

Improving procedures and practices

I work in Cork, but the system is same in all the provincial High Court sittings.

A case gets into the list, but stays there for the entire day if there are two cases called on. Now if these cases commence and continue to run, one cannot complain, but the practice is that once the case is called, the Judge is asked for time for talks. This can drag on until either lunch time, if called before lunch or until 4pm if called on in the afternoon. Sometimes this is simply a stalling tactic to prevent the judge hearing the case as s/he is reputed to be generous/mean, depending on the side that initiates the procrastination.

Could it ever be that a finite limit of 15 minutes be given and if more time is required, that the next case is called on. The case then having the 'time out' could float to be called again once the second case was concluded.

This might prevent inordinate procrastinations. It may also ensure that witnesses are hanging around for less time, thus costing less in expenses. I accept that there can be a downside, especially if the Counsel involved in the delayed case are also in the next case. However, Plaintiff has 3 Counsel and Defence have 2, allowing at least one each to do battle.

Achieving more effective and less costly litigation

When costs are being taxed in High Court, there is a uniform standard country wide.

However when being taxed in Circuit Court, it varies considerably between each Circuit Court area.

There is a scale for District Court.

Suggestion is that there be a common countrywide scale for Circuit Court. The practice of basing the fees on amount of award/settlement should also be reviewed as the same level of work goes into the case irrespective of the outcome.