/2000	Amalgamation of District Court Areas of Newport and Westport
District Court Districts and Areas (Amendment) and Variation of Days (Ballina, Ballycastle, Crossmolina and Killala) Order, 2000	417/2000	Amalgamation of District Court Areas of Crossmolina, Killala Ballycastle and Ballina
District Court Districts and Areas (Amendment) and Variation of Days (Kiltimagh) Order, 2000	418/2000	Change in Days of sitting of Kiltimagh District Court
District Court Districts and Areas (Amendment) and Variation of Days (Balla and Castlebar) Order, 2000	419/2000	Amalgamation of District Court Areas of Balla and Castlebar.
District Court Districts and Areas (Amendment) and Variation of Days (Shillelagh and Gorey) Order, 2000	420/2000	Amalgamation of District Court Areas of Shillelagh and Gorey
District Court Districts and Areas (Amendment) and Variation of Days and Hours (Arklow) Order, 2000	421/2000	Change in day and time of sitting of Arklow District Court

Title	S.I. Number.	Purpose of Variation Order
District Court Districts and Areas (Amendment) and Variation of Days and Hours (Rathdrum) Order, 2000	422/2000	Change in day and time of sitting of Rathdrum District Court
District Court Districts and Areas (Amendment) and Variation of Days (Bunclody and Enniscorthy) Order, 2000	423/2000	Amalgamation of District Court Areas of Bunclody and Enniscorthy
District Court Districts and Areas (Amendment) and Variation of Days and Hours (Wexford) Order, 2000	424/2000	Change in day and time of sitting of Wexford District Court
District Court Districts and Areas (Amendment) and Variation of Days and Hours (Muine Bheag) Order, 2000	425/2000	Change in day and time of sitting of Muine Bheag District Court
District Court Districts and Areas (Amendment) and Variation of Hours (Tullow, New Ross and Wicklow) Order, 2000	426/2000	Change in time of sittings in Tullow, New Ross and Wicklow District Courts
District Court Districts and Areas (Amendment) and Variation of Days (Sixmilebridge and Shannon) Order, 2001	186/2001	Amalgamation of Sixmilebridge with Shannon
District Court Districts and Areas (Amendment) and Variation of Days (Trim) Order, 2001	192/2001	Reopening of District Court Area of Trim
District Court Districts and Areas (Amendment) and Variation of Days (Castlerea) Order, 2001	235/2001	Commencement of sittings at Harristown (adjacent to Castlerea prison)
District Court Districts and Areas (Amendment) and Variation of Days and Hours (Cobh) Order, 2001	261/2001	Change in days and times of sittings of District Court in Cobh.
District Court Districts and Areas (Amendment) and Variation of Days and Hours (Fermoy) Order, 2001	262/2001	Change in days and times of sittings of District Court in Fermoy.
District Court Districts and Areas (Amendment) and Variation of Days and Hours (Mitchelstown) Order, 2001	263/2001	Change in days and times of sittings of District Court in Mitchelstown.
District Court Districts and Areas (Amendment) and Variation of Days and Hours (Mallow) Order, 2001	264/2001	Change in days and times of sittings of District Court in Mallow.
District Court Districts and Areas (Amendment) and Variation of Days and Hours (Kanturk) Order, 2001	265/2001	Change in days and times of sittings of District Court in Kanturk.

Title	S.I. Number	Purpose of Variation Order
District Court Districts and Areas (Amendment) and Variation of Days and Hours (Blarney, Carrigaline & Middleton) Order, 2001	266/2001	Amalgamation of Blarney and Carrigaline with Cork City & change of time of sitting in Middleton
District Court Districts and Areas (Amendment) and Variation of Days and Hours (Castlepollard and Delvin) Order, 2001	286/2001	Amalgamation of District Court areas of Castlepollard and Delvin
District Court Districts and Areas (Amendment) and Variation of Days and Hours (Edenderry) Order, 2001	287/2001	Change in days and times of sittings of District Court in Edenderry.
District Court Districts and Areas (Amendment) and Variation of Days and Hours (Granard) Order, 2001	288/2001	Change in days and times of sittings of District Court in Granard.
District Court Districts and Areas (Amendment) and Variation of Days and Hours (Killucan) Order, 2001	289/2001	Change in days and times of sittings of District Court in Killucan.
District Court Districts and Areas (Amendment) and Variation of Days and Hours (Longford & Edgeworthstown) Order, 2001	290/2001	Amalgamation of District Court Areas of Longford & Edgeworthstown.
District Court Districts and Areas (Amendment) and Variation of Days and Hours (Tullamore, Daingean & Kilbeggan) Order, 2001	291/2001	Amalgamation of District Court Areas of Tullamore, Daingean and Kilbeggan
District Court Districts and Areas (Amendment) and Variation of Days and Hours (Mullingar & Ballinacargy) Order, 2001	292/2001	Amalgamation of District Court Areas of Mullingar and Ballinacargy
District Court Districts and Areas (Amendment) and Variation of Days and Hours (Scariff & Tulla) Order, 2001	309/2001	Change in days and times of sittings of District Court in Scariff and Tulla.
District Court Areas (Amendment) (Christmas, Easter and August sittings) Order, 2001	366/2001	Regulation of vacation sittings
District Court Districts and Areas (Amendment) and Variation of Days (Askeaton and Rathkeale) Order, 2001	367/2001	Amalgamation of District Court Areas of Askeaton and Rathkeale
District Court Districts and Areas (Amendment) and Variation of Days (Listowel, Newcastle West and Tarbert) Order, 2001	406/2001	Amalgamation of District Court Areas of Listowel and Tarbert. Change in days of sittings of District Court in Newcastle West
District Court Districts and Areas (Amendment) and Variation of Days (Athboy and Kells) Order, 2001	415/2001	Amalgamation of Court Areas of Athboy and Kells.

APPENDIX III

CIRCUIT COURT STATISTICS: COUNTRYWIDE

Circuit Court Office	CRIMINAL			CIVIL			FAMILY LAW					HIGH COURT APPEALS				TOTAL
	Trials heard	Dist Ct appeals heard	Trials heard	Motions heard	Dist.Ct. appeals heard	Liquor licences granted	Judicial Sep. granted	Divorce granted	Nullity granted	Sec. 33 appeals granted	Dist. Ct. appeals heard	Criminal appeals	Civil appeals	Family law appeals		
CARLOW	14	69	138	291	11	10	17	41	0	43	6	0	13	1	654	
CK-ON-SHANNON	12	31	74	185	4	2	6	9	0	10	1	0	0	0	334	
CASTLEBAR	39	108	203	584	14	19	30	49	2	17	2	0	11	2	1,080	
CAVAN	15	35	189	287	7	13	23	30	2	19	0	0	5	3	628	
CLONMEL	52	183	665	880	14	22	19	66	1	22	12	0	33	5	1,974	
CORK	364	1,007	3,015	2,572	132	56	199	340	24	73	26	1	88	21	7,918	
DUBLIN	1,594	6,058	5,960	8,627	180	99	249	1,096	9	455	125				24,452	
DUNDALK	102	114	751	765	8	11	36	67	2	0	27	1	19	3	1,906	
ENNIS	16	150	326	604	8	8	35	79	2	19	4	0	17	1	1,269	
GALWAY	39	157	159	1,194	73	19	48	111	5	60	17	0	38	0	1,920	
KILKENNY	16	107	200	340	9	18	23	39	2	30	3	0	15	2	804	
LETTERKENNY	54	140	258	1,013	23	36	37	80	3	54	6	0	13	4	1,721	
LIMERICK	72	1,054	936	958	24	24	34	147	1	42	12	11	36	5	3,356	
LONGFORD	11	28	90	200	3	2	5	15	0	12	5	0	6	0	377	
MONAGHAN	16	103	171	265	11	19	21	12	0	22	4	0	8	4	656	
MULLINGAR	38	56	225	281	3	9	17	47	1	13	6	0	8	3	707	

Circuit Court Office	CRIMINAL			CIVIL				FAMILY LAW					HIGH COURT APPEALS				TOTAL
	Trials heard	Dist Ct appeals heard	Trials heard	Motions heard	Dist.Ct. appeals heard	Liquor licences granted	Judicial Sep. granted	Divorce granted	Nullity granted	Sec. 33 appeals granted	Dist.Ct. appeals heard	Criminal appeals	Civil appeals	Family law appeals			
NAAS	62	374	392	635	50	25	21	73	2	50	18	11	14	6	1,733		
PORTLAOISE	21	59	108	215	4	8	19	30	0	27	6	0	2	2	501		
ROSCOMMON	14	39	86	255	12	10	16	31	0	13	6	0	15	6	503		
SLIGO	31	58	127	468	0	4	23	37	0	16	0	5	9	0	778		
TRALEE	53	221	423	553	12	26	24	43	0	29	26	7	27	6	1,450		
TRIM	46	74	281	767	15	12	34	56	2	27	4	0	31	8	1,357		
TULLAMORE	15	425	127	179	0	5	13	27	0	38	2	0	19	1	851		
WATERFORD	32	50	274	855	0	30	35	101	0	30	0	5	26	5	1,443		
WEXFORD	30	50	207	639	25	29	14	83	0	23	7	0	6	5	1,118		
WICKLOW	86	101	260	628	0	26	20	108	1	16	6	0	0	0	1,252		
TOTAL	2,844	10,851	15,645	24,240	642	542	1,018	2,817	59	1,160	331	41	459	93	60,742		

APPENDIX IV

CIRCUIT COURT STATISTICS: FAMILY LAW

CIRCUIT COURT	DIVORCE APPLICATIONS				JUDICIAL SEPARATION APPLICATIONS				NULLITY APPLICATIONS				SECTION 33 APPLICATIONS			APPEALS	
	Received	Granted	Refused	wd/so	Received	Granted	Refused	wd/so	Received	Granted	Refused	wd/so	Received	Granted	Refused	Received	Dealt with
CARLOW	46	41	0	2	30	17	0	1	0	0	0	0	48	43	0	5	6
CARRICK ON SHANNON	8	9	0	0	9	6	0	0	0	0	0	0	10	10	0	2	1
CASTLEBAR	52	49	0	0	48	30	0	0	2	2	0	0	17	17	0	5	2
CAVAN	21	30	0	0	20	23	0	0	1	2	0	0	21	19	0	1	0
CLONMEL	83	66	0	2	46	19	0	0	1	1	0	0	22	22	0	14	12
CORK	397	340	0	0	244	199	0	10	20	24	0	0	73	73	0	39	26
DUBLIN	1,398	1,096	0	0	678	249	1	1	68	9	0	0	466	455	11	251	125
DUNDALK	87	67	0	0	65	36	0	0	0	2	0	0	0	0	0	28	27
ENNIS	81	79	0	1	29	35	0	0	1	2	0	0	20	19	1	8	4
GALWAY	115	111	0	4	50	48	0	2	5	5	0	0	63	60	3	17	17
KILKENNY	49	39	0	2	32	23	0	8	0	2	0	0	33	30	0	4	3
LETTERKENNY	74	80	0	3	44	37	0	1	2	3	0	0	54	54	0	2	6
LIMERICK	148	147	0	2	69	34	0	2	1	1	0	0	44	42	2	16	12
LONGFORD	23	15	0	2	11	5	0	1	0	0	0	0	12	12	0	7	5
MONAGHAN	37	12	0	0	30	21	0	1	0	0	0	0	22	22	0	2	4
MULLINGAR	68	47	1	1	21	17	0	1	1	1	0	0	14	13	1	5	6
NAAS	136	73	0	0	74	21	0	1	3	2	0	1	50	50	0	16	18
PORTLAOISE	31	30	0	0	23	19	0	1	1	0	0	1	27	27	0	8	6
ROSCOMMON	45	31	0	0	40	16	0	1	0	0	1	0	13	13	0	4	6
SLIGO	36	37	0	1	28	23	0	1	0	0	0	0	16	16	0	1	0
TRALEE	75	43	0	0	56	24	0	1	0	0	0	0	31	29	2	25	26
TRIM	76	56	0	0	53	34	0	0	1	2	0	0	40	27	4	15	4
TULLAMORE	44	27	0	3	20	13	0	2	0	0	0	0	40	38	1	2	2
WATERFORD	122	101	0	6	42	35	0	3	0	0	0	0	30	30	0	0	0
WEXFORD	100	83	0	18	29	14	0	11	0	0	0	0	23	23	0	0	7
WICKLOW	107	108	0	0	54	20	0	3	2	1	0	0	21	16	4	6	6
Total	3,459	2,817	1	47	1,845	1,018	1	52	109	59	1	2	1,210	1,160	29	483	331

APPENDIX V

CIRCUIT COURT: AVERAGE WAITING TIMES

CIRCUIT COURT	CRIMINAL			CIVIL			FAMILY LAW			
	Cases	Appeals	Cases	Appeals	Jud. Separation	Divorce	Nullity	Appeals		
CARLOW	Next session	Next session	Next session	Next session	Next session	Next session	Next session	Next session		
	Next session	Next session	Next session	Next session	Next session	Next session	Next session	Next session		
	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	6 months	6 months		
CLONMEL	12 months	12 months	6 months	6 months	Consent 2-3 months Trial 9-12 months	Consent 2-3 months Trial 9-12 months	9 - 12 months	Next session		
CORK	Custody cases Next session Bail cases 9 months	9 - 12 months	18- 24 months	6 - 9 months	Consent 6 months Trial 12 months	Consent 6 months Trial 12 months	12 months	6 months		
DUBLIN	4 - 6 weeks	4 - 6 weeks	1 month	1 month	Consent 1month Trial 3 months	Consent 1month Trial 3 months	3 months	6 weeks		
DUNDALK	3 months	Next session	3 months	Next session	Next session	Next session	Next session	Next session		
ENNIS	Next session	Next session	6 months	Consent Next session Trial 6 months	Consent Next session Trial 6 months	Consent Next session	6 months	Next session		
GALWAY	Next session	Next session	Next session	Next session	Next session	Next session	Next session	Next session		
KILKENNY	6 - 12 months	Next session	12 - 15 months	6 months	Consent Next session Trial 6 months	Consent Next session Trial 6 months	Consent Next session Trial 6 months	6 months		
LETTERKENNY	Next session	Next session	6 - 9 months	6 - 9 months	Next session	Next session	Next session	Next session		
LIMERICK	Next session	Next session	6 - 9 months	6 - 9 months	Next session	Next session	Next session	Next session		
LONGFORD	Next session	Next session	Next session	Next session	Next session	Next session	Next session	Next session		
MONAGHAN	9 - 12 months	Next session	9 - 12 months	Next session	Next session	Next session	Next session	Next session		
MULLINGAR	3 months	Next session	6 - 9 months	6 - 9 months	1 month	1 month	1 month	Next session		

CIRCUIT COURT	CRIMINAL		CIVIL		FAMILY LAW			
	Cases	Appeals	Cases	Appeals	Jud. Separation	Divorce	Nullity	Appeals
NAAS	3 months	3 months	3 - 6 months	3 - 6 months	Consent 3 months Trial 12 months	Consent 6 months Trial 12 months	Trial 12 months	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	6 months	Next session	12 months	Next session	6 months	6 months	6 months	6 months
TRALEE	9 months	Next session	3 - 6 months	3 - 6 months	3-6 months	3-6 months	3-6 months	3 - 6 months
TRIM	Next session	Next session	Next session	Next session	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	6 months	6 - 9 months	6 - 9 months	6-9 months	6-9 months	6-9 months	6 - 9 months
WEXFORD	Next session	Next session	18- 24 months	12 months	Consent next session Trial 12-18 months	Consent next session Trial 12-18 months	Consent next session Trial 12-18 months	15 months
WICKLOW	Next session	Next session	3 - 6 months	Next session	Consent next session Trial 6 months	Consent next session Trial 6 months	Consent next session Trial 6 months	Next session

Circuit Court Waiting Times:

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 VI

DISTRICT COURT: AVERAGE WAITING TIMES

CRIMINAL

Dublin Metropolitan District Court *Custody Courts, Chancery Street*

6 months before hearing

Summons Courts

4 months from date of receipt of application for a summons to date of first court appearance

Kilmainham

4 months before hearing from time a person charged with an offence is brought before the court

Tallaght

3 months before hearing from time a person charged with an offence is brought before the court

6 months from date of receipt of application for a summons to date of first court appearance

Swords

No delay in dealing with charge sheet cases

2-3 months from date of receipt of application for a summons to date of first court appearance

Dún Laoghaire

2 months before hearing from time a person charged with an offence is brought before the court

2 month delay from date of receipt of application for a summons to date of first court appearance

Provincial District Courts

Cork

3 months before hearing from time a person charged with an offence is brought before the court

4 months delay from date of receipt of application for a summons to date of first court appearance

Other Provincial District Courts

In general, no delay in hearing criminal cases commenced by either summons or charge sheet. Where case cannot be heard in scheduled sittings, the court will fix special sittings.

FAMILY LAW

Dublin Metropolitan District Court

Safety/barring order applications:
12 weeks from the date of issue of a summons to the date of hearing

Barring order applications where an interim barring order has been made:
2 to 3 weeks

Provincial District Courts

Cork

Barring Order applications where an interim barring order has been made: 2 weeks

Other applications: 7-8 weeks

Other Provincial District Courts

All applications:
No delay - cases are listed for the next sitting in the District Court area

CIVIL

Dublin Metropolitan District

6 weeks to obtain initial date for hearing

Provincial District Courts

Cork

12 weeks to obtain initial date for hearing.

Other Provincial District Courts

No delay in obtaining initial date for hearing. Hearings are usually dealt with by way of special sittings

PUBLICATIONS

The following publications are available from the Courts Service Information Office:

The Courts Service Annual Report 2000

Our first Annual Report includes a section summarising the progress made to the end of 2000 on the implementation of our programme of reform and modernisation. The Report is available in English and Irish.

The Courts Service Website

A short leaflet to introduce the Courts Service website.

The Drug Court

A short leaflet containing information on the Pilot Drug Court Programme operating in the Dublin Metropolitan District Court until mid 2002.

The Courts System in Ireland

An information booklet detailing how the Irish courts system is structured and administered. It also contains a directory of the courts, court offices, the judiciary and court staff.

Courts Service News

A newsletter published 5 times each year (March, May, July, October and December) featuring articles on various topics and combining news of developments in the Service with news from outside agencies.

Guide to Small Claims in the District Court

An information leaflet in a question and answer format on the Small Claims procedure.

The Courts Service Strategic Plan 2000-2003

The first Strategic Plan for the new Courts Service detailing the mission and mandates of the Service and identifying the means by which they will be achieved.

The Courts Service 5 year Information Strategy 2001-2005: "eCourts"

The first Information Strategy Plan detailing how technological development in the Service will be aligned to the overall 3 year Strategic Plan and highlighting the development of a number of business applications and the introduction of modern accounting and financial management systems.

The Courts Service 7 year Capital Building Programme 2002-2008: "Building for the Future"*

The first Capital Building Programme setting out the programme of work for the Service in providing and maintaining modern court buildings.

The Courts Service

Two leaflets providing basic information on the organisational structure of the Service. Short leaflet in English. More detailed leaflet available in Irish.

Taxation of costs

An information booklet explaining the role of the Taxing Masters in the Supreme and High Courts.

Wards of Court

An information booklet in a question and answer format dealing with matters relating to Wards of Court.

Cloverhill Courthouse

A short leaflet providing details on the location of this new courthouse.

Setting proceedings down for trial in the High Court

A leaflet setting out the basic procedure for setting cases down for trial in the High Court.

Family Law Information Bulletin

A series of bulletins dealing with issues relating to family law including procedures in the Circuit Court and the District Court and the matter of domestic violence.

Going to Court

A pack of three preparatory booklets for child witnesses and their parents/guardians - one for children under 10 years of age, one for children between the ages of 10 and 17 and one for parents/guardians.

Trim Courthouse brochure

A brochure published on the occasion of the official reopening of this magnificent courthouse in County Meath featuring colour photographs of the interior and exterior of the building and details of the refurbishment project.

Similar brochures will be published in 2002 to coincide with the official reopenings of courthouses in Carlow, Portlaoise, Carrickmacross and Sligo.

Courts Service Directory

A directory containing frequently requested information about the courts and court offices in an easy to access format.

* not available on Courts Service website

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

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

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

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

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.

Mareva injunction - an injunction to prevent a defendant removing assets from the jurisdiction of the court pending the trial of an action for a debt due

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

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/she 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 - judgment for a claim in respect of a debt or liquidated monetary demand which is undefended where the judgment is given to the Plaintiff against the Defendant in a court office without the need to bring the claim to court.

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

Supervision order - an order authorising a health board to visit a child periodically to satisfy itself as to the child's welfare and enabling the health board to give advice regarding the child's welfare

ADDITIONAL INFORMATION

Contacting court offices

Contact details for the main offices of the Service are in the Courts Service Directory available free of charge from the Courts Service Information Office, 15/24 Phoenix Street North, Smithfield, Dublin 7. Tel: 01-8886462.

Eircom Telephone Directories

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

Other useful information

Copies of the Courts Service Annual Report 2000 are available in English and Irish on request from the Information Office and on the Service's website.

Additional copies of the Annual Report 2001 and other publications of the Service are available from the Information Office and on the Service's website.

Website

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

Solicitors

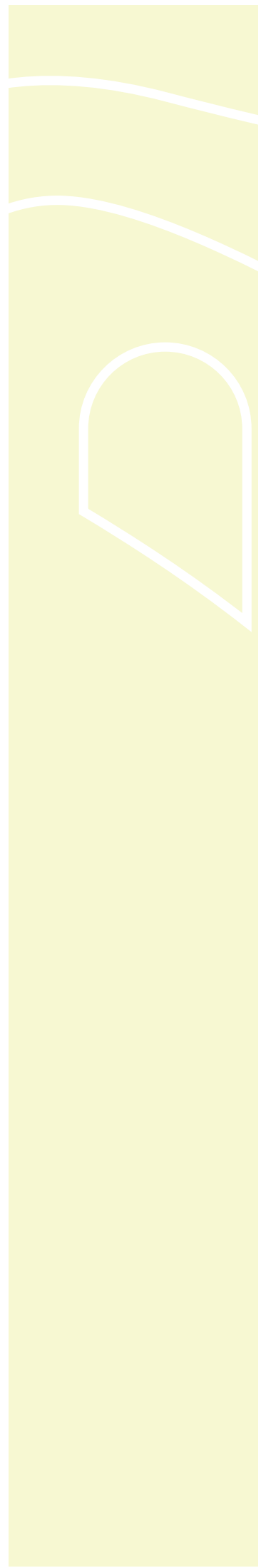
McCann Fitzgerald,
Solicitors,
2 Harbourmaster Place,
International Financial Services Centre,
Dublin 1.

Auditors

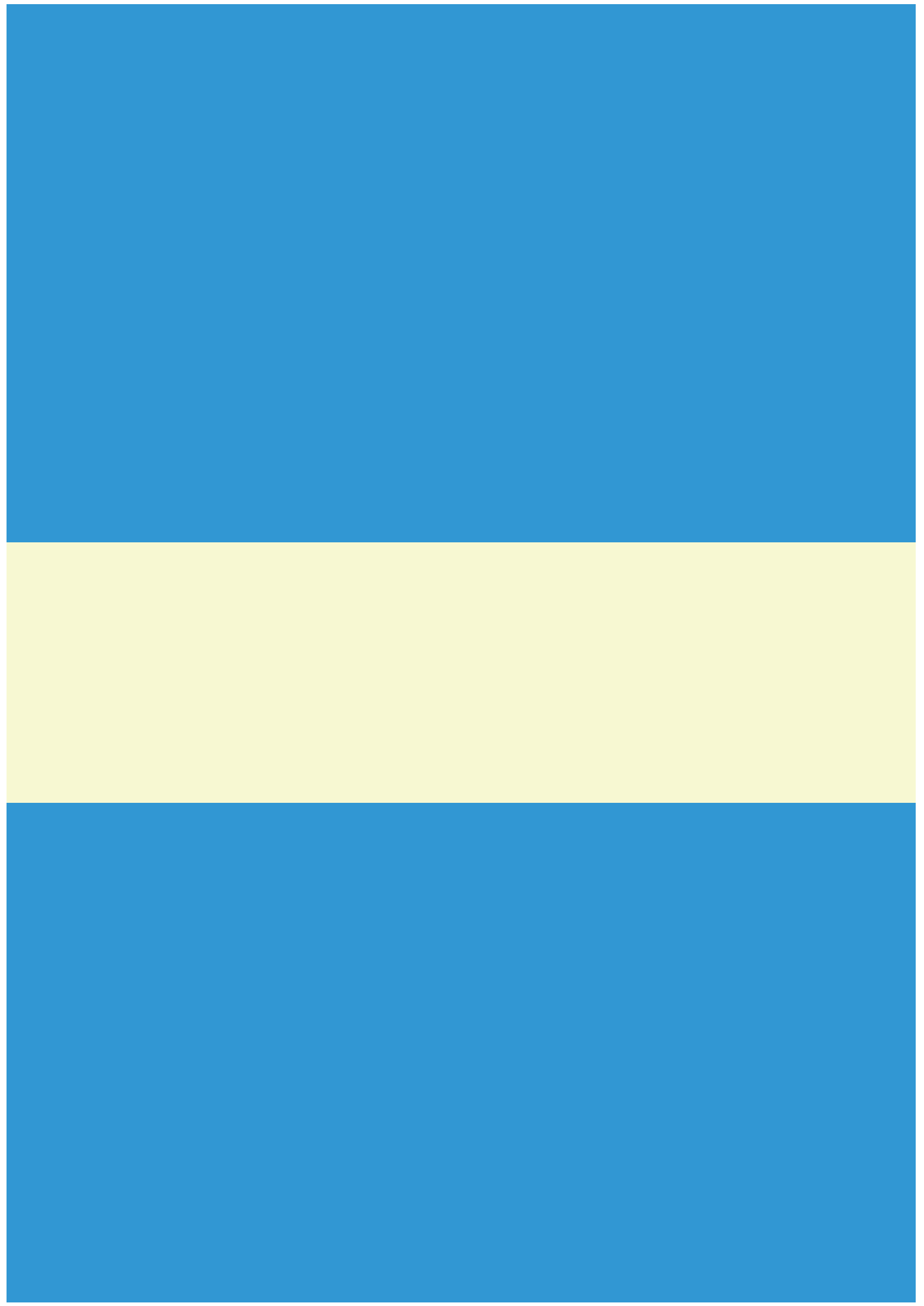
The Office of the Comptroller and Auditor General,
Treasury Block,
Lower Yard,
Dublin Castle,
Dublin 2.
(Appropriation Account).

PricewaterhouseCoopers,
Wilton Place,
Dublin 2.
(Annual Statement of Account, Office of the Accountant of the Courts of Justice).

NOTES



NOTES





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