



STATUTORY INSTRUMENTS.

S.I. No. 220 of 2025

DISTRICT COURT (GUARDIANSHIP) RULES 2025

S.I. No. 220 of 2025

DISTRICT COURT (GUARDIANSHIP) RULES 2025

The District Court Rules Committee, in exercise of the powers conferred on them by section 91 of the Courts of Justice Act 1924, section 72 of the Courts of Justice Act 1936, section 34 of the Courts (Supplemental Provisions) Act 1961, and section 24 of the Interpretation Act 2005, and of all other powers enabling them in this behalf, with the concurrence of the Minister for Justice, make the following rules of court.

Dated this 25th day of April, 2025.

Paul Kelly Chairperson

Alan Mitchell

Joyce Good Hammond

Ann McGarry

Eoin Martin

Ciara McMahon

James Finn

Eoin Manning

I concur in the making of the following rules of court.

Dated this 28th day of May 2025.

Jim O'Callaghan
Minister for Justice

S.I. No. 220 of 2025

DISTRICT COURT (GUARDIANSHIP) RULES 2025

1. (1) These Rules, which shall come into operation on the 3rd day of June 2025, may be cited as the District Court (Guardianship) Rules 2025.

(2) These Rules shall be construed together with the District Court Rules 1997 (S.I. No. 93 of 1997) and all other District Court Rules.

(3) The District Court Rules as amended by these Rules may be cited as the District Court Rules 1997 to 2025.

2. Proceedings in the District Court under the Guardianship of Infants Act 1964 (No. 7 of 1964) which were commenced but not determined before the date on which these Rules enter into force shall be continued and determined as if these Rules had not entered into force.

3. The District Court Rules 1997 (S.I. No. 93 of 1997) are amended by the substitution for Order 58 of the Order set out in Schedule 1.

4. (1) The forms numbered 58.1, 58.3, and 58.21 in Schedule 2 shall be substituted for the forms bearing the like numbers respectively in Schedule C to the District Court Rules 1997 (S.I. No. 93 of 1997).

(2) The forms numbered 58.7, 58.9, 58.11, 58.12, 58.17, 58.19, 58.23, 58.30, 58.33, 58.35, 58.37, 58.39, 58.41, 58.43, 58.45, and 58.47 shall be deleted from Schedule C to the District Court Rules 1997 (S.I. No. 93 of 1997).

Schedule 1

“ORDER 58: CUSTODY AND GUARDIANSHIP OF CHILDREN, DECLARATION OF PARENTAGE

Definitions

1. In this Order—

“the 1964 Act” means the Guardianship of Infants Act 1964 (No. 7 of 1964);

“the 1987 Act” means the Status of Children Act 1987 (No. 26 of 1987);

“the 1997 Act” means the Children Act 1997 (No. 40 of 1997);

“the 2015 Act” means the Children and Family Relationships Act 2015 (No. 9 of 2015);

“child” means a person who has not attained full age;

“intending parent” has the meaning assigned to it in section 20 of the 2015 Act.

Venue

2. (1) Proceedings under the 1964 Act may be brought, heard, or determined at any sitting of the Court for the court area where any party to the proceedings resides or carries on any profession, business, or occupation.

(2) Where, however, the Clerk, having consulted the Judge for the time being assigned to the district within which such area is situated, certifies on an originating document that the proceedings are urgent, the said originating document may, subject to the provisions of rule 10, be issued for, and the proceedings may be heard and determined at any sitting of the Court in that district.

(3) Proceedings under section 21 of the 2015 Act may be brought, heard, or determined at any sitting of the Court for the court area in which an applicant ordinarily resides or carries on any profession, business, or occupation, or where no applicant under that section ordinarily resides or carries on any profession, business, or occupation in the State, at any sitting of the Court for the Dublin Metropolitan District.

Hearing to be otherwise than in public

3. Proceedings under the 1964 Act and proceedings under section 21 of the 2015 Act concerning a child under the age of 18 years shall be heard otherwise than in public.

Notice of applications

4. An application to the Court for any one or more of the following orders under the 1964 Act may be begun by the completion by the applicant of an application form in the Form 58.1, Schedule C, which must be submitted to the Clerk. Upon receipt of the completed application form, the Clerk will issue a notice in the Form 58.3, Schedule C:

- (a) under section 6A (as inserted by the 1987 Act and as substituted by section 48 of the 2015 Act) of the 1964 Act on the application of a person who, being a parent of a child, is not a guardian of the child, for an order appointing the person as guardian of the child; the notice and copy application form must be served on the other parent and on any other guardian of the child;
- (b) under section 6C (as inserted by section 49 of the 2015 Act) of the 1964 Act on the application of a person who, not being a parent of a child, is eligible under section 6C(2) of the 1964 Act to make such application for an order appointing the person as a guardian of the child: the notice and copy application form must be served on each person who is a parent or guardian of the child concerned and in the case of an application by a person to whom section 6C(2)(b) of the 1964 Act applies, the notice and copy application form must also be served upon the Child and Family Agency;
- (c) for an order under section 6E(5) (as inserted by section 49 of the 2015 Act) of the 1964 Act appointing a nominated person as a guardian of the child, on the application of a qualifying guardian or nominated person under section 6E(3) of the 1964 Act: the notice and copy application form and a copy of the nomination signed in accordance with rule 6 must be served on each person mentioned in section 6E(4) of the 1964 Act;
- (d) under section 6E(9) (as inserted by section 49 of the 2015 Act) of the 1964 Act on the application of a temporary guardian or the qualifying guardian concerned for an order under section 6E(11) of the 1964 Act: the notice and copy application form must be served on each person mentioned in section 6E(10) of the 1964 Act;
- (e) under section 6F(1) (as inserted by section 49 of the 2015 Act) of the 1964 Act on the application of a person mentioned in section 6F(2) of the 1964 Act for a declaration that a person named in the application is or is not a guardian, by virtue of the circumstances set out in section 2(4A) or 6B(3) of the 1964 Act, of a child named in the application (the “child concerned”): the notice and copy application form must be served on each person mentioned in section 6F(3) of the 1964 Act and upon any other person directed by the Court to be given notice of the application;
- (f) for an order under section 7(4) of the 1964 Act (as substituted by section 50 of the 2015 Act): the notice and copy application form must be served on the surviving guardian or testamentary guardian of the child, as the case may be;
- (g) for an order to appoint a guardian or guardians under section 8(2) of the 1964 Act, unless the application is made by the surviving parent (in which case it can be made *ex parte* in accordance with rule 5): where the application is not heard *ex parte*, the notice and

copy application form must be served on any person directed by the Court to be given notice of the application;

- (h) for an order to remove from office a guardian mentioned in section 8(4) of the 1964 Act (substituted by section 51 of the 2015 Act) and to appoint another guardian in his or her place under section 8(5) of the 1964 Act: the notice and copy application form must be served on each guardian of the child;
- (i) for an order to appoint a guardian in place of a deceased guardian, under section 8(5) of the 1964 Act, unless the child has no guardian, or the applicant is the only guardian (in which case it can be made *ex parte* in accordance with rule 5): where the application is not heard *ex parte*, the notice and copy application form must be served on each guardian of the child;
- (j) for an order to remove from office a guardian mentioned in section 8(6) of the 1964 Act (inserted by section 51 of the 2015 Act): the notice and copy application form must be served on each guardian of the child;
- (k) for an order giving the Court's direction under section 11 of the 1964 Act: the notice and copy application form must be served on each other person who is a parent or guardian of the child concerned;
- (l) for an order under section 11B of the 1964 Act giving a relative of a child or a person with whom the child resides or has formerly resided access to the child: the notice and copy application form must be served on each other guardian of the child concerned;
- (m) for an order under section 11E of the 1964 Act (inserted by section 57 of the 2015 Act) giving a person mentioned in section 11E(1) of the 1964 Act custody of a child: the notice and copy application form must be served on each guardian of the child concerned;
- (n) for an order under Part III of the 1964 Act for the production of a child: the notice and copy application form must be served on the person having custody of the child;
- (o) for an enforcement order under section 18A(1) of the 1964 Act (inserted by section 60 of the 2015 Act): the notice and copy application form must be served on each parent and guardian of the child concerned;
- (p) for an order under section 18D(1) of the 1964 Act (inserted by section 60 of the 2015 Act), on the application of a parent or guardian of the child, requiring another guardian or parent to reimburse expenses incurred: the notice and copy application form must be served on each parent and guardian of the child concerned.

Applications ex parte

5. (1) An application to the Court for any one or more of the following orders under the 1964 Act shall be made *ex parte* in the first instance subject to the prior lodgment with the Clerk of an application form in the Form 58.1 Schedule C:

- (a) an order to appoint a guardian or guardians under section 8(1) of the 1964 Act;
- (b) an order to appoint a guardian or guardians under section 8(2) of the 1964 Act, where the application is made by the surviving parent;
- (c) an order to appoint a guardian in place of a deceased guardian, under section 8(5) of the 1964 Act, where the child has no guardian, or the applicant is the only guardian.

Nomination

6. (1) A nomination under section 6E(1) (as inserted by section 49 of the 2015 Act) of the 1964 Act by a qualifying guardian shall be in the Form 58.32 Schedule C and shall be signed and dated by the qualifying guardian concerned in the presence of a witness who is not the nominated person.

(2) The original or a true copy of the nomination shall be annexed to the application form lodged with the Clerk.

Court orders

7. (1) An order of the Court:

- (a) granting an application under section 6A of the 1964 Act shall be in the Form 58.2 Schedule C;
- (b) granting an application under section 6C of the 1964 Act shall be in the Form 58.31 Schedule C and shall specify whether and if so, to what extent, the applicant shall enjoy the rights and responsibilities of a guardian specified in section 6C(11) of the 1964 Act;
- (c) granting an application under section 6E(3) of the 1964 Act for an order under section 6E(5) of the 1964 Act shall be in the Form 58.34 Schedule C, and shall specify any limitations or conditions imposed in accordance with section 6E(6) of the 1964 Act;
- (d) granting an application under section 6E(9) of the 1964 Act shall be in the Form 58.36 Schedule C and shall, where an order is made under 6E(11)(c) of the 1964 Act, specify any rights and responsibilities of guardianship which the qualifying guardian shall have;
- (e) granting an application under section 6F of the 1964 Act shall be in the Form 58.38 Schedule C;
- (f) granting an application under section 7(4) of the 1964 Act shall be in the Form 58.4 or 58.6 Schedule C, as appropriate;

- (g) granting an application under section 8(2) of the 1964 Act (whether made *ex parte* or on notice) shall be in the Form 58.10 Schedule C;
- (h) granting an application under sections 8(4) and 8(5) of the 1964 Act to remove a guardian and appoint another shall be in the Form 58.13 Schedule C;
- (i) granting an application *ex parte* to appoint a guardian or guardians under section 8(1) of the 1964 Act shall be in the Form 58.8 Schedule C;
- (j) granting an application under section 8(5) of the 1964 Act to replace a deceased guardian (whether made *ex parte* or on notice) shall be in the Form 58.14 Schedule C;
- (k) granting an application to remove from office a guardian mentioned in section 8(6) of the 1964 Act (inserted by section 51 of the 2015 Act) shall be in the Form 58.40 Schedule C;
- (l) granting an application under section 11 of the 1964 Act shall be in the Form 58.18 Schedule C;
- (m) granting an application under section 11B of the 1964 Act shall be in the Form 58.20 Schedule C;
- (n) granting an application under section 11E of the 1964 Act shall be in the Form 58.42 Schedule C;
- (o) granting an order under Part III of the 1964 Act for the production of a child shall be in the Form 58.24 Schedule C, and the order shall be served upon the person having custody of the child, and an order determining a substantive application under Part III of the Act shall be in the Form 58.25, 58.26, or 58.27 Schedule C, as appropriate;
- (p) an enforcement order under section 18A(1) of the 1964 Act shall be in the Form 58.44 Schedule C;
- (q) granting an application under section 18D(1) of the 1964 Act shall be in the Form 58.48 Schedule C.

(2) Where the Court in an order imposes a condition pursuant to either section 6E(6)(b) or section 6E(12)(b) of the 1964 Act relating to the periodic review by the Court of its order, it may make such directions, including as to the listing of the matter before the Court and as to the giving of notice of such hearing as it considers necessary.

Variation, discharge or termination of order; complaint of non-compliance

8. (1) An application under:

- (a) section 12 of the 1964 Act for an order varying or discharging a previous order, or
- (b) section 18C(1) of the 1964 Act (inserted by section 60 of the 2015 Act) for an order varying or terminating an enforcement order or

any part of that order may be begun by the completion by the applicant of an application form in the Form 58.21 Schedule C, which must be submitted to the Clerk. Upon receipt of the completed application form, the Clerk will issue a notice in the Form 58.3 Schedule C. The notice and a copy of the application form must be served on each of the other guardians or each of the guardians of the child, or on each of the persons on whom the application for the enforcement order was served, as the case may be.

(2) The order of the Court on an application under section 12 of the 1964 Act may be in the Form 58.22 Schedule C.

(3) The order of the Court on an application under section 18C(1) of the 1964 Act may be in the Form 58.46 Schedule C.

(4) Where complaint is made to a Judge alleging an offence of failure or refusal under section 5 of the Courts (No. 2) Act 1986, to comply with the requirements of a direction given in an order under section 7 of the 1964 Act, section 11 of the 1964 Act, or section 11B (inserted by the 1997 Act) of the 1964 Act, the summons which may be issued and served upon the person against whom the offence is alleged shall be in the Form 58.28 or 58.29 Schedule C, as appropriate. The relevant provisions of Order 15 shall apply in such case.

Application for declaration of parentage: DAHR

9. (1) An application to the Court under section 21 of the 2015 Act for a declaration of parentage shall be preceded by the issue by the applicants of a notice in the Form 58.54 Schedule C.

(2) The child to whom an application for a declaration under section 21 of the 2015 Act relates shall be named as a respondent to the application.

(3) The application shall be grounded on an affidavit sworn by each applicant, and where necessary other affidavit evidence in support of the application, which shall:

- (i) include, and verify, the facts grounding the statement that the child to whom the application relates is a child to whom section 20 of the 2015 Act applies, and in particular in a case to which section 20(1)(b)(ii) of the 2015 Act applies, verify that the person who performed the DAHR procedure outside the State was authorised to do so under the law of the place where the procedure was performed and the law providing for such authorisation;
- (ii) include, and verify, the facts grounding the statement that the applicant referred to in section 21(2)(b) of the 2015 Act was, at the time referred to in section 20 (1)(c) of the 2015 Act, the intending parent of the child; and
- (iii) in the case of the applicant referred to in section 21(2)(b) of the 2015 Act, confirm that he or she consents to the making of a declaration under section 21 of the 2015 Act.

(4) True copies of the notice, affidavits and any exhibits thereto shall be served on each respondent not later than 14 days before the date fixed for the hearing.

(5) The original notice, affidavits and any exhibits thereto shall be lodged, together with a statutory declaration as to service, with the Clerk not later than seven days before the date fixed for the hearing.

(6) On the date fixed for the hearing of the application, the Court may, if it does not determine the application, adjourn the application and, of its own motion:

- (i) direct that all necessary papers in the matter be sent to the Attorney General in accordance with section 21(5) of the 2015 Act (without prejudice to the power of the Court to do so at any other time);
- (ii) where so requested by the Attorney General, order that the Attorney General be added as a party to the proceedings in accordance with section 21(6) of the 2015 Act;
- (iii) direct that such other person as the Court thinks fit be given notice of the application in accordance with section 21(7) of the 2015 Act;
- (iv) where notice has been given to such person in accordance with section 21(7) of the 2015 Act, order that such other person as the Court thinks fit be added as a party to the proceedings;
- (v) give such further directions as it considers appropriate for the conduct of the proceedings on the application and the hearing thereof, including but not limited to the provision of further particulars or information, and any other matter to which Part 2 of the 2015 Act relates.

(7) An application by a party under section 21(5) of the 2015 Act (for a direction that all necessary papers in the matter be sent to the Attorney General) or under section 21(7) of the 2015 Act (for an order that a person be added as a party to the proceedings) may be made by notice of motion (which may be made returnable to the date fixed for the hearing of the application or to any date to which same has been adjourned). Unless the Court otherwise permits, the notice of motion shall be served on all other parties to the proceedings at least seven days before the date fixed for the hearing of the motion.

(8) Service of notices or other documents in proceedings under this rule shall be effected by a means permitted by section 42 of the 2015 Act.

(9) Any declaration made under section 21 of the 2015 Act shall be in the Form 58.55 Schedule C, or such modification thereof as may be appropriate.

Service and lodgment of documents

10. (1) A notice and copy application form (and any relevant court order) required by this Order to be served must be served upon the person to whom it

is directed in accordance with the provisions of Order 41 at least 14 days before the date of the sitting of the Court to which the notice is returnable.

(2) Notwithstanding sub-rule (1), in the case of proceedings certified as urgent under rule 2(2), the notice and copy application form (and any relevant court order) must be served at least two days before the date of the sitting of the Court to which the notice is returnable.

(3) Additionally, in proceedings under:

- (i) section 6A (as inserted by section 12 of the 1987 Act and as substituted by section 48 of the 2015 Act) of the 1964 Act,
- (ii) section 11 of the 1964 Act, or
- (iii) section 11B (inserted by section 9 of the 1987 Act) of the 1964 Act,

in which a solicitor is acting for the applicant, the notice and copy application form must be accompanied by a copy of a statutory declaration of the solicitor indicating, if it be the case, that the solicitor has complied with subsection (2) of section 20 of the 1964 Act (as inserted by section 11 of the 1997 Act and as amended by section 24 of the Mediation Act 2017) in relation to the matter. The original statutory declaration must be filed with the Clerk.

(4) A statutory declaration as to service of any notice, application form or court order served in accordance with rule 4 or rule 8 must be lodged with the Clerk at least two days before the date of the hearing.

Clerk to supply copies of orders

11. Where the Court makes an order under the 1964 Act or a declaration under section 21 of the 2015 Act, the Clerk shall give, or send by ordinary post, a copy of such order or declaration to each person in whose favour or against whom the order or declaration was made.

Proof of age

12. The age of a child may be proved by producing a certified extract from the Register of Births showing the date of the child's birth or by such other evidence as the Court considers sufficient.

Court may direct service

13. In any proceedings under the 1964 Act the Court may direct the service of notice upon any person not already served.

Effect of appeal from orders

14. Notwithstanding the provisions of Order 25, rule 4, and Order 101, and that an appellant has entered into a recognizance for appeal, an appeal from an order made under the 1964 Act shall stay the operation of the order only if, and to such extent and upon such terms (if any), as the Court shall determine.

Report/ascertaining the views of the child

15. (1) An application to the Court by a party to make an order:

- (i) under section 32(1)(a) or section 32(1)(b) of the 1964 Act, or

- (ii) under section 47 of the Family Law Act 1995

may be included in writing in the application form or notice, or made at the hearing.

(2) The Court may exercise the power of its own motion to make an order:

- (i) in proceedings to which section 3(1)(a) of the 1964 Act applies, under section 32(1)(a) or section 32(1)(b) of the 1964 Act, or
- (ii) under section 47 of the Family Law Act 1995

at any time and from time to time during the proceedings, having heard the parties.

(3) An application to the Court by a party to make an order:

- (i) under section 12A(4) of the 1964 Act (inserted by the 2015 Act), or
- (ii) under section 20 of the Child Care Act 1991

may be included in writing in the application form or notice, or made at the hearing.

(4) The Court may exercise the power of its own motion to make an order:

- (i) under section 12A(4) of the 1964 Act (inserted by the 2015 Act), or
- (ii) under section 20 of the Child Care Act 1991

at any time and from time to time during the proceedings, having heard the parties.

(5) Where the Court grants an application for an order mentioned in sub-rule (1) or sub-rule (2), or makes such an order of its own motion, the order requisitioning the report shall be in the Form 58.50, 58.51, 58.52, or 58.53, Schedule C, as appropriate.

(6) Where, under either section 12A(4) of the 1964 Act or section 20 of the Child Care Act 1991, the Court adjourns proceedings and directs the Child and Family Agency to undertake an investigation of a child's circumstances, if the Child and Family Agency is not a party to those proceedings, the Clerk shall as soon as possible notify the Child and Family Agency (in the Form 84.32 Schedule C, with any necessary modifications) of the Court's decision.

(7) Where, upon so adjourning, the Court gives directions under section 20(2) of the Child Care Act 1991 as to the care and custody of the child or makes a supervision order in respect of the child pending the outcome of the investigation by the Child and Family Agency —

- (a) an order of the Court giving such directions shall be in the Form 84.33 Schedule C.
- (b) any such supervision order shall be in the Form 84.34 Schedule C, and the order shall be served upon each person directly affected thereby.”

Schedule 2

No. 58.1

Application in Relation to Arrangements for Children

Guardianship of Infants Act 1964, as amended.

District Court

Office Completion Only

Case Number:

District Court Area:

District No.:

Section A – Party Details**Applicant Details**

First name:

Last name:

Date of Birth:

Address

.....

Email Address (Optional):

Contact Number (Optional):

Applicant Solicitor Details (Leave blank if not applicable)

.....

Respondent Details

First name:

Last name:

Address

.....

Section B – Application and Order Details

1. Guardianship

Select all relevant orders you wish to apply for below.

Application to Appoint a Guardian

	Appointment of a parent as a guardian	Section 6A of the Act
	Appointment as an adult who is married to, or in a civil partnership with, a parent of the children, and has shared the responsibility for the children's day-to-day care for more than two years	Section 6C of the Act
	Appointment as an adult who has been a cohabitant of a parent of the children for over three years, and has shared the responsibility for the children's day-to-day care for more than two years	Section 6C of the Act
	Appointment as an adult who has provided for the children's day-to-day care for a continuous period of more than 12 months, and the children have no parent or guardian who is willing or able to exercise the rights and responsibilities of guardianship	Section 6C of the Act
	Appointment as an adult where the children have no guardian	Section 8(1) of the Act
	Appointment of a nominated person as a temporary guardian (Form 58.32 must be submitted along with this application)	Section 6E(3) of the Act
	Appointment of a guardian in place of a deceased guardian	Section 8(5) of the Act
	Application for guardianship where no guardian has been appointed by a deceased parent	Section 8(2) of the Act
	Application for guardianship where a guardian appointed by a deceased parent has died or refuses to act	Section 8(2) of the Act

<input type="checkbox"/>	Appointment of a guardian where another has been removed or is proposed to be removed	Section 8(5) of the Act
--------------------------	---	-------------------------

Application to Remove a Guardian

<input type="checkbox"/>	Application to remove a guardian	Section 8(4), Section 8(6) of the Act
<input type="checkbox"/>	Application by a surviving guardian or testamentary guardian to remove the other	Section 7(4) of the Act
<input type="checkbox"/>	Application to remove a temporary guardian.	Section 6E(11) of the Act

Application for Declarations in Relation to Guardianship

<input type="checkbox"/>	Application for a declaration that a person is a guardian	Section 6F(1) of the Act
<input type="checkbox"/>	Application for a declaration that a person is not a guardian	Section 6F(1) of the Act

2. Custody

Select all relevant orders you wish to apply for below:

Application for Custody

<input type="checkbox"/>	As a parent or guardian	Section 11 of the Act
<input type="checkbox"/>	As a grandparent, brother, sister, uncle, or aunt	Section 11E of the Act
<input type="checkbox"/>	As an adult who is or was married to, or in a civil partnership with, or has been a cohabitant of the parent for more than 3 years, and has shared the responsibility for the children's day-to-day care for more than two years	Section 11E of the Act
<input type="checkbox"/>	As an adult who has provided the children's day-to-day care for a continuous period of more than twelve months	Section 11E of the Act

Other Custody Applications

<input type="checkbox"/>	Application for an enforcement order where custody has been unreasonably denied	Section 18A(1) of the Act
<input type="checkbox"/>	Application for reimbursement of expenses from the other party who fails to exercise custody	Section 18D(1) of the Act

3. Access

Select all relevant orders you wish to apply for below:

Application for Access

<input type="checkbox"/>	As a parent or guardian	Section 11 of the Act
<input type="checkbox"/>	As a grandparent, brother, sister, uncle, aunt, or other qualifying relative	Section 11B of the Act
<input type="checkbox"/>	As a person who lives with, or has previously lived with, the child	Section 11B of the Act

Other Access Applications

<input type="checkbox"/>	Application for an enforcement order where access has been unreasonably denied	Section 18A(1) of the Act
<input type="checkbox"/>	Application for reimbursement of expenses from the other party who fails to exercise access	Section 18D(1) of the Act

4. Other Matters Affecting Children's Welfare

Select all relevant orders you wish to apply for below:

Other Applications Affecting a Child's Welfare

<input type="checkbox"/>	Application as a guardian to dispense with the consent of the other guardian for the issue of a passport	Section 11 of the Act
<input type="checkbox"/>	Application for the production of a child	Section 14 of the Act
<input type="checkbox"/>	Application as a parent or guardian for another matter affecting the welfare of the children.	Section 11 of the Act

	Please provide details below:
--	---

Section C – Child Details

First name:

Last Name:

Applicant Relationship to Child:

Respondent Relationship to Child:

Date of Birth:

Please specify the address of Child:

	Same as applicant
	Same as respondent
	Other

Same as applicant

Same as respondent

Other

If other, please provide their address:

Address

.....
.....
.....

Section D – Child Arrangements

Current Arrangements

Please detail the current child arrangements below.

Depending on the application you may need to explain:

- The children's living arrangements, including the names of all people living with the children on a full-time or part-time basis, and their relationship to the children.
 - Where the children go to school.
 - Any special education or health needs of the children.
 - Current care, access, or contact arrangements.
 - Any financial obligations in relation to the children such as maintenance, rent, or mortgage.
 - If any of the children are in the care of Tusla or under the supervision of a social worker or probation officer.
 - Any other details relevant to this application.

What is being asked of the court

Has a written agreement been completed between the applicant(s) and respondent(s) in relation to this application?

Yes
No

If yes, please attach the written agreement to this application.

If no, please detail in your own words below what you are asking the court to consider.

For example, this might include:

- Changes to children's living arrangements
 - Changes to the guardianship arrangements such as details of proposed guardians or guardians you wish to remove
 - Changes to custody or access arrangements
 - Anything else you wish the court to consider

Section E – Other Application Details

Have other family law applications previously been made to this court or any other court about this child or relationship?

	Yes
	No
	I don't know

If yes, please provide the following information:

Case Number (if known):

- What were the previous applications in relation to?
 - In which town or city were the applications made?
 - When were the applications made?

Signature

Applicant or Legal Practitioner Signature:

.....

Date (DD/MM/YYYY):

.....

No. 58.3

Notice

Guardianship of Infants Act 1964, as amended.

District Court

You are hereby required to attend a sitting of the District Court in relation to an Application in Relation to Arrangements for Children. This application will be heard by a judge of the District Court at the place and time specified below. You should read all pages of this notice and the attached application form carefully.

Case Number:

District Court Area:

District No.:

Party Details

Applicant name:

Applicant address:

Applicant solicitor details:

Respondent Name:

Respondent Address:

Hearing Details

This application will be heard by a judge at:

on: at :.....

Both the applicant and respondent, or their legal representative, must attend this court hearing at the time and date specified above. If you, or a legal representative on your behalf, fail to attend this hearing, an order may be made in your absence.

Application Details

The applicant has made an application for the following Orders:

.....
.....
.....
.....

Signature

District Court Clerk/Judge of the District Court:

.....

Date:

No. 58.21

**Application to Vary or Discharge an Order Related to Arrangements for
Children**

Guardianship of Infants Act, 1964 as amended.

District Court

Office Completion Only

Case Number:

District Court Area:

District No.:

Section A – Party Details

Applicant Details

First name:

Last name:

Date of Birth:

Address

.....
.....
.....

Email Address (Optional):

Contact Number (Optional):

Applicant Solicitor Details (Leave blank if not applicable)

.....
.....
.....

Respondent Details

First name:

Last name:

Address

.....
.....

Section B – Application Details

1. Application to Vary an Order

	Vary an order	Section 12 of the Act
	Vary a custody or access enforcement order	Section 18C of the Act

Provide details of how and why you want the order to be varied:

.....

2. Application to Discharge or Terminate an Order

	Discharge an order	Section 12 of the Act
	Terminate a custody or access enforcement order	Section 18C of the Act

Provide details of why you want the order, or part of the order, to be discharged or terminated:

.....

Section C – Details of Current Order

Case Number:

Please specify which jurisdiction the order was made in:

District Court

Circuit Court

Circuit Court on appeal from the District Court

Please specify where the order was made:

Court Venue:

Date the Court Order was made (DD/MM/YYYY):

Signature

Applicant or Legal Practitioner Signature:

.....

.....

Date (DD/MM/YYYY):

.....

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These rules amend the District Court Rules by substituting Order 58. These rules also prescribe a new application form for use in guardianship, custody and access applications and delete a number of forms from Schedule C to the District Court Rules.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN,
CILL MHAIGHNEANN,
BAILE ÁTHA CLIATH 8,
D08 XAO6

Tel: 046 942 3100
r-phost: publications@opw.ie

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
MOUNTSHANNON ROAD,
KILMAINHAM, DUBLIN 8,
D08 XAO6

Tel: 046 942 3100
E-mail: publications@opw.ie



9 781399 338455

€ 6.50