

Office of the Legal Costs Adjudicator



An tSeirbhís Chúirteanna
Courts Service

Strategic Plan 2026 – 2029



July 2025

Contents

Foreword	3
Introduction	4
About the Office	4
Our Vision Purpose and Values	5
Vision	5
Purpose and Values	5
The Changing Environment	6
Policy Proposals	6
The Courts Service	6
Caseload of the Office	7
Terms of Appointments of Adjudicators	9
Strategic Goals	10
Delivering a Quality Service	11
Become a Learning Organisation	12
Communication	13
Accountability	14

Foreword

I am delighted to present the Strategic Plan for the Office of the Legal Costs Adjudicator covering the next three years.

The adjudication of costs is frequently described by the Courts as being an ‘art’ rather than a ‘science’. Whilst there is a lot of truth in that statement, it has always been the ambition of the Office to bring more transparency to how we go about our duties in assessing legal costs.

There should be no mystery involved in our work. Where a party is required to pay a significant sum in legal fees, they are entitled to know how we have assessed those fees.

We have identified four high level strategic goals dealing with quality, learning, communication and accountability. Each goal is sub-divided into actions to taken as well as the hoped for outcomes.

All of these proposed actions have been developed in furtherance of a single overarching objective: delivery of a quality service.

Barry Magee

Chief Legal Costs Adjudicator

Introduction

About the Office

The Office of the Legal Costs Adjudicators was established in 2019 under Part 10 of the Legal Services Regulation Act 2015. It replaces the office of the Taxing Master. The Office does not have its own budget and relies on the Courts Service for the provision of staff, accommodation, IT support etc.

The Office is comprised of the Chief Legal Costs Adjudicator, two Legal Costs Adjudicators, an Assistant Principal Officer, a Higher Executive Officer and three Executive Officers.

The Office is tasked with adjudicating on the level of costs that can be charged by legal practitioners. Such costs can arise in contentious or non-contentious matters. Contentious matters usually relate to costs awarded to one party by a Court at the conclusion of a case. Non-contentious matters usually involve a dispute between a client and their own legal advisors.

In contentious matters, the Office only deals with costs awarded by the High Court, Court of Appeal or Supreme Court.¹ Costs awarded by the Circuit Court are dealt with by the relevant County Registrar. Costs awarded by the District Court are dealt with by the Judge.

The Office deals with approximately a thousand cases a year.² Cases are listed for hearing before an Adjudicator, usually within 6 weeks of being lodged with the Office. Once listed, a case may resolve or proceed to a full adjudication. A full adjudication consists of an oral hearing³ where the case is presented to the Adjudicator. Once heard the Adjudicator delivers their decision either orally or in a written decision.

If either party is unhappy with the decision, they can seek to have the matter re-considered by the Adjudicator. That process consists of a further hearing with a final decision then being made.

¹ The Office also deals with costs of Arbitrations and where provided for by statute, eg Tribunals of Inquiry.

² See the Annual Reports of the Office for precise figures.

³ There are about 200 hearings a year.

Thereafter, either party may apply to the High Court to review the determination on the grounds that the Adjudicator has erred as to the allowance so that the determination is unjust.⁴

At the end of the process a Certificate of Determination is signed by the Adjudicator certifying the total amount of legal costs allowed.

Our Vision Purpose and Values

Vision

The vision of the Office is to deliver an excellent service to our users and in so doing to effectively and efficiently contribute to a world-class courts system.

Purpose and Values

Our purpose and values are fully aligned with the Public Service values included in the Better Public Services – Public Service Transformation 2030 Strategy.

We aim to meet the expectations and needs of staff, justice partners, Office users and members of the public.

We aspire to achieve the Courts Service core values of being professional, customer-focused, fair, impartial, responsive and respectful.

⁴ S.161

The Changing Environment

Policy Proposals

The Government has committed in the Programme for Government to “Continue work to develop new guidelines to set clear rates and scales of fees for all forms of civil litigation, promoting transparency, competitiveness and fairness in legal costs.” This was one of the recommendations of the Kelly Report.⁵

The work of the Office could be significantly impacted by any legislative reforms as to how costs are awarded and assessed. It is, as yet, unclear whether the Office would have any function or role in any new system for costs. Any reforms are wholly a matter for the Government and the Oireachtas, as matters of policy.

Whilst the Office has no policy function under the 2015 Act, it is very well placed to provide expert advice and guidance on how any proposed system is likely to work in practice and whether it would achieve its policy goals. As such the Office should be centrally involved in the planning of any potential reforms.

The Office has recently made a submission to the Legal Services Regulatory Authority on the operation of Part 10 of the 2015 Act, as part of their review of the operation of the Act. It is understood that the review will be published shortly. Thereafter it will be a matter for Government as to whether they wish to implement the recommended changes.

The Courts Service

The Office does not have its own budget and relies on the Courts Service for the provision of staff, accommodation, IT support etc. As such this Plan has been developed in line with the following Courts Service Plans:

- Corporate Strategic Plan 2024 – 2027
- Long Term Strategic Vision – 2030
- ICT, Digital and Data Strategy 2024 – 2027

Those plans in turn, are based on the wider public sector plans and strategies, such as ‘Connecting Government 2030: A Digital and ICT Strategy for Ireland’s Public Service’.

⁵ See The Report of the Review of the Administration of Civil Justice.

This plan has attempted to align the strategic goals of the Office with those of the Courts Service and the wider Public Sector.

The Courts Service has a learning and development strategy in place. This uses a focused approach to learning and development, leadership and management skills training. These capabilities are used in managing the knowledge retention and reform agenda of the Office, in a manner that serves to promote long term sustainability.

The Office will optimise digital services and solutions by taking part in the move to UCMS in line with the Superior Courts Directorate and engaging with movement to the Data Retention Portal. This will assist with the continuing work to engage with public services online via digital media, in line with Public Sector ICT and eGovernment policies.

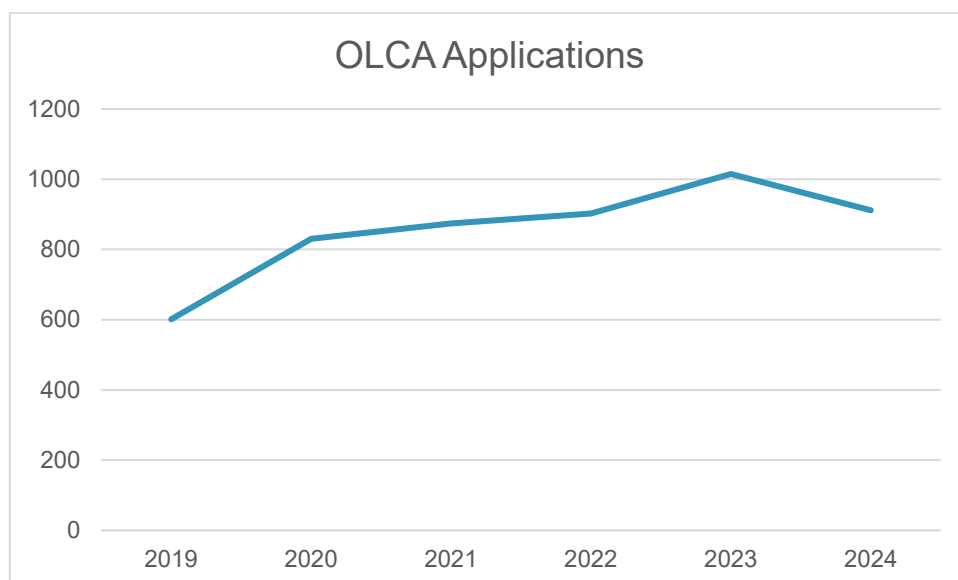
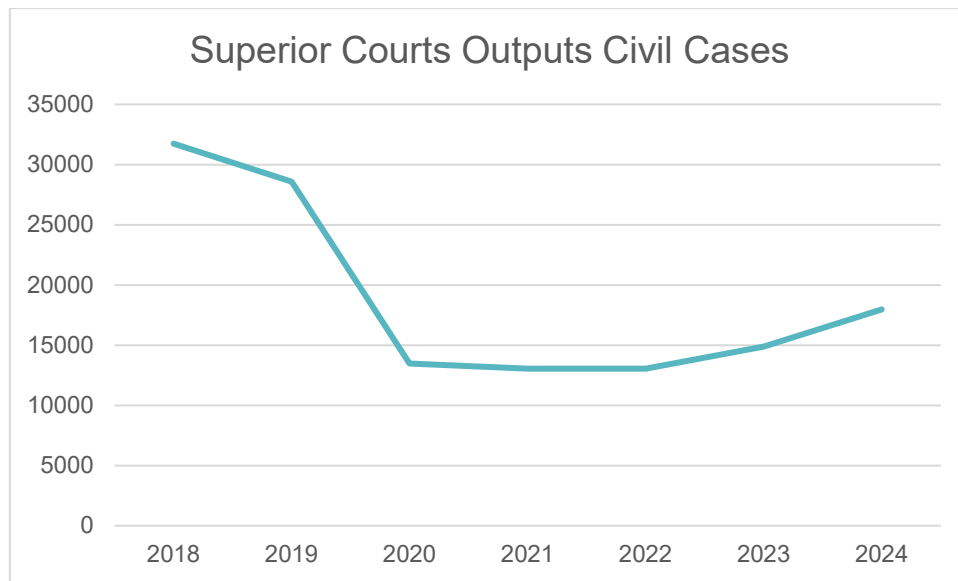
Caseload of the Office

The work of the Office is entirely driven by activity in the legal sector. By far the greatest proportion of the work of the Office is in contentious matters. In previous years less than 1% of cases lodged related to legal practitioner and client disputes. The rest relates to contentious matters, ie costs awarded by a Court, arbitral tribunal or other statutory body.

Whilst it could be assumed that the greater the level of activity in the Superior Courts, the greater the number of adjudications lodged with the office, in fact, the data does not support that assumption.

The following graphs show the output of the Superior Courts in civil cases and the applications made to the Office in recent years.⁶

⁶ See the Annual Reports of the Courts Service and the Office of the Legal Costs Adjudicator.



Comparing the two graphs discloses no obvious correlation between matters being finalised in the Superior Courts and applications being made to the OLCA.

This makes it difficult to predict future workflows for the Office by reference to the changing output of the Superior Courts. However, what the data does show is a lack of significant change in applications lodged with the Office year on year. Considering the above data from the establishment of the Office in 2019, it appears unlikely that there will be any significant change in volume of work for the Office over the life of this Plan.

The Office is due to be incorporated in the rollout of the UCMS IT system across the Superior Courts. This will improve our data analysis ability and enable us to identify links between activity in the Superior Courts and applications to the Office.

Terms of Appointments of Adjudicators

When a new Adjudicator is required to be appointed there is, inevitably, a degree of disruption to the working of the Office. This arises due to the necessary recruitment and vetting process as well as a period of induction for the newly appointed Adjudicator.

The terms of appointment of the Chief Legal Costs Adjudicator and the two Legal Costs Adjudicators all extend beyond 2029 and therefore, it is not anticipated that any appointments will be necessary over the term of this Plan. This will provide a period of continuity and stability for the implementation of this Plan.

Strategic Goals

It is a requirement of the 2015 Act that this Plan:

- set out the key objectives, outputs and related strategies for the performance of the functions of the Adjudicators, and
- have regard to the need to ensure the most effective and efficient use of resources possible.

The Office is conscious that as part of the wider Courts Service, these goals should focus on matters within the power and competence of the Office to achieve. The policies and plans of the Courts Service equally apply to the Office and have not been repeated here.

These goals have been developed to ensure that they can be achieved from within existing available resources.

It is intended that the Annual Report of the Office will report on progress made and steps taken towards achievement of these goals.





Delivering a Quality Service

Strategic Goal

The core function of the Office is to adjudicate upon legal costs. This must be achieved in a lawful, effective and efficient manner. This goal must be central to everything the Office does, and all other goals must support this.

Actions	Outcomes
<ul style="list-style-type: none">• Develop guidelines on our functions.• Develop a quality assurance model.• Ensure the Office is included in the roll out of ICT developments under the Digital First plans of the Courts Service.• Develop a Risk Strategy.• Improve accessibility to decisions.	<ul style="list-style-type: none">• Delivery of quality decisions in an efficient and effective manner.• Greater transparency as to how the Office works and how decisions are arrived at.• Building in quality to the procedures of the Office.• Ensuring information about the Office is available in a user-friendly manner.• Better reporting available through the use of the common UCMS IT platform throughout the Courts Service.



Become a Learning Organisation

Strategic Goal

It is vital that the Office develops and maintains appropriate policies to ensure that all staff and the Adjudicators, can adequately maintain, enhance and update their skills and knowledge. It is of vital importance that the Office keep abreast of legal developments to ensure that we can properly adjudicate on the associated legal costs.

Actions	Outcomes
<ul style="list-style-type: none">• Ensure staff are provided training opportunities to develop their skills.• Developing a knowledge management policy.• Develop links with other similar organisations.• Develop and strengthen a culture of learning and development.	<ul style="list-style-type: none">• A knowledgeable Office.• An ability to deal with all new areas of law as they arise.• Continuing to be the expert body in the State on all aspects of legal costs.• Constantly seeking to improve our services and learn from others.• Willingness to share our knowledge and experience with other organisations.



Communication

Strategic Goal

The Office is the expert specialist body for the adjudication of legal costs in the State. As such it is important that our knowledge is shared, and that the Office is recognised as the expert body that it is.

It is important that we are clear in how we communicate both as to the content and means of that communication.

Actions	Outcomes
<ul style="list-style-type: none">• Establish a 'Users Group'.• Develop a communication strategy.• Improve access to our decisions.• Proactive sectoral engagement.	<ul style="list-style-type: none">• Constantly improving the quality of our services.• Developing relationship with our users to better understand their needs and how we can meet them.• Ensuring that we are clear in our communications with others.• Greater transparency as to what we do and the reasons for our decisions.



Goal 4

Accountability

Strategic Goal

As with any public sector organisation, the Office must be fully accountable for how public monies are spent. It is important that the correct procedures and policies are in place to ensure that proper accountability is achieved. These policies will be required to strike the right balance between accountability and independence.

Actions	Outcomes
<ul style="list-style-type: none">• We will fulfil all our statutory governance obligations.• Develop a SLA with the Courts Service.• Report on progress achieved in implementing this plan in our Annual Report.	<ul style="list-style-type: none">• Ensure that we are compliant with our statutory obligations.• A clear understanding and agreement with the Courts Service as to inputs and outputs expected by both parties.• Accountability for how we use the resources provided by the Courts Service.• Ensure there are appropriate governance measures in place.

