

Case study 3 - family law - alimony - Northern Ireland

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
	Application for financial provision (periodical payments and/or lump sum)		At Family Proceedings Court –service of a summons £10 or for personal service £13
	Family Proceedings Court – £50	Fees are £0.78 pence per folio or CD	and
	Family Care Centre – £75	audio recording £25 per hour (if proceedings are recorded)	Additional documents £3 each
Case A	High Court –£100		
Case B			

Indicative costs for lawyer, bailiff and expert

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

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

Case Study	Witness compensation	Pledge or security	
	Are witnesses compensated?	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?	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	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		

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

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