

October 2021

Introduction of procedural changes to certain High Court default applications.

A new statutory instrument (S.I. No 490/2021)* (the "SI"), comes into force on 13th November 2021 and standardises the procedure for applications to the High Court for orders in default of appearance, statement of claim, and defence.

The main changes are:-

- The requirement of a 28 day warning letter being sent prior to the bringing of the application.
- The requirement for the plaintiff to serve the motion for judgment in default on the defendant.
- The timeframe for delivery of a statement of claim and defence is standardised at eight weeks.
- A denial of debt in actions for debt or liquidated demand in money is not admissible.
- The ability for a defendant to apply for an "Unless Order" against a plaintiff that fails to deliver a statement of claim within eight weeks of service of the summons.

How this affects you:-

The SI streamlines and expedites litigation between parties, which in the long term should reduce court lists and lower the costs of litigation.

Please contact Eoin Pentony for more information.

*<https://www.irishstatutebook.ie/eli/2021/si/490/made/en/print>