
WHAT COURTS DO YOU GO TO?

There are three main courts which a Client could usually be involved in – the **District Court**, the **Circuit Court** and the **High Court**.

WHAT IS THE DIFFERENCE IN THESE THREE COURTS?

In the context of e.g a personal injuries case the difference is based on the amount of money that the Courts can award.

The District Court hears minor criminal matters, small civil claims, liquor licensing, and certain family law applications. The civil jurisdiction is limited to damages not exceeding €15,000;

The Circuit Court is an intermediate level court and is limited to a compensation claim not exceeding €75,000 (€60,000 for claim for damages for personal injuries)

The High Court is the appropriate court to hear cases involving claims for damages in excess of €70,000 (in personal injury €60,000)

In Family law it depends on the type of application you have – stand alone applications for access, maintenance, guardianship etc are usually dealt with in the **District Court** but matters such as Judicial Separation and Divorce are usually **Circuit Court** (can be **High Court** if value of the assets is substantial)

WHAT SHOULD SOMEONE CALL A JUDGE?

The correct way for anyone to address a Judge is “Judge”

IS IT USEFUL FOR A SOMEONE WHO HAS NEVER BEEN TO COURT TO VISIT THE COURT IN ADVANCE OF THEIR CASE?

Yes!

Preparation and experience are two key elements to the successful presentation of any court case, however, experience of court is something very few people have.

This is why it is a good idea to visit the court a month or two before the case and watch how other cases are presented. Visiting a court before your case allows you to see what happens and will help you to be less nervous when your day in court comes.

Courts are public buildings and the public are entitled to sit in on most cases with the main exception of family law matters.

CAN ANYONE GO IN AND VIEW A CASE?

Yes!

There is a public area in the courtroom where people may sit and listen. The public can go into any court unless the case is being held 'in camera', which means in private.

This is to protect the privacy of the people in the court e.g in Family Law cases, cases involving minors

IF I AM IN COURT FOR FAMILY LAW THEN WHO IS IN THE COURT?

The Judge, who sits at the front of the court, his assistant who sits in front of him, the solicitors for each party, barristers for each party if they are involved and the parties themselves.

HOW SHOULD SOMEONE BEHAVE IN COURT?

Put your best foot forward - you should remember that the day you attend the Court for your case is the only chance the judge will have to see you and hear your evidence.

It is essential therefore that you create a good impression. You should dress in a manner that shows proper respect for the court and behave in a respectful manner at all times. In giving your evidence you should make sure that the judge can hear you properly and understand what you are saying.

You should answer to the best of your ability any question put to you but remember not to give any hasty or confused replies as these are unlikely to help your case.

DOES A CASE HAVE TO GO TO COURT?

As a general rule, the majority of cases are settled without going into Court. However, they are only settled provided that our Client is agreeable to accepting the figure that is offered in full and final settlement of their claim.

I always meet with Clients well in advance of Court and agree with them what would be acceptable if settlement talks were entered in to. This means that the Client is not put under pressure to agreeing something on the day due to the strange and stressful environment.

WHAT IS A TYPICAL DAY IN COURT LIKE FOR SOMEONE WHO FOR EXAMPLE IS IN THE DISTRICT COURT?

If matter is Family Law for example:

- Court begins at 10.30,
- People wait in court foyer for matters to begin when the Judge comes out,

- Once court commences anyone with a case on that day is called into the courtroom,
- Judge comes out,
- A List of all cases which are to be dealt with in the day are called out – in family law initial only are called,
- Each party through their solicitor or themselves has to indicate to the court that they are there are whether the case is going on – the number of cases in the list on most days is more than could be actually possible to be heard,
- Judge expects parties to try and agree matters if possible – if matters are agreed terms can be written down and signed off on by the parties, like a contract and a court order can be made from this,
- Court then indicates what matters it will hear first – usually short matters so what is heard does not always go on the court list for the day,
- Any matters involving the CFA – childcare matters are usually heard next,
- Contested matters usually heard last,

FOR MORE INFORMATION

Tel: 052- 612 43 44

Address: Jervis House,
Parnell Street,
Clonmel,
Co Tipperary

Email: info@lynchsolicitors.ie

Website: www.lynchsolicitors.ie



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