



Law Society of Ireland

News Release

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NEW COURT MEASURES WILL CAUSE HUGE DELAYS FOR CONSUMERS, WARNS LAW SOCIETY PRESIDENT

Law Society President, James McCourt, has expressed grave concerns today (21st June 2013) over the Government's proposal to increase the limit over the jurisdictions of the country's two lower courts – the District Court and Circuit Court – from €6,350 to €15,000; and from €38,000 to €75,000 (with a lower limit of €60,000 for personal injury cases), respectively.

Mr McCourt said: “Since this proposal was first mooted, we have taken the stance that the suggested change in the jurisdiction limits is to be welcomed – but only if the inevitable extra workload that follows such an uplift is counterbalanced by a similar increase in resources.

“As things stand, while most District and Circuit courts proceed without substantial delay, they are, in general, working to full capacity and, in some cases, are overworked. No delays, of any consequence, currently exist in the High Court. If these new measures proceed, a large number of cases which, up to now had been brought in the High Court, will in future be commenced in the Circuit Court, with a consequent knock-on effect in the District Court.

“It therefore follows, as a certainty, that unless extra judges, courts staff and courtrooms are made available, delays in the hearing of cases will result. We have not yet received assurances from the Minister for Justice, Equality & Defence, Mr Alan Shatter TD, that such resources will be provided.

[MORE...]

“It seems to us that, given the financial restraints within which the State must operate, it is highly unlikely that any extra funding will be provided to the Courts Service at this juncture. We entirely understand why that would be the case, but fail to grasp why these measures are being brought in now when the current court system, at District and Circuit Courts level, operates relatively smoothly.

“We believe that, if the *Courts Bill 2013* is enacted in its current form, consumers in civil cases will face lengthy delays. It is likely, also, that criminal and family matters will suffer when finite numbers of judges are diverted to look after the burgeoning civil caseload. The Law Society now calls on the minister to reconsider enacting this legislation until funding is available to provide the appropriate resources. One of the fundamental cornerstones of any democracy is the swift administration of justice and, as this is currently being provided, any measures that would have the opposite effect seem entirely counterproductive. Our concern with the introduction of this measure is that, without the necessary resources, it will create delays where little or none exist at present – and that makes no sense.”