Court fees concerning Small Claims procedure

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Introduction

Part 9 of S.I. Number 22 of 2014 refers to the payment of Court Fees on documents specific to the Small Claims procedure. Part 2 of S.I. Number 22 of 2014 refers to the payment of Court Fees in District Court Civil Proceedings and that are common to both areas.

The Courts Services Online has also recently introduced online services allowing you to create, review, pay for and advance claims including small claims upon creation of an account. The system is open to all individuals and legal firms.

What fees are applicable?

Payment of fees is required when submitting the following documents in relation any Small Claims Applications with the Small Claims Registrar:-

On lodging the initial Application.

On lodging a Notice of Dispute with a Counterclaim.

*** On lodging a Notice of Motion to Set Aside Judgment.

*** On lodging a Notice of Appeal to the Circuit Court.

*** On the issue of a Summons in the nature of Subpoena Ad Testificandum or Duces Tecum (Witness Summons)

*** These documents are not stated in Part 9 of S.I. Number 22 of 2014 but are stated under Part 2 of S.I. Number 22 of 2014.

How much shall I pay?

Item (1)	Fee (2)	Document to be stamped (3)
On lodging an application with the Small Claims Registrar	€25.00	The Application or Court Fee Card
On lodging a Notice of Dispute with a Counterclaim with the Small Claims Registrar	€25.00	The Notice or Court Fee Card
On lodging a Notice of Motion to Set Aside Judgment	€15.00	The Notice or Court Fee Card
On lodging a Notice of Appeal to the Circuit Court	€25.00	The Notice or Court Fee Card
On the issue of a Summons in the nature of Subpoena Ad Testificandum or Duces Tecum (Witness Summons)	€15.00	The Original Summons

What happens if I do not pay the court fees on time?

If the Court Fee is not paid on the **Application** the document is returned to the Claimant and payment is requested.

If the Court Fee is not paid on the **Notice of Dispute with a Counterclaim** the document is assessed to see if the Respondent has a valid Counterclaim. If **YES** the document is returned to the Respondent and payment is requested. If **NO** the document is returned to the Respondent, explaining why it is not a valid Counterclaim. A new Notice of Dispute form is made available for the Respondent to complete and return to the Small Claims Registrar.

If the Court Fee is not paid on the **Notice of Motion to Set Aside Judgment** within the time frame allowed the presiding Judge will be advised of this fact on the date of the Application. A Decree may issue for the attention of the Sheriff to enforce on foot of the original Judgement granted in Default. .

If the Court Fee is not paid on the **Notice of Appeal to the Circuit Court** the file will not be forwarded to the Circuit Court. A Decree may issue for the attention of the Sheriff to enforce on foot of the original Decree granted in Court.

If the Court Fee is not paid on the **Summons in the nature of Subpoena Ad Testificandum or Duces Tecum (Witness Summons)** the Summons will be invalid.

How can I pay the court fees?

Fees can be paid in any District Court Stamping Office by the following methods:

Cash or a cheque / postal order / bank draft made payable to the Chief Clerk

Fees can also be paid by sending a cheque / postal order / bank draft made payable to the Chief Clerk to the relevant District Court Office.

What shall I do after the payment?

When making payment in a Stamping Office of the District Court retain the receipt received from the Court Officer and lodge the stamped document(s) with the Small Claims Registrar.

When sending the payment via cheque, postal order, bank draft made payable to the Chief Clerk, retain a photo copy of the payment method & the original certificate of posting. This will be necessary as evidence if the Court requires proof of payment.

When the Small Claims Office receives payment for any document the office will have the document stamped and will retain the receipt for the fee paid on file.

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