

# DIPLOMA CENTRE



## Diploma in Commercial Litigation

### **COURSE OVERVIEW**

This advanced diploma course will provide practitioners with a comprehensive knowledge of commercial litigation and its practical impact on the commercial landscape in Ireland. The practice and procedure of running a commercial case from issuing of proceedings to conclusion will be examined in detail. Consideration will be given to the case management rules (SI 254 of 2016 and SI 255 of 2016), a practitioner's perspective of eDiscovery and document management, pre-trial applications, expert evidence and enforcement. The success of the Commercial Court in this jurisdiction, and the high volume of cases progressing through the court, makes it imperative for practitioners to familiarise themselves with its strict rules and deadlines.

The growing importance of alternative dispute resolution will be addressed in a practical module that will provide an overview of the variety of ADR methods available. The module focus will be on the role of the solicitor in representing clients in these dispute resolution methods outside of the court process. The course will also see experts examining discrete areas of commercial litigation, including intellectual property disputes and landlord and tenant disputes in the commercial context.

### **PROGRAMME OBJECTIVES**

On completion of this training programme, participants will be able to:

- Demonstrate a specialised knowledge of commercial litigation and practice;
- Advise on the commercial court procedure and the strict rules that apply to this process;
- Understand the increasing importance of alternative dispute resolution mechanisms, including mediation and arbitration; and
- Show a detailed understanding of more discrete areas in the commercial sphere.

### **MODULES**

#### **Module 1: Practice and procedure**

- Rules of the Superior Courts (Conduct of Trials)
- Rules of the Superior Courts (Chancery and Non-Jury actions and Other Designated Proceedings: Pre-Trial. Procedures) 2016 (SI 255 of 2016),
- A practitioner's perspective on eDiscovery and document management in commercial litigation,
- Requests for further information: Interrogatories, discovery, and requests for particulars.

# DIPLOMA CENTRE

## Diploma in Commercial Litigation



### **Module 2: Interim applications**

- Interlocutory applications, motions to deal with preliminary issues of law and fact,
- Injunctions,
- Security for costs.

### **Module 3: Trial, settlement and appeals**

- Preparing for trial: Proofs and prospects of success,
- Rules of evidence,
- Expert witnesses.

### **Module 4: The Commercial Court**

- Criteria for entry,
- Case management.

### **Module 5: Alternative dispute resolution**

- A guide to ADR methods,
- *The Mediation Act 2017* and current trends in mediation,
- Arbitration – practice and procedures; enforceability of awards.

### **Module 6: Discrete areas of commercial litigation**

- Technology and intellectual property,
- Construction disputes,
- Commercial lease disputes.

### **WHO SHOULD ATTEND?**

This course will be of interest to seasoned litigators, in addition to those with a limited exposure to litigation practice who are keen to get a comprehensive and up-to-date overview of commercial litigation practice and procedure in this jurisdiction.

This diploma is open to solicitors, barristers and trainees only.

**If you are interested in applying for a future offering of the course, please subscribe to our [Interested List](#).**

**Note:** The information in this document is subject to change as course content and modules may be adapted.