



STATUTORY INSTRUMENTS.

S.I. No. 219 of 2025

DISTRICT COURT (DOMESTIC VIOLENCE) RULES 2025

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DISTRICT COURT (DOMESTIC VIOLENCE) 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, 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. 219 of 2025

DISTRICT COURT (DOMESTIC VIOLENCE) 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 (Domestic Violence) 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 Domestic Violence Act 2018 (No. 6 of 2018) 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 59 of the Order set out in Schedule 1.

4. (1) The forms numbered 59.1, 59.2, 59.4, 59.5, 59.7, and 59.9 to 59.19 inclusive 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 59.3, 59.6, and 59.8 shall be deleted from Schedule C to the District Court Rules 1997 (S.I. No. 93 of 1997).

Schedule 1
“Order 59: Domestic Violence

Definitions

1. In this Order-
the “2018 Act” means the Domestic Violence Act 2018 (No. 6 of 2018),
“Agency” means the Child and Family Agency, and
unless the context otherwise requires, words and phrases used in this Order
which are defined in section 2 of the 2018 Act have the same meaning as in the
2018 Act.

Venue

2. Proceedings under this Order may be brought, heard, and determined
before:

- (i) a sitting of the District Court for the Court District in which
the applicant resides or is treated by the Court in accordance
with section 22(2) of the 2018 Act as residing or, if the
application is for a barring order or an emergency barring
order, where there is situate the place in relation to which
that application is made; or
- (ii) a special sitting of the District Court arranged in accordance
with section 24(3) of the 2018 Act.

Hearing otherwise than in public

3. Proceedings under the 2018 Act must, subject to section 23 of the 2018
Act, be heard otherwise than in public.

Application for Safety Order

4. (1) An application to the Court under section 6 of the 2018 Act for a safety
order must be made by taking the following steps:

- (a) the applicant must apply to the Clerk to issue a Domestic
Violence Summons, and must provide the Clerk with the
information necessary to complete the Summons;
- (b) the Clerk will issue a completed Domestic Violence Summons
(Form 59.1, Schedule C) and provide a copy to the applicant; and
- (c) the Clerk will serve the Domestic Violence Summons on the
respondent in accordance with rule 13.

(2) An order of the Court granting a safety order may be in the Form 59.2,
Schedule C.

Application for Barring Order

5. (1) An application to the Court under section 7 of the 2018 Act for a barring order must be made by taking the following steps:

- (a) the applicant must apply to the Clerk to issue a Domestic Violence Summons, and must provide the Clerk with the information necessary to complete the Summons;
- (b) the Clerk will issue a completed Domestic Violence Summons (Form 59.1, Schedule C) and provide a copy to the applicant; and
- (c) the Clerk will serve the Domestic Violence Summons on the respondent in accordance with rule 13.

(2) An order of the Court granting a barring order may be in the Form 59.4, Schedule C.

Application for Interim Barring Order

6. (1) An application to the Court under section 8(1) of the 2018 Act for an interim barring order must be made by taking the following steps:

- (a) the applicant must have applied to the Clerk to issue a Domestic Violence Summons in which a barring order is sought, and the Clerk must have issued a Domestic Violence Summons (Form 59.1, Schedule C);
- (b) where, having regard to the circumstances of the particular case, the Court considers it necessary or expedient in the interests of justice, the application may be made *ex parte* grounded on an affidavit sworn by the applicant, or on information on oath and in writing sworn by the applicant; or
- (c) where the application is not being made *ex parte*, it may be made by motion on notice in the Form 59.5, Schedule C, to the respondent (such notice and a copy of the grounding affidavit or information to be served on the respondent at least two clear days before the hearing) and grounded on an affidavit sworn by the applicant, or on information on oath and in writing sworn by the applicant.

(2) An interim barring order may be made *ex parte* notwithstanding the fact that the summons required by rule 5 has not yet been served.

(3) An order of the Court granting an interim barring order may be in the Form 59.7, Schedule C.

(4) In any case under this rule, the Court may hear evidence viva voce and on oath, provided that where an interim barring order is made *ex parte*, copies of the order and the grounding affidavit or information and a note of any oral evidence must be served on the respondent as soon as practicable.

Emergency Barring Order

7. (1) An application to the Court under section 9(3) of the 2018 Act for an emergency barring order must, subject to sub-rule (3), be preceded by the issue and service upon the respondent of a summons in the Form 59.17, Schedule C.

(2) An application to the Court under section 9 of the 2018 Act for an emergency barring order:

- (i) may be made on the date on which the summons has been listed for hearing (provided the summons has been served on the respondent at least two clear days before the hearing) and grounded on an affidavit sworn by the applicant, or on information on oath and in writing sworn by the applicant in the Form 59.18, Schedule C; or
- (ii) may, where the Court considers it necessary or expedient in the interests of justice having regard to the circumstances of the particular case, be made *ex parte* grounded on an affidavit sworn by the applicant, or on information on oath and in writing sworn by the applicant in the Form 59.18, Schedule C.

(3) An emergency barring order may be made *ex parte* notwithstanding the fact that the summons required by sub-rule (1) has not been served.

(4) An order of the Court granting the application may be in the Form 59.19, Schedule C.

(5) In any case under this rule, the Court may hear evidence viva voce and on oath, provided that where an emergency barring order is made *ex parte*, copies of the order and the grounding affidavit or information and a note of any oral evidence must be served on the respondent as soon as practicable.

Application for Protection Order

8. (1) An application to the Court under section 10(1) of the 2018 Act for a protection order must be made by taking the following steps:

- (a) the applicant must have applied to the Clerk to issue a Domestic Violence Summons in which a safety order and/or a barring order is sought, and the Clerk must have issued a Domestic Violence Summons;
- (b) where, having regard to the circumstances of the particular case, the Court considers it necessary or expedient in the interests of justice, the application may be made *ex parte* grounded on an affidavit sworn by the applicant, or on information on oath and in writing sworn by the applicant; or
- (c) where the application is not being made *ex parte*, it may be made by motion on notice in the Form 59.5, Schedule C, to the respondent (such notice and a copy of the grounding affidavit or information to be served on the respondent at least two clear days before the hearing) and grounded on an affidavit sworn by the

applicant, or on information on oath and in writing sworn by the applicant.

(2) An order of the Court granting a protection order may be in the Form 59.9, Schedule C.

(3) A protection order may be made *ex parte* notwithstanding the fact that the summons required by rule 4 or rule 5 has not yet been served.

(4) In any case under this rule, the Court may hear evidence viva voce and on oath, provided that where a protection order is made *ex parte*, copies of the order and the grounding affidavit or information and a note of any oral evidence must be served on the respondent as soon as practicable.

Vary Safety/ Barring/ Interim Barring/ Emergency Barring Order/ Protection Order

9. (1) An application to the Court under section 6(8) to vary a safety order, section 7(12) to vary a barring order, section 8(7) to vary an interim barring order, section 9(8) to vary an emergency barring order, or section 10(4) to vary a protection order, must be preceded by the issue and service of a summons in the Form 59.10, Schedule C.

(2) An order of the Court granting the application may be in the Form 59.11, Schedule C.

Discharge Safety/ Barring/ Interim Barring/ Emergency Barring/ Protection Order

10. (1) An application to the Court under section 21 of the 2018 Act for the discharge of a safety order, a barring order, an interim barring order, an emergency barring order, or a protection order must be preceded by the issue and service of a summons in the Form 59.12, Schedule C.

(2) An order of the Court granting the application may be in the Form 59.13, Schedule C.

Clerk to supply copies of orders

11. (1) Where the Court makes, varies, or discharges a safety order or a protection order, the Clerk must, in accordance with section 19(1) of the 2018 Act, give or send a certified copy of the order in question as soon as practicable:

- (a) to the applicant for the safety order or, in respect of a protection order, the applicant for the safety order or barring order concerned,
- (b) to the respondent to the application for the safety order or, in respect of a protection order, the respondent to the application for the safety order or barring order concerned,
- (c) where the Agency by virtue of section 11 of the 2018 Act made the application for the safety order or, in respect of a protection order, for the safety order or barring order, to the Agency,

by ordinary prepaid post, and

- (d) to the member of the Garda Síochána in charge of the Garda Síochána station for the area in which the person for whose benefit the safety order or protection order was made resides, and
- (e) where the order in question is a variation or discharge of a safety order or a protection order and the person for whose benefit the order was made had previously resided elsewhere, to the member of the Garda Síochána in charge of the Garda Síochána station for the area in which that person had so resided but only if that member had previously been sent under this rule a copy of such safety order or protection order or any order relating thereto,

by prepaid registered post or, where so agreed with the member of the Garda Síochána concerned, by electronic mail.

(2) Where the Court makes, varies, or discharges a barring order or an interim barring order, the Clerk must, in accordance with section 19(2) of the 2018 Act, give or send a certified copy of the order in question as soon as practicable:

- (a) to the applicant for the barring order,
- (b) to the respondent to the application for the barring order,
- (c) where the Agency by virtue of section 11 of the 2018 Act made the application for the barring order concerned, to the Agency,

by ordinary prepaid post, and

- (d) to the member of the Garda Síochána in charge of the Garda Síochána station for the area in which is situate the place in relation to which the application for the barring order was made, and
- (e) where the order in question is a variation or discharge of a barring order or an interim barring order and the place in respect of which the previous order was made is elsewhere, to the member of the Garda Síochána in charge of the Garda Síochána station for the area in which is situated that place but only if that member had previously been sent under this rule a copy of such barring order or interim barring order or any order relating thereto,

by prepaid registered post or, where so agreed with the member of the Garda Síochána concerned, by electronic mail.

(3) Where the Court makes, varies, or discharges an emergency barring order, the Clerk must in accordance with section 19(3) of the 2018 Act, give or send a certified copy of the order as soon as practicable:

- (a) to the applicant for the emergency barring order,
- (b) to the respondent to the application for the emergency barring order,
- (c) where the Agency by virtue of section 11 of the 2018 Act made the application for the emergency barring order concerned, to the Agency,

by ordinary prepaid post, and

- (d) to the member of the Garda Síochána in charge of the Garda Síochána station for the area in which is situate the place in relation to which the application for the emergency barring order was made, and
- (e) where the order in question is a variation or discharge of an emergency barring order and the place in respect of which the previous order was made is elsewhere, to the member of the Garda Síochána in charge of the Garda Síochána station for the area in which is situated that place but only if that member had previously been sent under this rule a copy of such emergency barring order or any order relating thereto,

by prepaid registered post or, where so agreed with the member of the Garda Síochána concerned, by electronic mail.

Clerk to notify Gardaí when Protection Order/ Interim Barring Order/ Emergency Barring Order ceases to have effect

12. (1) Where a protection order has been made and:

- (i) the application for a safety order or a barring order has been determined, or
- (ii) the protection order is discharged before the application for a safety order or a barring order has been determined,

the Clerk must send notice, which may be in the Form 59.14, Schedule C, that the protection order has ceased to have effect, by prepaid registered post or, where so agreed with the member of the Garda Síochána concerned, by electronic mail, to the member of the Garda Síochána referred to in rule 11(1)(d) or (e), as the case may be.

(2) Where an interim barring order has been made and the interim barring order has ceased to have effect otherwise than by expiry of the time for which the order is stated on its face to be in force, the Clerk must send notice, which may be in the Form 59.14, Schedule C, that the interim barring order has ceased to have effect, by prepaid registered post or, where so agreed with the member of the Garda Síochána concerned, by electronic mail, to the member of the Garda Síochána referred to in rule 11(2)(d) or (e), as the case may be.

(3) Where an emergency barring order has been made and the emergency barring order has ceased to have effect otherwise than by expiry of the time for which the order is stated on its face to be in force, the Clerk must send notice, which may be in the Form 59.14, Schedule C, that the emergency barring order has ceased to have effect, by prepaid registered post or, where so agreed with the member of the Garda Síochána concerned, by electronic mail, to the member of the Garda Síochána referred to in rule 11(3)(d) or (e), as the case may be.

Service

13. (1) A summons issued under this Order must be served by the Clerk by prepaid ordinary post upon the person to whom it is directed at least seven days before the date fixed for the hearing of the application. Where, however, the Clerk, having consulted the Judge for the time being assigned to the Court District in which the summons is being issued, otherwise certifies on the summons that the proceedings are urgent, the summons may be served at least two days before the date fixed for the hearing.

(2) The Clerk must endorse on the original of every such summons served the date and place of posting of the envelope containing the copy summons for service and the party to whom the envelope was posted (or such other particulars of service as are appropriate to the case) and that endorsement shall be prima facie evidence of such service.

(3) The summons shall be deemed to be issued when it has been signed by the Judge or the Clerk. It shall be deemed to be served at the time at which the said envelope would be delivered in the ordinary course of post.

(4) A request for a direction under section 18(4) of the 2018 Act that a relevant order be served personally by a member of the Garda Síochána on a respondent who was not present at the sitting of the Court at which the order was made may be made viva voce at the time the order is made or if made subsequently may be made *ex parte* at any sitting of the Court for the Court District. The Court may in any case give such a direction of its own motion when the order is made.

(5) The Court may, for the purpose of ensuring the expeditious hearing of applications under the 2018 Act in accordance with section 31 of the 2018 Act, direct or deem sufficient service of a document under the 2018 Act by other means, including by electronic mail, where it is satisfied that such service is likely to bring, or has brought, the document to the attention of the person to be served.

Effect of appeal from orders

14. (1) In accordance with section 20 of the 2018 Act, notwithstanding the provisions of Order 25, rule 9(4), and Order 101, and that an appellant has entered into a recognisance for appeal:

- (a) an appeal from a safety order or a barring order shall, if the Court or the Circuit Court so determines (but not otherwise), stay the operation of the order on such terms (if any) as may be imposed by the court making the determination;
- (b) an appeal from a protection order, an interim barring order, or an emergency barring order shall not stay the operation of the order.

(2) An application to the Court to stay the operation of a safety order or a barring order, under the terms of section 20 of the 2018 Act, may be made following the service and lodgment of a notice of appeal and lodgment of the recognisance for appeal, and when made otherwise than upon the occasion of the making of those orders must be preceded by the issue of a notice in the Form

59.15, Schedule C, which must be served upon the respondent to the application two days before the hearing of the application.

(3) Where the Court grants a stay on the operation of a safety order or a barring order, and the Clerk has previously supplied the copies of the orders as directed by rule 11, the Clerk must send a copy of the order granting the stay (which may be in the Form 59.16, Schedule C) or notice of the making of that order to the same persons and in the manner directed by rule 11.

Report/ascertaining the views of the child

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

- (i) under section 12 of the 2018 Act for a care order or a supervision order to be made with respect to a dependent person concerned in the proceedings, or
- (ii) under section 27(2) of the 2018 Act to appoint an expert to ascertain and convey the views of a child,

may be made at the hearing.

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

- (i) to adjourn the proceedings and give a direction under section 12(1) of the 2018 Act and to give such directions under the Child Care Act 1991 as it sees fit as to the care and custody of, and/or make a supervision order in respect of, the dependent person concerned pending the outcome of the investigation by the Agency
- (ii) under section 27(2) of the 2018 Act to appoint an expert to ascertain and convey the views of a child,

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

(3) Where, in accordance with sub-rule (2), the Court adjourns proceedings and directs the Agency to undertake an investigation (or further investigation) of a dependent person's circumstances, if the Agency is not a party to the proceedings, the Clerk shall as soon as possible notify the Agency (in the Form 84.32, Schedule C, with any necessary modifications) of the Court's direction.

(4) 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 (or further investigation) by the 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.

(5) Where the Court grants an application for an order to appoint an expert to ascertain and convey the views of a child, or makes such an order of its own

motion, the order requisitioning the report shall be in the Form 58.52, Schedule C, with the necessary modifications.”

Schedule 2

No. 59.1

Domestic Violence Summons

Domestic Violence Act 2018, as amended.

District Court

You are hereby required to attend a sitting of the District Court in relation to a Domestic Violence application. 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 summons carefully.

Case Number:

District Court Area:

District No.:

Party Details

Applicant name:

Applicant address:

Solicitor details:

*Dependent 1:

*Dependent 2:

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.

If you are not legally represented, it is possible that the Court will not permit you to cross-examine the applicant personally: see section 16 of the Domestic Violence Act 2018.

Application Details

The applicant has made an application for the following Domestic Violence Order:

- *Safety Order (Section 6 of the Domestic Violence Act 2018)

A Safety Order may direct the respondent not to use, or threaten to use, violence against the applicant or the applicant's children, and not to follow or communicate with the applicant or the applicant's children. If the respondent is living with the applicant, it does not order the respondent to leave the home. If the respondent is not living with the applicant, it may direct the respondent not to 'watch or beset' the applicant's home. A Safety Order granted by the District Court can last for up to 5 years.

- *Barring Order (Section 7 of the Domestic Violence Act 2018)

A Barring Order directs the respondent to leave, or not enter, the applicant's home. It may also direct the respondent not to use, or threaten to use, violence against the applicant or the applicant's children, and not to follow or communicate with the applicant or the applicant's children. A Barring Order granted by the District Court can last for up to 3 years.

Where the Court grants a Safety Order or a Barring Order, the respondent may apply to the Court to allow existing child access arrangements to continue despite the order.

Signature

District Court Clerk/Judge of the District Court:

Date:

It is an offence for a spouse or civil partner to dispose of, or remove, certain household items, until this application has been determined. If a safety order or barring order is granted, this condition will remain while that order is in force, unless the Court, or the other spouse or civil partner, consents. A spouse or civil partner who does not comply with this shall be liable on conviction to a fine, imprisonment, or both.

For more information, see:

- Sections 13 and 14 of the Domestic Violence Act 2018
- Section 9 of the Family Home Protection Act 1976
- Section 34 of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010

No. 59.2
DOMESTIC VIOLENCE ACT 2018
section 6
SAFETY ORDER

Schedule C, O.59, r. 4(2)

District Court Area of

District No.

..... Applicant

..... Respondent

THE APPLICATION of *the applicant of *(in the Court District aforesaid) (*or the Child and Family Agency on behalf of the applicant by virtue of section 11 of the above-mentioned Act) for a safety order against, the above-named respondent of pursuant to the provisions of section 6 of the above Act coming, by summons duly served, before the Court this day,

AND THE COURT on the evidence given being of opinion that there are reasonable grounds for believing that the *safety *welfare

*of the applicant *[and]

*of a dependent person(s), namely of so requires,

NOW THE COURT

HEREBY PROHIBITS the respondent from

*using or threatening to use violence against, molesting or putting in fear *the applicant *[and] *the said dependent person(s),

*watching or besetting the place where *the applicant *[and] *the said dependent person(s) reside(s),

*following or communicating (including by electronic means) with *the applicant *[and] *the said dependent person(s) *save for text or email to the applicant concerning access only *save for necessary communications for accredited mediation.

*SAVE AND EXCEPT

THIS ORDER SHALL REMAIN IN FORCE FOR/UNTIL

*AND THE COURT in accordance with section 29 of the above Act RECOMMENDS to the respondent that *he *she engage with a programme or service to address an issue relating to the behaviour which contributed to the application for the order being made, namely *a programme for perpetrators of domestic violence *an addiction service *a counselling or psychotherapy service *a financial planning service *[or specify any other recommendation].

*AND THE COURT being satisfied that the respondent was not present in Court when this order was made, and *that there are reasonable grounds for believing that the respondent may evade service of the order *that there is other good and sufficient reason to so direct DIRECTS under section 18(4) of the above Act that this order be served personally on the respondent by a member of An Garda Síochána **FORTHWITH**.

The applicant may if necessary apply before the expiration of this order for a further safety order to take effect from the date on which this order expires.

Dated this day of 20

Signed

Judge of the District Court/District Court Clerk assigned to the said District Court Area

To

of,

Respondent

***WARNING**

A respondent who contravenes this order commits an offence and may be arrested without warrant by a member of the Garda Síochána, and on conviction shall be liable to a Class B fine, being a fine not exceeding €4,000, or to twelve months imprisonment, or to both.

A copy of this order is being sent to the Garda Síochána station at

***IT IS AN OFFENCE** under section 9 of the Family Home Protection Act 1976, as applied by section 13 of the Domestic Violence Act 2018, for a spouse to **DISPOSE OF OR REMOVE ANY OF THE HOUSEHOLD CHATTELS** while this order is in force unless the other spouse consents or the Court on application permits it. A spouse who contravenes that provision shall be liable on conviction to a Class D fine, being a fine not exceeding €1,000, or to imprisonment for a term not exceeding six months, or to both.

***IT IS AN OFFENCE** under section 34 of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010, as applied by section 14 of the Domestic Violence Act 2018, for a civil partner to **DISPOSE OF OR REMOVE ANY OF THE HOUSEHOLD CHATTELS** in the shared home while this order is in force unless the other civil partner consents or the Court permits it. A civil partner who contravenes that provision shall be liable on conviction to a Class D fine, being a fine not exceeding €1,000, or to imprisonment for a term not exceeding six months, or to both.

**Delete where inapplicable*

No. 59.4
DOMESTIC VIOLENCE ACT 2018
section 7
BARRING ORDER

Schedule C, O.59, r. 5(2)

District Court Area of

District No.

..... Applicant

..... Respondent

THE APPLICATION of *the above-named applicant *(of the Child and Family Agency on behalf of the applicant by virtue of section 11 of the above mentioned Act) for a barring order against the above-named respondent pursuant to the provisions of section 7 of the above Act coming, by summons duly served, before the Court this day,

AND THE COURT, on the evidence given being satisfied that *the applicant, *[and] *a dependent person(s), namely, reside(s) for the purpose of the section at *(in the Court District aforesaid),

AND BEING OF OPINION that there are reasonable grounds for believing that the *safety *welfare

of *the applicant *[and] *said dependent person(s)

requires the making of this order,

NOW THE COURT HEREBY DIRECTS YOU, the respondent, to leave the place where the *applicant *[and] *said dependent person(s) reside(s) at *(in the Court District aforesaid) on being notified of the making of this order,

AND PROHIBITS YOU FROM entering that place until the day of 20, without leave of the Court

*SAVE AND EXCEPT

*AND FURTHER PROHIBITS YOU from

using or threatening to use violence against *the applicant *[and] *the said dependent person(s);

molesting or putting in fear *the applicant *[and] *the said dependent person(s);

attending at or in the vicinity of, or watching or besetting a place where, *the applicant *[and] *the said dependent person(s) resides during the period aforesaid;

following or communicating (including by electronic means) with *the applicant *[and] *the said dependent person(s) *save for text or email to the applicant concerning access only *and save for necessary communications for accredited mediation.

*AND THE COURT in accordance with section 29 of the above Act RECOMMENDS to the respondent that *he *she engage with a programme or service to address an issue relating to the behaviour which contributed to the

application for the order being made, namely *a programme for perpetrators of domestic violence *an addiction service *a counselling or psychotherapy service *a financial planning service *[or specify any other recommendation]

*AND THE COURT being satisfied that the respondent was not present in Court when this order was made, and *that there are reasonable grounds for believing that the respondent may evade service of the order *that there is other good and sufficient reason to so direct DIRECTS under section 18(4) of the above Act that this order be served personally on the respondent by a member of An Garda Síochána **FORTHWITH.**

The applicant may if necessary apply before the expiration of this order for a further barring order to take effect from the date on which this order expires.

Dated this day of 20.....

Signed

Judge of the District Court/District Court Clerk assigned to the said District Court Area

To

of

Respondent

WARNING

A respondent who contravenes this order, or who, while this order is in force, refuses to permit the applicant or any dependent person to enter in and remain in the place to which this order relates, or does any act for the purpose of preventing the applicant or such dependent person from so doing, commits an offence and may be arrested without warrant by a member of the Garda Síochána, and shall be liable on conviction to a Class B fine, being a fine not exceeding €4,000, or to twelve months imprisonment, or to both.

A copy of this order is being sent to the Garda Síochána station at

*IT IS AN OFFENCE under section 9 of the Family Home Protection Act 1976, as applied by section 13 of the Domestic Violence Act 2018, for a spouse to DISPOSE OF OR REMOVE ANY OF THE HOUSEHOLD CHATTELS while this order is in force unless the other spouse consents or the Court on application permits it. A spouse who contravenes that provision shall be liable on conviction to a Class D fine, being a fine not exceeding €1,000, or to imprisonment for a term not exceeding six months, or to both.

*IT IS AN OFFENCE under section 34 of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010, as applied by section 14 of the Domestic Violence Act 2018, for a civil partner to DISPOSE OF OR REMOVE ANY OF THE HOUSEHOLD CHATTELS in the shared home while this order is in force unless the other civil partner consents or the Court permits it. A civil partner who contravenes that provision shall be liable on conviction to a Class D fine, being a fine not exceeding €1,000, or to imprisonment for a term not exceeding six months, or to both.

**Delete where inapplicable*

No. 59.5**DOMESTIC VIOLENCE ACT 2018, section 8****NOTICE OF MOTION FOR AN INTERIM DOMESTIC VIOLENCE ORDER**

Schedule C, O.59, rr. 6(1)(i), 8(1)(d)

District Court Area of**District No.****Record number:**

..... Applicant

..... Respondent

A Domestic Violence Summons has been issued against you the above-named respondent of in court *(area and) district aforesaid *(and is due to be heard at on theday of 20...).

TAKE NOTICE that the applicant in the above proceedings will apply to the District Court sitting at on the day of 20.... at a.m./p.m. (the “return date”) for

Interim barring order (Section 8 of the Domestic Violence Act 2018)

an interim barring order against you under section 8(1) of the Domestic Violence Act 2018

†directing you, to leave, the place where *the applicant *[and] *a dependent person(s), namely, resides

prohibiting you from entering, the place where *the applicant *[and] *the said dependent person(s) reside(s) until further order of the Court or until such other time as the Court shall specify

*prohibiting you from using or threatening to use violence against, molesting or putting in fear, *the applicant *[and] *the said dependent person(s)

*prohibiting you from attending at or in the vicinity of, or watching or besetting, the said place where *the applicant *[and] *the said dependent person(s) reside(s)

*prohibiting you from following or communicating (including by electronic means) with *the applicant *[and] *the said dependent person(s)

on the grounds that:

(a) there is an immediate risk of significant harm to *the applicant *[and] *the said dependent person(s), and

(b) the making of a protection order would not be sufficient to protect *the applicant *[and] *the said dependent person(s).

Protection order (Section 10 of the Domestic Violence Act 2018)

A protection order against you under section 10(1) of the Domestic Violence Act 2018

*prohibiting you from using or threatening to use violence against, molesting or putting in fear, *the applicant *[and] *a dependent person(s), namely,

*prohibiting you from watching or besetting, the place where *the applicant *[and] *the said dependent person(s) reside(s)

*prohibiting you from following or communicating (including by electronic means) with *the applicant *[and] *the said dependent person(s)

on the grounds that there are reasonable grounds for believing that the *safety *welfare of *the applicant *[and] *the said dependent person(s) so requires.

*This application will be supported by the *affidavit of sworn on the day of 20.... *information to be sworn

Signed:.....

*(Solicitor for) applicant

To

of

*(Solicitor for the) respondent

And to District Court Clerk at

This notice of motion was filed at on the day of 20.... with the District Court Clerk assigned to the above Court area and district and issued returnable to the return date given above.

**Delete where inapplicable*

†This order may only be sought if the respondent is residing at the place where the applicant or the dependent person resides

No. 59.7

Schedule C, O.59, r. 6(3)

DOMESTIC VIOLENCE ACT 2018

section 8

INTERIM BARRING ORDER

District Court Area of

District No.

..... Applicant

..... Respondent

WHEREAS *the applicant above-named of *(or the Child and Family Agency on behalf of the applicant by virtue of section 11 of the above-mentioned Act) has issued a Domestic Violence Summons seeking a barring order to be heard at the District Court at on the day of 20; at a.m./p.m.,

AND WHEREAS the Court is satisfied that the Summons herein dated the day of 20 *was duly served on the respondent *has not yet been served,

AND HAVING HEARD what was alleged on behalf of the applicant †and on behalf of the respondent,

†AND WHEREAS the Court on the evidence given is of opinion that there is an immediate risk of significant harm to *the applicant *[and] *a dependent person(s), namely, if this order is not made immediately, and the granting of a protection order would not be sufficient to protect *the applicant *[and] *the said dependent person(s),

☐ AND WHEREAS the Court on the *information in writing *Affidavit sworn by *(.....on behalf of) the applicant is of opinion that there is an immediate risk of significant harm to *the applicant *[and] *the said dependent person(s) if this order is not made immediately, and the granting of a protection order would not be sufficient to protect *the applicant *[and] *the said dependent person(s),

☐ AND WHEREAS the Court, having regard to the circumstances of the particular case, considers it necessary or expedient in the interests of justice, to make this order *ex parte* *and notwithstanding the fact that the summons required by Order 59 of the District Court Rules has not been served,

NOW THE COURT HEREBY DIRECTS YOU, the respondent, to leave the place where *the applicant *[and] *the said dependent person(s) reside(s) at * (in the Court District aforesaid) on being notified of the making of this order,

AND PROHIBITS YOU FROM entering such place until the day of, 20 without leave of the Court,

*SAVE AND EXCEPT

*AND FURTHER PROHIBITS YOU from

using or threatening to use violence against *the applicant *[and] *the said dependent person(s);

molesting or putting in fear *the applicant *[and] *the said dependent person(s);

attending at or in the vicinity of, or watching or besetting a place where *the applicant *[and] *the said dependent person(s) reside(s);

following or communicating (including by electronic means) with *the applicant *[and] *the said dependent person(s) *save for text or email to the applicant concerning access only *and save for necessary communications for accredited mediation

during the period aforesaid.

☐ TAKE NOTICE THAT THIS ORDER SHALL HAVE EFFECT FOR A PERIOD OF [] WORKING DAYS ONLY FROM ITS DATE, that is until the day of 20, unless on application to this Court by the applicant and made on notice to you this order is confirmed within that period. *ON CONSENT of the parties before the Court on the day of 20, THIS ORDER IS CONFIRMED IN EFFECT until the day of 20

☐ There are served on you with this order (or there will as soon as practicable be served on you) a copy of the *information *Affidavit grounding the application for this order *and a note of the evidence given by the applicant on said application.

*AND THE COURT being satisfied that the respondent was not present in Court when this order was made, and *that there are reasonable grounds for believing that the respondent may evade service of the order *that there is other good and sufficient reason to so direct DIRECTS under section 18(4) of the above Act that this order be served personally on the respondent by a member of An Garda Síochána **FORTHWITH**.

☐ **Application may be made to this Court by or on behalf of the respondent to vary or discharge this order.**

Dated this day of 20

Signed

Judge of the District Court/District Court Clerk assigned to the said District Court area

To

of, Respondent.

WARNING

A respondent who contravenes this order, or who, while this order is in force, refuses to permit the applicant or any dependent person to enter in and remain in the place to which this order relates or does any act for the purpose of preventing the applicant or such dependent person from so doing commits an offence and may be arrested without warrant by a member of the Garda Síochána, and on conviction shall be liable to a Class B fine, being a fine not exceeding €4,000, or to twelve months imprisonment, or to both.

A copy of this order is being sent to the Garda Síochána Station at

**Delete where inapplicable*

†Delete where Order is made ex parte

☐Delete where Order is made inter partes

No. 59.9

Schedule C, O.59, r. 8(2)

DOMESTIC VIOLENCE ACT 2018

section 10

PROTECTION ORDER

District Court Area of

District No.

..... Applicant

..... Respondent

WHEREAS *the above-named applicant who resides at *(in the Court District aforesaid) *(or the Child and Family Agency on behalf of the applicant by virtue of “section 11 of the above mentioned Act”) has caused a Domestic Violence Summons to issue for hearing at a sitting of the Court at on the day of 20 at a.m./p.m. pursuant to the provisions of

*section 6 of the above Act for a safety order

*section 7 of the above Act for a barring order

against the above-named respondent residing at *(in the Court District aforesaid) which application has not yet been determined by the Court;

AND WHEREAS the Court is satisfied that the Summons herein dated the day of 20 *was duly served on the respondent *has not yet been served,

AND HAVING HEARD what was alleged on behalf of the applicant †and on behalf of the respondent,

†AND WHEREAS the Court on the evidence given is of opinion that there are reasonable grounds for believing that the *safety *welfare of *the above-named applicant *[and] *(a) dependent person(s), namely, so requires

☐ AND WHEREAS the Court on the *information in writing *Affidavit sworn by the applicant is of opinion that there are reasonable grounds for believing that the *safety *welfare of *the above-named applicant *[and] *the said dependent person(s), so requires

☐ AND WHEREAS the Court, having regard to the circumstances of the particular case, considers it necessary or expedient in the interests of justice, to make this order *ex parte* *and notwithstanding the fact that the summons required by Order 59 of the District Court Rules has not been served,

THE COURT HEREBY PROHIBITS the above-named respondent from using or threatening to use violence against, molesting or putting in fear *the above-named applicant *[and] *the said dependent person(s), and

*FURTHER PROHIBITS the respondent from watching or besetting the place where *the above-named applicant *[and] *the said dependent person(s) reside(s), and

*FURTHER PROHIBITS the respondent from following or communicating (including by electronic means) with *the above-named applicant *[and] *the said dependent person(s) *save for text or email to the applicant concerning access only *save for necessary communications for accredited mediation,

*AND SAVE AND EXCEPT

*AND THE COURT being satisfied that the respondent was not present in Court when this order was made, and *that there are reasonable grounds for believing that the respondent may evade service of the order *that there is other good and sufficient reason to so direct DIRECTS under section 18(4) of the above Act that this order be served personally on the respondent by a member of An Garda Síochána **FORTHWITH.**

☐ TAKE NOTICE that this order shall cease to have effect on the determination by the Court of the application for a *safety order pursuant to the provisions of section 6 *barring order pursuant to the provisions of section 7 of the above Act.

☐ There are served on you with this order (or there will as soon as practicable be served on you) a copy of the *information *Affidavit grounding the application for this order *and a note of the evidence given by the applicant on said application.

☐ **Application may be made to this Court by or on behalf of the respondent to vary or discharge this order.**

Dated this day of 20

Signed

Judge of the District Court/District Court Clerk assigned to the said District Court Area

To of, Respondent

WARNING

A respondent who contravenes this order commits an offence and may be arrested without warrant by a member of the Garda Síochána, and on conviction for a first offence, shall be liable to a Class B fine, being a fine not exceeding €4,000, or to twelve months imprisonment, or to both.

A copy of this order is being sent to the Garda Síochána station at

**Delete where inapplicable*

†Delete where Order is made ex parte

☐ *Delete where Order is made inter partes*

No. 59.10

Schedule C, O.59, r. 9(1)

Domestic Violence Act 2018

section *6 *7 *8 *9 *10

**Summons to vary a *safety *barring *interim barring *emergency barring
*protection order**

District Court Area of

District No.

..... Applicant

..... Respondent

YOU ARE HEREBY REQUIRED to appear at the District Court at on the
... day of 20....., at m. to answer the application of the
*(applicant) *(Child and Family Agency on behalf of the applicant by virtue of
section 11 of the above-mentioned Act),*respondent of to have the

*safety order

*barring order

*interim barring order

*emergency barring order

*protection order

made on the day of 20.... at the District Court at varied
as follows:-

Dated this ... day of 20...

Signed

Judge of the District Court or District Court Clerk

To of

*applicant *respondent

**Delete where inapplicable*

No. 59.11

Schedule C, O.59, r.9 (2)

Domestic Violence Act 2018, section *6 *7 *8 *9 *10

**Order varying a *safety *barring *interim barring *emergency barring
*protection order**

District Court Area of

District No.

..... Applicant

..... Respondent

THE APPLICATION of the above-named *(applicant) *(Child and Family Agency on behalf of the applicant by virtue of section 11 of the above-mentioned Act) *(respondent) for an order varying the *safety order *barring order *interim barring order *emergency barring order *protection order made by the District Court at on the ... day of 20... coming by summons duly served before the Court on this date,

THE COURT, having considered the evidence tendered, HEREBY VARIES the order as follows:-

*AND THE COURT being satisfied that the respondent was not present in Court when this order was made, *that there are reasonable grounds for believing that the respondent may evade service of the order *that there is other good and sufficient reason to so direct DIRECTS under section 18(4) of the above Act that this order be served personally on the respondent by a member of An Garda Síochána **FORTHWITH**.

Dated this ... day of20....

Signed

Judge of the District Court/District Court Clerk assigned to the said District Court area

To of

*applicant *respondent

**Delete where inapplicable*

No. 59.12

Schedule C, O.59, r.10(1)

Domestic Violence Act 2018, section 21

**Summons to discharge a *safety *barring *interim barring *emergency
barring *protection order**

District Court Area of

District No.

..... Applicant

..... Respondent

YOU ARE HEREBY REQUIRED to appear at the sitting of the District Court
to be held at on the ... day of 20... at m.

to answer the application of the above-named *(applicant) *(Child and Family
Agency on behalf of the applicant by virtue of section 11 of the above-mentioned
Act) *(respondent) of

for the discharge of the

*safety order

*barring order

*interim barring order

*emergency barring order

*protection order

made on the ... day of 20... at the District Court at
on the grounds that the *safety *welfare of the applicant *[and] *a dependent
person(s) for whose protection the order was made does not require that the order
should continue in force.

Dated this ... day of 20....

Signed

*Judge of the District Court *District Court Clerk

To of

*applicant *respondent

**Delete where inapplicable*

No. 59.13

Schedule C, O.59, r.10(2)

Domestic Violence Act 2018, section 21

**Order discharging a *safety *barring *interim barring *emergency
barring *protection order**

District Court Area of

District No.

..... Applicant

..... Respondent

THE APPLICATION of the above-named *(applicant) *(Child and Family Agency on behalf of the applicant by virtue of section 11 of the above-mentioned Act) *(respondent) for the discharge of the *safety order *barring order *interim barring order *emergency barring order *protection order made on the ... day of 20..., at the District Court at coming by summons duly served before the Court on this date, and

BEING OF THE OPINION on the evidence that the *safety *welfare of the applicant *[and] *the dependent person(s) for whose protection the order was made does not require that the order should remain in force,

THE COURT ORDERS that the *safety order *barring order *interim barring order *emergency barring order *protection order be discharged.

Dated this ... day of 20.....

Signed

Judge of the District Court/District Court Clerk assigned to the said District Court Area

To of

*applicant *respondent

**Delete where inapplicable*

No. 59.14

Schedule C, O.59, r.12(1)

Domestic Violence Act 2018

**Notice that *interim barring *emergency barring *protection order has
ceased to have effect**

District Court Area of

District No.

..... Applicant, of

..... Respondent, of

TAKE NOTICE that the *interim barring order *emergency barring order
*protection order made in the above matter on the ... day of 20.. has now
ceased to have effect.

Dated this ... day of 20....

Signed

District Court Clerk

To the member in charge of the Garda Síochána station at

** Delete where inapplicable*

No. 59.15

Schedule C, O.59, r.14(2)

Domestic Violence Act 2018

Application for a stay on the operation of a *safety order *barring order

District Court Area of

District No.

..... Applicant

..... Respondent

TAKE NOTICE that the *applicant *(or the Child and Family Agency on behalf of the applicant by virtue of section 11 of the above-mentioned Act) *respondent will apply at the sitting of the District Court at on the ... day of 20..., for a stay on the operation of the *safety order *barring order made on the ... day of 20... under the terms of section 20 of the above Act.

Dated this ... day of 20....

Signed

*Solicitor for *Applicant *Respondent

To

of

*applicant *respondent

**Delete where inapplicable*

No. 59.16

Schedule C, O.59, r.14(3)

Domestic Violence Act 2018

Order staying operation of a *safety order *barring order

District Court Area of

District No.

..... Applicant

..... Respondent

THE APPLICATION of the above-named *applicant *(or the Child and Family Agency on behalf of the applicant by virtue of section 11 of the above-mentioned Act) *respondent for an order staying the operation of the *safety order *barring order made by the District Court at on the ... day of 20....., coming by notice duly served before the Court on this date,

THE COURT, having considered the evidence tendered,

HEREBY ORDERS a stay on the operation of the said *safety order *barring order pending the appeal lodged *subject to the following terms-

Dated this ... day of 20...

Signed

Judge of the District Court/District Court Clerk assigned to the said District Court Area

To of Applicant

..... of Respondent

**Delete where inapplicable*

No. 59.17

Schedule C, O.59, r. 7(1)

Domestic Violence Act 2018, section 9

SUMMONS FOR AN EMERGENCY BARRING ORDER

District Court Area of

District No.

..... Applicant

..... Respondent

YOU ARE HEREBY REQUIRED to appear at the sitting of the District Court to be held at on the day of 20, atm. to answer the application of the *applicant *(or the Child and Family Agency on behalf of the applicant by virtue of section 11 of the above-mentioned Act) who is

*not the spouse or civil partner of the respondent and is not related to the respondent within a prohibited degree of relationship but lived with the respondent in an intimate relationship prior to the application for the emergency barring order

*a parent of the respondent and the respondent is a person of full age who is not, in relation to the parent, a dependent person

and who resides at *(in the Court District aforesaid)

for an emergency barring order directing you to leave the place where *the applicant *[and] *a dependent person(s), namely reside(s) at *(in the Court District aforesaid) and prohibiting you from entering the place where *the applicant *[and] *the said dependent person(s) reside(s) until the day of, 20 (being a period not exceeding eight working days) on the grounds that there are reasonable grounds for believing that there is an immediate risk of significant harm to *the applicant *the said dependent person(s) if an order is not made immediately.

[Set out any additional orders sought in accordance with section 15 of the Domestic Violence Act 2018.]

Dated this day of 20

Signed

Judge of the District Court/District Court Clerk

To

of

Respondent

**Delete where inapplicable*

No. 59.18

Schedule C, O.59, r. 7(2)

Domestic Violence Act 2018, section 9

Information

District Court Area of

District No.

..... Applicant

..... Respondent

The information of *the above-named applicant, of *(in the Court District aforesaid)* (or of the Child and Family Agency on behalf of the applicant by virtue of section 11 of the above-mentioned Act) who says on oath:-

I request an emergency barring order against the respondent pursuant to the provisions of section 9 of the above Act on the grounds that:-

[Set out in detail the facts supporting the application.]

Dated this ... day of 20.....

Signed

Informant

Sworn before me this day of 20.....

Signed

Judge of the District Court

**Delete where inapplicable*

No. 59.19

Schedule C, O.59, r. 7(4)

Domestic Violence Act 2018, section 9

EMERGENCY BARRING ORDER

District Court Area of

District No.

..... Applicant

..... Respondent

WHEREAS *the applicant above-named of *(or the Child and Family Agency on behalf of the applicant by virtue of section 11 of the above-mentioned Act) has applied for an emergency barring order at the District Court at on the day of 20; at a.m./p.m.,

AND HAVING HEARD what was alleged on behalf of the applicant †and on behalf of the respondent,

†AND WHEREAS the Court on the evidence given is of the opinion that there are reasonable grounds for believing that there is an immediate risk of significant harm to *the applicant *[and] *a dependent person(s), namely of, if this order is not made immediately,

☐ AND WHEREAS the Court on the *information in writing *Affidavit sworn by the applicant *(Affidavit sworn on behalf of the applicant) is of the opinion that there are reasonable grounds for believing that there is an immediate risk of significant harm to *the applicant *[and] *a dependent person(s), namely of, if this order is not made immediately,

☐ AND WHEREAS the Court, having regard to the circumstances of the particular case, considers it necessary or expedient in the interests of justice, to make this order *ex parte*,

NOW THE COURT HEREBY DIRECTS YOU, the respondent, to leave the place where *the applicant *[and] *the said dependent person(s) reside(s) at * (in the Court District aforesaid) on being notified of the making of this order,

AND PROHIBITS YOU FROM entering such place until the day of, 20,

*SAVE AND EXCEPT

*AND FURTHER PROHIBITS YOU from

using or threatening to use violence against *the applicant *[and] *the said dependent person(s);

molesting or putting in fear *the applicant *[and] *the said dependent person(s);

attending at or in the vicinity of, or watching or besetting a place where *the applicant *[and] *the said dependent person(s) reside(s);

following or communicating (including by electronic means) with *the applicant *[and] *the said dependent person(s) *save for text or email to the applicant concerning access only *save for necessary communications for accredited mediation

during the period this order is in force.

*AND THE COURT being satisfied that the respondent was not present in Court when this order was made, and *that there are reasonable grounds for believing that the respondent may evade service of the order *there is other good and sufficient reason to so direct DIRECTS under section 18(4) of the above Act that this order be served personally on the respondent by a member of An Garda Síochána **FORTHWITH**.

☐ TAKE NOTICE THAT THIS ORDER SHALL HAVE EFFECT FOR A PERIOD OF [] WORKING DAYS ONLY FROM ITS DATE, that is until the day of 20

☐ There are served on you with this order (or there will as soon as practicable be served on you) a copy of the *information *Affidavit grounding the application for this order *and a note of the evidence given by the applicant on said application.

☐ **Application may be made to this Court by or on behalf of the respondent to vary or discharge this order.**

Dated this day of 20

Signed

Judge of the District Court/District Court Clerk assigned to the said District Court area

To

of, Respondent.

WARNING

A respondent who contravenes this order, or who, while this order is in force, refuses to permit the applicant or any dependent person to enter in and remain in the place to which this Order relates or does any act for the purpose of preventing the applicant or such dependent person from so doing, commits an offence and may be arrested without warrant by a member of the Garda Síochána, and on conviction shall be liable to a Class B fine, being a fine not exceeding €4,000, or to twelve months imprisonment, or to both.

A copy of this order is being sent to the Garda Síochána Station at

**Delete where inapplicable*

†Delete where Order is made ex parte

☐ *Delete where Order is made inter partes*

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 59, by prescribing a new form of summons for use in barring and safety order applications. These rules also amend the wording of a number of orders in domestic violence matters including barring orders, safety orders, interim barring orders, and protection orders.

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