

# Schedule 1

## Fees for Services

### Fees for Services – Advice Matters

Fees for services Solicitors Panel - Parts 3, 4, 7, and 8 of the Assisted Decision Making Capacity Act 2015	Fee for Solicitor
<p><b>Advice fee in relation to the drafting and registration of a decision making assistance agreement, co-decision making agreement, enduring power of attorney or advanced healthcare directive</b></p> <p>Fee – to include taking instructions, drafting terms of agreement and registering the agreement with the Director of the Decision Support Service</p>	€500
<p><b>Non drafting independent legal advice service in to above instruments</b></p> <p>This fee shall be claimable by a solicitor in relation to giving independent legal advice in relation to the effect of a decision making assistance agreement, co-decision making agreement, enduring power of attorney or advanced healthcare directive. The purpose of this fee is to allow a solicitor to give advice to a third party (e.g. a decision making assistant/co-decision maker or a person who is to be appointed as such in relation to the instrument.</p> <p>The same solicitor may not claim both of the fees set out in this table with respect the same instrument.</p>	€100

### Fees For Services – Part 5 applications

Fees for services Solicitors Panel – Part 5 of the Assisted Decision Making (Capacity) Act 2015 Circuit Court	Fee for Solicitor
<p><b>Capacity Application</b></p> <p>Case fee :- to cover all work carried out by him or her in regard to the case to include as appropriate, consultations, drafting proceedings (where required) and other court documents, interim/interlocutory applications and related court appearances preparatory work, settlement negotiations and/or court appearances incidental to and including the full hearing <b>and inclusive of any payment to Counsel</b></p>	€3,300

## Fees For Services – Part 6 Capacity Review Applications

Fees for services Solicitors Panel – Part 6 of the Assisted Decision Making (Capacity) Act 2015	Fee for Solicitor
<p><b>Capacity Review Application</b></p> <p>Case fee :- to cover all work carried out by him or her in regard to the case to include as appropriate, consultations, drafting proceedings (where required) and other court documents, interim/interlocutory applications and related court appearances preparatory work, settlement negotiations and/or court appearances incidental to and including the full hearing <b>and inclusive of any payment to Counsel</b></p> <p><b>High Court</b></p> <p><b>Circuit Court</b></p>	<p></p> <p>€5,835</p> <p>€3,300</p>
<p><b>Where the matter is deemed to be “uncontested” the following fees shall apply.</b> A matter may be deemed to be uncontested where a ward or any other party does not oppose the reliefs sought by the Applicant</p> <p><b>High Court</b></p> <p><b>Circuit Court</b></p>	<p></p> <p>€3,950</p> <p>€2,200</p>
<p>Fees for reviews and any subsequent applications to the Circuit Court will be at the rates set out under Part 5 above.</p> <p>The services of Senior Counsel must be specifically authorised and payment will be per the relevant schedule in the Terms and Conditions of the Barristers Panel.</p> <p>Fees in relation to any appeal shall be the applicable fee in the court with first instance jurisdiction</p>	

<p><b>Application to detain a person under the inherent jurisdiction of the High Court in a case where the subject of the application is a relevant person</b></p> <p>Case fee :- to cover all work carried out by him or her in regard to the case to include as appropriate, consultations, drafting proceedings (where required) and other court documents, preparatory work, settlement negotiations and/or court appearances incidental to and including the full hearing <b>and inclusive of any payment to Counsel</b></p> <p>Note: Legal aid in respect of such an application must be sought separately to any proceedings in respect of the 2015 Act. The Board will only refer such cases to the Solicitors Panel where such cases arise out and connected with proceedings under the 2015 Act.</p>	<p>€5,835</p>
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