

Office of the Legal Costs Adjudicators

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Introduction

The Office of the Legal Costs Adjudicators provides an independent assessment of legal costs incurred by an individual or company involved in litigation in the [High Court](#), [Court of Appeal](#) or the [Supreme Court](#). This means that, in the event of a dispute, it recommends the fair and reasonable amount that one party has to pay to the other side.

There are currently 3 Legal Costs Adjudicators (a Chief Legal Costs Adjudicator and a Legal Costs Adjudicator) in Ireland, both of whom are based in Dublin. (See 'Where to apply' below). The Office of the Legal Costs Adjudicators office was previously known as the Office of the Taxing Master.

Types of cost disputes

Usually, costs are adjudicated at the end of a case. However, a court may award costs in respect of certain applications prior to the final conclusion of the case.

The party that is claiming the costs (usually, the successful plaintiff or defendant) must demonstrate that the costs they are claiming were appropriate, fair and reasonable, given the circumstances. There are two main types of costs:

1. Party and party costs

These are essentially all the costs, charges and expenses that are necessary and appropriate for the purpose of the case. It's important to remember that all the costs may not be allowable and if you are claiming Party and party costs, you must be able to justify why they were incurred and why those costs should be allowed.

The courts have held in the past that you are bound when conducting your case to remember that your adversary may in the end have to pay your costs (or you may have to pay theirs). It is important, therefore, to be mindful of costs at all times.

2. Legal practitioner and client costs

These are the costs which have been reasonably incurred, but may not have been absolutely necessary, and which are not recoverable under Party and party costs. Excessive charges are not recoverable. A court must make an order for Solicitor and client costs. Otherwise, costs will be adjudicated on a Party and party cost basis.

Charges to clients

The [Legal Services Regulation Act 2015 \(Part 10\)](#) sets out how [solicitors](#) and [barristers](#) charge their clients. Under this legislation, your solicitor should give you a detailed estimate of the costs they expect you will need to pay before the case is started.

Where a barrister is engaged, they must provide a similarly detailed estimate to the solicitor, which is then passed to the client. Alternatively, if possible, the client and the lawyers can agree the amount or amounts to be paid.

At the conclusion of the case, the solicitor should give you a detailed statement of all the legal costs associated with your case. This is called the Bill of Costs and must contain:

- A summary of the legal services with which you were provided
- Details of all the charges that were incurred and the nature of these charges
- The amount of VAT charged
- The amount of time spent on a matter, if costs are calculated based on time
- The financial outcome of the case, i.e. any damages or other money recovered or payable to the client
- Whether any costs have been paid or are payable by another party

The Bill of Costs must be accompanied by an explanation in writing of how any aspect of the Bill of Costs can be challenged by a client.

Complaints

Other than determining whether the costs charged are fair, the Office of the Legal Costs Adjudicators does not have any regulatory or investigative powers in relation to complaints about excessive charges by lawyers.

Complaints about excessive charges should be referred to the [Legal Services Regulatory Authority](#) and findings of grossly excessive charges will be treated as professional misconduct.

How to apply

Before seeking to have any aspect of a Bill of Costs adjudicated, you must first attempt to agree the Bill of Costs.

If you still wish to have your costs adjudicated, you should instruct your solicitor to submit a [Notice of Application for Adjudication of Costs](#) to the High Court. It is now [possible for legal practitioners to do this electronically](#).

You will then be notified by your solicitor of the date of the adjudication and you should attend the hearing. It is important to remember that you have the option of retaining a legal representative for the adjudication hearing.

If your solicitor does not set the matter down for adjudication, you can do so yourself by completing and lodging the Notice of Application for Adjudication of Costs form (in duplicate form) and lodging the Bill of Costs and all supporting documentation with the Office of the Legal Costs Adjudicators. The Office of the Legal Costs Adjudicators will then inform you when you should be in attendance for the hearing.

You must then serve all these documents, including a copy of the issued Notice of Application for Adjudication of Costs on the other side and inform them of the date when the matter will next come before the Legal Costs Adjudicator.

Where to apply

You can get more [information about adjudication of costs](#) from the website of the Courts Service.

Apply to the Office of the Legal Costs Adjudicators at:

Office of the Legal Costs Adjudicators

1st Floor
Merchants House
27-30 Merchants Quay
Dublin 8
Ireland

Tel: +353 (0)1 888 6301

Homepage: <https://www.courts.ie/content/office-legal-costs-adjudicators-high-court-formerly-known-taxing-masters-office>

Email: info_legalcostsadjudicators@courts.ie

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