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Costs

Northern Ireland

This page provides you with indicative information about the costs of justice in Northern Ireland.

For a more in-depth analysis on the costs of proceedings, please consult the following case studies:

[Family law - Divorce](#)

[Family law – custody of the children](#)

[Family law – alimony](#)

[Commercial law – contract](#)

[Commercial law – responsibility](#)

Regulatory framework governing fees of legal professions

There are scales of costs in both the County Court and Court of Judicature – some of which include professional fees.

You can find a copy of the legislation which sets out the current scale of costs for the county court at legislation.gov.uk High court scale costs are not available via a web link. These scales apply only to certain cases and in certain circumstances - they are not applicable to all cases.

The Taxing Master may also assess legal costs in certain cases: for example, divorce and ancillary relief proceedings. These would include the professional fees charged by legal practitioners.

The **Northern Ireland Legal Services Commission** sets fixed rates for legally-aided child custody cases governed by the Children (Northern Ireland) Order 1995 legislation.

Proceedings heard in the Family Proceedings Court which are funded under the ABWOR (**assistance by way of representation**) scheme are assessed either on an hourly rate or a fixed (composite) fee.

Proceedings heard in the Family Care Centre which are awarded an article 3 certificate under the **Legal Aid** (Remuneration of Solicitors and Counsel in County Court Proceedings) **Order** (Northern Ireland) 1981 – are assessed and paid on a standard fee basis. Where an article 3 certificate is not awarded, cases are assessed and paid at hourly rates up to fixed limits specified in Article 2 of the Order.

Separation and maintenance proceedings in the Magistrates Court funded under the ABWOR scheme are also assessed and paid on a fixed fee basis.

Solicitors

The website of the [Law Society of Northern Ireland](#) may be helpful in finding a solicitor, but the Law Society does not hold information on the costs of legal representation as this will depend on many factors that are individual to the case concerned.

Barristers

The website of the [Northern Ireland Bar Library](#) may be helpful in finding a barrister, but the Law Society does not hold information on the costs of legal representation as this will depend on many factors that are individual to the case concerned.

Fixed costs

Fixed costs in civil proceedings

Fixed costs for litigants in civil proceedings

Court fees are fixed and, if applicable, are paid in advance in line with a Northern Ireland Fees Order. These fees are over and above the costs of legal representation. The current court fees can be found at the [Northern Ireland Courts and Tribunals Service](#).

Stage of the civil proceeding where fixed costs must be paid

Court fees are normally paid when a case begins, but there may be other fees for ancillary processes during the life of a case: for example, for interlocutory applications, assessment hearings and so on.

The legal costs of a person not receiving legal aid must be agreed between the individual and her or his legal representative.

Fixed costs in criminal proceedings

Fixed costs for litigants in criminal proceedings

In criminal proceedings, an accused receiving legal aid pays no costs. The legal costs of a person not receiving legal aid must be agreed between the individual and her or his legal representative.

Stage of the criminal proceeding where fixed costs must be paid

Costs for civil parties such as witness expenses and expert fees are normally paid at the conclusion of a case. However these costs are not fixed costs and can vary depending on the nature of the case.

Fixed costs in constitutional proceedings

Fixed costs for litigants in constitutional proceedings

The fixed costs in **constitutional cases** depend on where the proceedings were commenced, and are charged at the rates set by that tier of court. Current court fees can be found at the [Northern Ireland Court and Tribunals Service](#).

This does **not** include the costs of **legal representation**.

There are also court fees associated with constitutional cases referred to the **UK Supreme Court** and can be found here [UK Supreme Court fees](#)

Stage of the constitutional proceeding where fixed costs must be paid

Court fees are normally paid when a case begins, but there may be other fees for ancillary processes during the life of a case: for example, for interlocutory applications, assessment hearings and so on.

Legal costs of a person not receiving legal aid must be agreed between the individual and her or his legal representative.

Prior information to be provided by legal representatives

Rights and obligations of the parties

Solicitors are required to outline the potential costs involved to the parties. However, as this will depend on the progress/development of the case, it may not be possible to give an accurate assessment at the outset of proceedings.

Costs sources

Where can I find information on cost sources in Northern Ireland?

Information on court fees can be found at [Northern Ireland Courts and Tribunals Service](#).

The websites of the [Law Society of Northern Ireland](#) and the [Northern Ireland Bar Library](#) may be helpful in finding a legal representative but they do not hold information on the costs of legal representation as this will depend on the case and if the parties are entitled to legal aid.

In what languages can I obtain information on cost sources in Northern Ireland?

You can find information on court fees in English at the [Northern Ireland Courts and Tribunals Service](#). This information can be translated into a range of other languages on request.

Where can I find information on mediation?

Information can be found at the website of the [Northern Ireland Courts and Tribunals Service](#).

Further information is also available from the website of the [Law Society of Northern Ireland](#).

Where can I find additional information on costs?

Available website on cost information

The [Northern Ireland Courts and Tribunals Service](#) lists all court fees.

Where can I find information on the average length of time that different procedures take?

Statistical information on the business of the courts can be found at the [Northern Ireland Courts and Tribunals Service](#).

Where can I find information on the average aggregate cost for a particular proceeding?

There is no known source for this information.

There is a scale of costs available for both County Court and High Court proceedings. However these are only a guide and should not be considered definitive, as they do not apply to all cases. They also apply only to proceedings within that specific court tier.

Current scales for the County Court can be found on the website of the [Statutory Rules of Northern Ireland](#)

High Court scale costs are not available via a web link.

Value Added Tax

How is this information provided?

VAT at the appropriate rate may be recoverable on costs, fees and expenses within the meaning of the Value Added Tax Act 1983. Details of court fees may be found at the [Northern Ireland Courts and Tribunals Service](#), which shows court fees without VAT.

Legal aid

Applicable income threshold in the area of civil justice

Legal aid is usually available to an individual whose annual disposable income does not exceed £9937, except for personal injury where it is £10955. In a small number of public family law proceedings concerning the custody of children, legal aid is made available without reference to the individual's income; these are known as special **Children Order proceedings**. For more information please refer to [Northern Ireland Courts and Tribunals Service](#).

Applicable income threshold in the area of criminal justice for defendants

There is no fixed income threshold for legal aid for defendants in Northern Ireland. The judge grants legal aid to a defendant where she or he is satisfied that the defendant has insufficient means to pay for legal representation.

Applicable income threshold in the area of criminal justice for victims

Legal aid is not available to victims within the criminal justice scheme.

When victims of crime seek compensation, the legal aid scheme is not usually engaged. Government has established a separate statutory scheme to compensate victims of crime; in Northern Ireland this is the Criminal Injury Compensation Scheme. Under this scheme, victims do not require legal advice and representation to apply for compensation. Assistance with applications is available free of charge from [Victim Support Northern Ireland](#), which is funded by government.

Non-legal aid support is provided to victims in the criminal justice system: for example, the [Northern Ireland Courts and Tribunals Service](#) website provides information and a 'virtual walk through' for victims and witnesses.

Also [Victim Support Northern Ireland](#), a charitable organisation, offers emotional support, information and practical help to people who have suffered crimes.

Other conditions attached to the granting of legal aid for defendants

In order to receive free legal aid for defence representation in Northern Ireland, defendants must satisfy two tests: that they have insufficient means to pay for their own representation, and that it is in the interests of justice that they should have free legal aid.

Cost-free court proceedings

The [Northern Ireland Courts and Tribunals Service](#) has a process/policy whereby court fees can either be remitted or deemed to be exempt. This is a means-tested process and applicants must apply using a prescribed form.

Court proceedings are cost free for a defendant who has been granted legal aid in criminal proceedings.

As mentioned above, legal aid is usually available to an individual whose annual disposable income does not exceed £9937.

In a small number of public family law proceedings concerning the custody of children, legal aid is made available without reference to the individual's income; these are known as special **Children Order proceedings**.

The award or waiving of costs is a matter for judicial discretion.

When does the losing party have to pay the winning party's costs?

The awarding of costs is a matter of judicial discretion. The [Northern Ireland Courts of Judicature rules](#) and the [County Court Rules](#) (Northern Ireland) provide court rules relating to costs. These are available at <https://www.justice-ni.gov.uk/publications/court-rules-publications>

Experts' fees

The number of experts is limited by the rules of court – the Rules of the Northern Ireland Court of Judicature and the County Court Rules (Northern Ireland).

There are no fixed or scale costs for experts as the fees will depend on the type of expert and the nature of their involvement in the proceedings.

Translators' and interpreters' fees

Generally, when a civil or family action is privately funded, it is a matter for the party requiring the services of an interpreter to make the arrangements and meet the costs.

However, Northern Ireland Courts and Tribunals Service will arrange and centrally fund an interpreter for a non-English speaking litigant involved in the following actions: a committal case, a family case involving children, or a domestic violence case (including forced marriage).

If the case is not covered by one of the above criteria, an interpreter may still be funded, if the Judge determines this is the only way the litigant can understand proceedings, and if she or he cannot get public funding, cannot afford to fund an interpreter privately or the Judge expressly directs that an interpreter be appointed.

Where the Northern Ireland Courts and Tribunals service arranges and pays an interpreter's fees, these are set down in the terms and conditions of booking. The fee can vary from case to case, depending on the length of the hearing, the distance and time taken to travel to and from the court, and the means by which the interpreter travels. The terms and conditions are strictly applied to all claims to ensure no overpayment is made.

Related Links

[Law Society of Northern Ireland](#)

[Northern Ireland Bar Library](#)

[legislation.gov.uk](#)

[Information on Court fees from the Northern Ireland Court and Tribunals Service](#)

[Northern Ireland Courts and Tribunals Service](#)

[Information on the Commercial List from the Northern Ireland Court and Tribunals Service](#)

[Victim Support Northern Ireland](#)

[Information on Support to Victim and Witnesses from the Northern Ireland Court and Tribunals Service](#)

Related Attachments

[United Kingdom's report of the Study on Transparency of costs](#)  (448 Kb) 

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Case study 1 - family law - divorce - Northern Ireland

In this case study on family law – divorce, Member States were asked to advise the party that files for divorce on litigation costs in order to consider the following situations:

Case A – National situation: a couple gets married. Later they separate and agree to a divorce.

Case B – Transnational situation: Two nationals from a same Member State (Member State A) get married. The marriage is celebrated in Member State A. After the wedding, the couple moves to live and work in another Member State (Member State B) where they establish their residence. Shortly thereafter the couple separates with the wife returning to Member State A and the husband remaining in Member State B. The couple agrees to a divorce. Upon her return to Member State A, the wife immediately files for a divorce before the courts of Member State B.

Important Points to Note About the Information Provided

It should be noted that it is not possible to give definitive costs and the matters included below are indicative only. Where possible actual fees have been included for certain aspects of the processes but these should be viewed as a guide only. Fees often depend on the tier of court used and the steps involved in the individual case, a full list of court fees charged can be found at [the website of the Northern Ireland Court and Tribunals Service](#).

We are not aware of any extra fees associated with cross-border divorces therefore Case B fees are assumed to be the same as Case A (except for costs associated with service of documents and any translations required which would be dependent on which Member State is involved). In Case B, the petitioner must be resident in NI for 6 months before a petition for divorce can be presented.

N/A is shown where the answer is Not Applicable and N/K is shown where the answer is Not Known.

Indicative costs in Northern Ireland

Indicative costs for court, appeals and alternative dispute resolution

Case Study	Court		
	Initial court fees	Transcription fees	Other fees
Case A	High Court Petition –£200 County Court Petition –£200	Fees are £0.78 pence per folio or CD audio recording £25 per hour	High Court Setting Down – £300 County Court Setting Down – £250 Personal application fee for a matrimonial interview – £50 Application to remove a petitioner's address from the petition: £57.50 pence (charged at judicial discretion)
Case B	As above	As above	As above

Case Study	Appeals			ADR	
	Initial court fees	Transcription fees	Other fees	Is this option open for this type of case?	Costs
Case A	N/A	N/A	N/A	Not usually court-mandated	Mediation may be available via other organisations for example Relate Northern Ireland who charge £35 per session; or Family Mediation Northern Ireland who charge £40 for initial appointment then £60 per session
Case B	As above	As above	As above	As above	As above

Indicative costs for lawyer, bailiff and expert

Case Study	Lawyer		Bailiff			Expert	
	Is representation compulsory?	Average costs	Is representation compulsory?	Pre-judgement costs	Post-judgement costs	Is use compulsory?	Cost
Case A	Not at either court tier, but contested divorces (i.e.	N/K	N/A	-		Not at either court tier	N/K

	High Court) are normally more complex				Enforcement of a matrimonial order – £150		
Case B	As above	As above	As above	As above	As above	As above	As above

Indicative costs for witness compensation, pledge or security and other relevant fees

Case Study	Witness compensation		Pledge or security		Other fees	
	Are witnesses compensated?	Cost	Does this exist and when and how is it used?	Cost	Description	Cost
Case A	At County Court only, Viaticum (by petitioner) is paid when the summons is first served on the witness. Other costs (e.g. loss of earnings, travelling expenses etc.) may be allowed at judicial discretion or agreed between parties.	Police Service of Northern Ireland witness – £12.15 pence per appearance Public witness – £17.12 pence per appearance N/K	N/A	N/A	Certificate of Decree Absolute	£75
Case B	As above	As above	As above	As above	As above	As above

Indicative costs for legal aid and other reimbursement

Case study	Legal Aid		
	When and under what conditions is it applicable?	When is support total?	Conditions?
Case A	Funding is granted for a divorce, subject to the normal means and merits tests	Where funding is granted, uncontested divorce cases will usually be dealt with via civil legal aid	In uncontested proceedings, representation is available only after the usual means and merits tests have been satisfied
Case B	Legal aid is only available for proceedings that take place in Northern Ireland. The issue of consent (above) applies.	As above	As above

Case study	Reimbursement			
	Can the winning party obtain reimbursement of litigation costs?	If reimbursement is not total, what is the percentage in general?	What costs are never reimbursed?	Are there instances when legal aid should be reimbursed to the legal aid organisation?
Case A	Such costs would normally be included in any agreement between parties or as ordered by the judge.	N/K	All costs have the potential to be included as part of a court order	Contributions are required towards the cost of legal aid from those applicants who are assessed as having a disposable income above £3335 pa or disposable capital above the limit of £3000. The contribution required from income is a proportion of disposable income above the lower limit, payable in 12 monthly instalments The contribution required from capital is all disposable capital above £3000.
Case B	As above	As above	As above	As above

Indicative costs for translation and interpretation

Case study	Translation		Interpretation		Other costs specific to cross-border disputes?	
	When and under which conditions is it necessary?	Approximate cost?	When and under which conditions is it necessary?	Approximate cost?	Description	Approximate cost?
Case A	If documents to be put before the court are not in English	Our service provider does not have a specific rate per page, as each job is	If parties or witnesses do not speak or understand English	Minimum payment of £30.00 per hour thereafter	Costs associated with service of documents	Depends on where to be served, acceptable methods of service in

		sent to translators based on availability etc. and rates are different according to the language requested. Current rates per 1000 words are Portuguese £103.00, Latvian £116.00, Slovak £102.00, Polish £107.00, Lithuanian £106.00, Russian £103.00 and Cantonese - £99.00. All plus VAT at 20%.				the other Member State and how many attempts required
Case B	As above	As above	As above	As above	As above	As above

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Case study 2 - family law - custody of the children - Northern Ireland

In this case study on family law – custody of the children, Member States were asked to advise the suing party on litigation costs on litigation costs in order to consider the following situations:

Case A – National situation: Two persons have lived together unmarried for a number of years. They have a three year old child when they separate. A court decision grants custody of the child to the mother and a right of access to the father. The mother sues to limit the father's right of access.

Case B – Transnational situation where you are a lawyer in Member State A: Two persons have lived together unmarried in a Member State (Member State B) for a number of years. They have a child together but separate immediately after the child's birth. A court decision in Member State B gives the child's custody to the mother with a right of access to the father. The mother and the child move to live in another Member State (Member State A) as authorised to do so by the Court decision and the father remains in Member State B. A few years later, the mother sues in Member State A to change the father's right of access.

Important Points to Note About the Information Provided

It should be noted that it is not possible to give definitive costs and the matters included below are indicative only. Where possible actual fees have been included for certain aspects of the processes but these should be viewed as a guide only. Fees often depend on the tier of court used and the steps involved in the individual case - FPC refers to Family Proceedings Court, and FCC refers to Family Care Centre. A full list of court fees charged can be found at [the website of the Northern Ireland Court and Tribunals Service](#).

N/A is shown where the answer is Not Applicable and N/K is shown where the answer is Not Known.

Indicative costs in Northern Ireland

Indicative costs for court, appeals and alternative dispute resolution

Case Study	Court		
	Initial court fees	Transcription fees	Other fees
Case A	Applications to discharge an existing contact order Family Proceedings Court – £50 Family Care Centre – £75 High Court £100	Fees are £0.78 pence per folio or CD audio recording, £25 per hour (if proceedings are recorded)	At the Family Proceedings Court, service of a summons is £10 or for personal service £13 and additional documents £3 each
Case B	Register order in High Court – no fee Depending on the legislation that the order was granted under, the application will either be treated as a new application or a variation of an existing order Application in respect of contact order Family Proceedings Court – £50 Family Care Centre – £75 High Court – £100 Application to vary an existing contact order Family Proceedings Court – £37.50 pence Family Care Centre – £57.50 pence High Court – £75	As above	At Family Proceedings Court – service of a summons is £10 or for personal service £13 and Additional documents £3 each

Case Study	Appeals			ADR	
	Initial court fees	Transcription fees	Other fees	Is this option open for this type of case?	Costs
Case A			N/A		No fee charged

	Appeal from Family Proceedings Court to Family Care Centre – £75 Appeal from Family Care Centre to High Court – £100 Appeal against the decision of a Master - £200 Appeal against the decision of a Judge - £500	Fees are £0.78 pence per folio or CD audio recording; £25 per hour (if proceedings are recorded)		Court Children's Officer available at court	Otherwise, ADR would be through external agencies with a professional charge
Case B	Appeal from Family Proceedings Court to Family Care Centre – £75 Appeal from Family Care Centre to High Court – £100 Appeal against the decision of a Master - £200 Appeal against the decision of a Judge - £500	As above	N/A	Court Children's Officer available at court	No fee charged Otherwise, ADR would be through external agencies with a professional charge

Indicative costs for lawyer, bailiff and expert

Case Study	Lawyer		Bailliff			Expert	
	Is representation compulsory?	Average costs	Is representation compulsory?	Pre- judgement costs	Post – judgement costs	Is use compulsory?	Cost
Case A	No – but High Court cases are normally more complex	N/K	N/A	N/A	N/A	No	N/K
Case B	No – but High Court cases are normally more complex	N/K	N/A	N/A	N/A	No	N/K

Indicative costs for witness compensation, pledge or security and other relevant fees

Case Study	Witness compensation		Pledge or security		Other fees	
	Are witnesses compensated?	Cost	Does this exist and when and how is it used?	Cost	Description	Cost
Case A	Costs (e.g. loss of earnings) allowed at judicial discretion or agreed between parties	N/K	N/A	N/A	N/A	N/A
Case B	Costs (e.g. loss of earnings) allowed at judicial discretion or agreed between parties	N/K	N/A	N/A	N/A	N/A

Indicative costs for legal aid and other reimbursement

Case study	Legal Aid		
	When and under what conditions is it applicable?	When is support total?	Conditions?
Case A	The normal means and merits tests apply (see section on Legal Aid)	See left	See left
Case B	Legal aid is available only for proceedings that take place in Northern Ireland (see section on Legal Aid)	See left	See left

Case study	Reimbursement		

	Can the winning party obtain reimbursement of litigation costs?	If reimbursement is not total, what is the percentage in general?	What costs are never reimbursed?	Are there instances when legal aid should be reimbursed to the legal aid organisation?
Case A	Such costs would normally be included in any agreement between parties or as ordered by the judge	N/K	All costs have the potential to be included as part of a court order	Clients may be liable to pay a contribution, depending on their income and capital (see Case Study 1A)
Case B	Such costs would normally be included in any agreement between parties or as ordered by the judge	N/K	All costs have the potential to be included as part of a court order	As above

Indicative costs for translation and interpretation

Case study	Translation	
	When and under what conditions is it necessary?	Approximate cost?
Case A	If documents to be put before the court are not in English	The Current rate is £120 per 1000 words for every language or 12p per word.
Case B	If documents to be put before the court are not in English	The Current rate is £120 per 1000 words for every language or 12p per word.

Case study	Interpretation		Other costs specific to cross – border disputes?	
	When and under what conditions is it necessary?	Approximate cost?	Description	Approximate cost?
Case A	If parties or witnesses do not speak or understand English	Minimum payment of £30.00 per hour.	Costs associated with service of documents	Depends on where to be served, acceptable methods of service in the other Member State and how many attempts required
Case B	If parties or witnesses do not speak or understand English	Minimum payment of £30.00 per hour.	Costs associated with service of documents	Depends on where to be served, acceptable methods of service in the other Member State and how many attempts required.

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Case study 3 - family law - alimony - Northern Ireland

In this case study on family law – alimony, Member States were asked to advise the suing party on litigation costs in order to consider the following situations:

Case A – National situation: Two persons have lived together unmarried for a number of years. They have a three year old child when they separate. A court decision grants custody of the child to the mother. The only outstanding dispute relates to the amount of the alimony owed to the mother by the father for the support and education of the child. The mother sues on this.

Case B – Transnational situation where you are a lawyer in Member State A: Two persons have lived together unmarried in a Member State (State B). They have a three year old child. They separate. A court decision in Member State B gives the child's custody to the mother. With the agreement of the father, the mother and the child move to live in another Member State (Member State A) where they establish their residence.

An outstanding dispute remains. This relates to the amount of the alimony owed to the mother by the father for the support and education of the child. The mother sues on this in Member State A.

Important Points to Note About the Information Provided

It should be noted that it is not possible to give definitive costs and the matters included below are indicative only. Where possible actual fees have been included for certain aspects of the processes but these should be viewed as a guide only. Fees often depend on the tier of court used and the steps involved in the individual case. A full list of court fees charged can be found at [the website of the Northern Ireland Court and Tribunals Service](#).

In case study B it is not clear if an order already exists in Member State B. If so then this would appear to be the enforcement of such an order and as such it will involve the Maintenance Orders (Reciprocal Enforcement) Act 1972 and other legislation and treaties applicable. It is therefore not possible to provide generic information on costs etc as this would be dependant on the countries involved and the relationships between the Member States.

Indicative costs in Northern Ireland

Indicative costs for court, appeals and alternative dispute resolution

Case Study	Court		
	Initial court fees	Transcription fees	Other fees
Case A	Application for financial provision (periodical payments and/or lump sum) Family Proceedings Court – £50 Family Care Centre – £75	Fees are £0.78 pence per folio or CD audio recording £25 per hour (if proceedings are recorded)	At Family Proceedings Court –service of a summons £10 or for personal service £13 and Additional documents

	High Court –£100		£3 each
Case B			

Indicative costs for lawyer, bailiff and expert

Case Study	Lawyer		Bailiff			Expert	
	Is representation compulsory?	Average costs	Is representation compulsory?	Pre-judgement costs	Post-judgement costs	Is use compulsory?	Cost
Case A	No – but High Court cases are normally more complex	N/K	N/A	-	-	No	N/K
Case B							

Indicative costs for witness compensation, pledge or security and other relevant fees

Case Study	Witness compensation		Pledge or security		
	Are witnesses compensated?	Cost	Does this exist and when and how is it used?	Cost	
Case A	Loss of earnings etc. may be allowed at judicial discretion or agreed between parties		This may be construed as an application for a freezing injunction in relation to assets. If so, fees as shown	High Court – £200 County Court – £115	
Case B					

Indicative costs for legal aid and other reimbursement

Case study	Legal Aid		
	When and under what conditions is it applicable?	When is support total?	Conditions?
Case A	Funding can be granted to deal with ancillary matters such as maintenance, subject to the standard tests of means and merits	See left	See left
Case B	If the case is heard in Northern Ireland, the usual means and merits test will apply.	See left	See left

Case study	Reimbursement			
	Can the winning party obtain reimbursement of litigation costs?	If reimbursement is not total, what is percentage in general?	What costs are never reimbursed?	Are there instances when legal aid should be reimbursed to the legal aid organisation?
Case A	Such costs would normally be included in any agreement between parties or as ordered by the judge	N/K	All costs have the potential to be included as part of a court order	Clients may be liable to pay a contribution depending on their income and capital (see Case 1A)
Case B				As above

Indicative costs for translation and interpretation

Case study	Translation	
	When and under what conditions is it necessary?	Approximate cost?
Case A	If documents to be put before the court are not in English	The Current rate is £120 per 1000 words for every language or 12p per word.

Case B		
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Case study	Interpretation		Other costs specific to cross-border disputes?	
	When and under what conditions is it necessary?	Approximate cost?	Description	Approximate cost?
Case A	If parties or witnesses do not speak or understand English	Minimum payment of £30.00 per hour.	Costs associated with service of documents	Depends on where to be served, acceptable methods of service in the other Member State and how many attempts required
Case B				

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Case study 4 - commercial law - contract - Northern Ireland

In this case study on commercial law – contract, Member States were asked to advise the seller on litigation costs in order to consider the following situations: Case A – National situation: A company delivered goods worth 20.000 euros. The seller has not been paid because the buyer considers that the goods do not conform to what was agreed.

The seller decides to sue to obtain the full payment of the price.

Case B – Transnational situation: A company whose head office is located in Member State B delivers goods worth 20.000 euros to buyer in Member State A. The contract is subject to Member State B's law and written in Member State B's language. This seller has not been paid because the buyer located in Member State A considers that the goods do not conform to what was agreed. The seller decides to sue in Member State A to obtain full payment of the price as provided under the contract with the buyer.

Important Points to Note About the Information Provided

It should be noted that it is not possible to give definitive costs and the matters included below are indicative only. Where possible actual fees have been included for certain aspects of the processes but these should be viewed as a guide only. Fees often depend on the tier of court used and the steps involved in the individual case, a full list of court fees charged can be found at the [Northern Ireland Court and Tribunals Service](#).

N/A is shown where the answer is Not Applicable and N/K is shown where the answer is Not Known.

Indicative costs in Northern Ireland

Indicative costs for court, appeals and alternative dispute resolution

Case Study	Court			Appeals			ADR	
	Initial court fees	Transcription fees	Other fees	Initial court fees	Transcription fees	Other fees	Is this option open for this type of case?	Costs
Case A	High Court £200	Fees are £0.78 pence per folio or CD audio recording £25 per hour (if proceedings are recorded)	£150 if they wish case to be transferred to the Commercial List. £300 setting down fee	£200 (Notice of appeal to the High Court) £500 (Notice of appeal to the Court of Appeal)	Fees are £0.78 pence per folio or CD audio recording £25 per hour (if proceedings are recorded)	Variable	Yes	N/K but fees would be as agreed with the mediator. Some information may be available from the Northern Ireland Law Society
Case B	High Court £200	As above	£150 if they wish case to be transferred to the Commercial List. £300 setting down fee	£200 (Notice of appeal to the High Court) £500 (Notice of appeal to the Court of Appeal)	As above	Variable	Yes	N/K but fees would be as agreed with the mediator. Some information may be available from the Northern Ireland Law Society

Indicative costs for lawyer, bailiff and expert

Case Study	Lawyer		Bailiff			Expert	
	Is representation compulsory?	Average costs	Is representation compulsory?	Pre-judgement costs	Post-judgement costs	Is use compulsory?	Cost
Case A	No	N/K	-	-	-	No	N/K
Case B		N/K	-	-	-	No	N/K

No, but an address for service is required within the jurisdiction					
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Indicative costs for witness compensation, pledge or security and other relevant fees

Case Study	Witness compensation		Pledge or security		Other fees	
	Are witnesses compensated?	Cost	Does this exist and when and how is it used?	Cost	Description	Cost
Case A	May be entitled to their expenses from the solicitors who called them	N/K	An Order for security for costs exists	£115	There would be fees on interlocutory applications Fees for copy Orders if required.	£115 £10 or £8 if obtained on line
Case B	May be entitled to their expenses from the solicitors who called them	N/K	An Order for security for costs exists	£115	There would be fees on interlocutory applications Fees for copy Orders if required.	£115 £10 or £8 if obtained on line

Indicative costs for legal aid and other reimbursement

Case study	Legal Aid			Reimbursement			
	When and under what conditions is it applicable?	When is support total?	Conditions?	Can the winning party obtain reimbursement of litigation costs?	If reimbursement is not total what is percentage in general?	What costs are never reimbursed?	Are there instances when legal aid should be reimbursed to the legal aid organisation?
Case A	Civil legal aid is not available for cases arising out of company or partnership law or the carrying on of a business. Note that in this case we assume that both the buyer and seller are businesses.	N/A	N/A	Reimbursement of costs normally follows the decision on the case.	Courts Decision	N/K	N/A
Case B	See above	See above	See above	Reimbursement of costs normally follows the decision on the case.	Court Decision	N/K	N/A

Indicative costs for translation and interpretation

Case study	Translation		Interpretation		Other costs specific to cross-border disputes?	
	When and under what conditions is it necessary?	Approximate cost?	When and under what conditions is it necessary?	Approximate cost?	Description	Approximate cost?
Case A	If documents to be put before the court are not in English	The Current rate is £120 per 1000 words for every language or 12p per word.	If parties or witnesses do not speak or understand English	Minimum payment of £30.00 per hour.	N/K	N/K
Case B	Documents lodged must be in English	N/K. Documents would be translated into English in the other jurisdiction before being lodged.	If parties or witnesses do not speak or understand English	N/K	Costs of registering the order/ judgement for enforcement if not a European order for enforcement/ payment	£50

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Case study 5 - commercial law - responsibility - Northern Ireland

In this case study on commercial law – responsibility, Member States were asked to advise the customer on litigation costs in order to consider the following situations:

Case A – National situation: A heating equipment manufacturer delivers a heater to an installer. The installer on-sells (and installs) the heater to a customer to equip his/her house. The house catches fire shortly thereafter. Every participant (heating equipment manufacturer, installer, end-customer) is insured. The origin of the fire is contested. Nobody wants to compensate the customer.

The customer decides to sue for full compensation the heating equipment manufacturer, the heating equipment installer and the insurance companies.

Case B – Transnational situation: A heating equipment manufacturer in a Member State B delivers heater to an installer in a Member State C. The installer on-sells the heater (and installs) the heater to a customer in Member State A to equip his/her house. The house catches fire shortly thereafter. Each participant (heating equipment manufacturer, installer, end-customer) is insured by an insurance company in its own Member State. The origin of the fire is contested. Nobody wants to compensate the customer.

The customer decides to sue in Member State A for full compensation the heating equipment manufacturer, the heating equipment installer and the insurance companies in Member State A.

Important Points to Note About the Information Provided

Case n° 5 Commercial Law – Responsibility

It should be noted that it is not possible to give definitive costs and the matters included below are indicative only. Where possible actual fees have been included for certain aspects of the processes but these should be viewed as a guide only. Fees often depend on the tier of court used and the steps involved in the individual case, a full list of court fees charged can be found at the [Northern Ireland Court and Tribunals Service](#).

N/A is shown where the answer is Not Applicable and N/K is shown where the answer is Not Known.

Indicative costs in Northern Ireland

Indicative costs for court, appeals and alternative dispute resolution

Case Study	Court			Appeals			ADR	
	Initial court fees	Transcription fees	Other fees	Initial court fees	Transcription fees	Other fees	Is this option open for this type of case?	Costs
Case A	High Court £200	Fees are £0.78 pence per folio or CD audio recording £25 per hour (if proceedings are recorded)	£150 – if they wish case to be transferred to the Commercial List. £300 setting down fee	£200 (Notice of appeal to the High Court) £500 (Notice of appeal to the Court of Appeal)	Fees are £0.78 pence per folio or CD audio recording £25 per hour (if proceedings are recorded)	Variable	Yes	N/K but fees would be as agreed with the mediator. Some information may be available from the Northern Ireland Law Society
Case B	High Court £200	As above	£150 if they wish case to be transferred to the Commercial List. £300 setting down fee	£200 (Notice of appeal to the High Court) £500 (Notice of appeal to the Court of Appeal)	As above	Variable	Yes	N/K but fees would be as agreed with the mediator. Some information may be available from the Northern Ireland Law Society

Indicative costs for lawyer, bailiff and expert

Case Study	Lawyer		Bailiff			Expert	
	Is representation compulsory?	Average costs	Is representation compulsory?	Pre-judgement costs	Post-judgement costs	Is use compulsory?	Cost
Case A	No	N/K	-	-	-	No	N/K
Case B	No	N/K	-	-	-	No	N/K

Indicative costs for witness compensation, pledge or security and other relevant fees

Case Study	Witness compensation		Pledge or security		Other fees	
	Are witnesses compensated?	Cost		Cost	Description	Cost

			Does this exist and when and how is it used?			
Case A	May be entitled to their expenses from the solicitors who called them	N/K	An order for security for costs exists	£115	There would be fees on interlocutory applications Fees for copy orders if required	£115 £10 or £8 if obtained on line
Case B	May be entitled to their expenses from the solicitors who called them	N/K	An order for security for costs exists	£115	There would be fees on interlocutory applications Fees for copy orders if required	£115 £10 or £8 if obtained on line

Indicative costs for legal aid and other reimbursement

Case study	Legal Aid	Reimbursement			
	When and under what conditions is it applicable?	Can the winning party obtain reimbursement of litigation costs?	If reimbursement is not total, what is percentage in general?	What costs are never reimbursed?	Are there instances when legal aid should be reimbursed to the legal aid organisation?
Case A	The normal means and merits tests apply (see section: Legal Aid).	Reimbursement of costs normally follows the decision on the case.	N/K		Clients may be liable to pay a contribution depending on their income and capital. (See Case 1A)
Case B	If the case is heard in Northern Ireland, the usual means and merits test will apply.	Reimbursement of costs normally follows the decision on the case.	Court decision	N/K	See above

Indicative costs for translation and interpretation

Case study	Translation		Other costs specific to cross-border disputes?	
	When and under what conditions is it necessary?	Approximate cost?	Description	Approximate cost?
Case A	If documents to be put before the court are not in English	The current rate is £120 per 1000 words for every language or 12p per word.		
Case B	If documents to be put before the court are not in English	The current rate is £120 per 1000 words for every language or 12p per word.		
Case A	If parties or witnesses do not speak or understand English	Minimum payment of £30.00 per hour.	N/A	
Case B	If parties or witnesses do not speak or understand English	Minimum payment of £30.00 per hour.	Application to register out- going judgement/ order Unless a European enforcement order	£50

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