

In the field of civil justice, pending procedures and proceedings initiated before the end of the transition period will continue under EU law. The e-Justice Portal, on the basis of a mutual agreement with the UK, will maintain the relevant information related to the United Kingdom until the end of 2024.

Costs

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	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)	N/A	Court Children's Officer available at court	No fee charged Otherwise, ADR would be through external agencies with a professional charge
Case B		As above	N/A		No fee charged

Appeal from Family Proceedings Court to Family Care Centre – £75			Court Children's Officer available at court	Otherwise, ADR would be through external agencies with a professional charge
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				

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	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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