



STATUTORY INSTRUMENTS.

**S.I. No. 280 of 2026**

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RULES OF THE SUPERIOR COURTS (SPECIAL CARE OF CHILDREN)  
2026

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We, the Superior Courts Rules Committee, by virtue of the powers conferred upon us by section 36 of the Courts of Justice Act 1924, section 68 of the Courts of Justice Act 1936 (as applied by section 48 of the Courts (Supplemental Provisions) Act 1961), and section 14 of the Courts (Supplemental Provisions) Act 1961, and with the concurrence of the Minister for Justice, Home Affairs and Migration, make the following Rules of Court.

Dated this 6th day of May, 2026.

Donal O'Donnell (Chairperson)

Caroline Costello

Grainne Larkin

David Barniville

Michele O'Boyle

Gerard Hogan

Áine Hynes

Mary Faherty

James Finn

Nuala Butler

Mary Cummins

Richard Humphreys

Mary Kelly

Siobhán Phelan

Yvonne McNamara

I concur in the making of the following Rules of Court.

Dated this 12th day of June, 2026.

JIM O'CALLAGHAN,  
Minister for Justice, Home Affairs and Migration

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RULES OF THE SUPERIOR COURTS (SPECIAL CARE OF CHILDREN)  
2026

1. (1) These Rules, which may be cited as the Rules of the Superior Courts (Special Care of Children) 2026, shall come into operation on the 23rd day of June, 2026.

(2) These Rules shall be construed together with the Rules of the Superior Courts.

(3) The Rules of the Superior Courts as amended by these Rules may be cited as the Rules of the Superior Courts 1986 to 2026.

2. These Rules shall apply in proceedings commenced from the date on which these Rules come into operation.

3. Order 65A of the Rules of the Superior Courts is amended:

(i) by the insertion immediately following the definition of “interim special care order” in rule 1 of the following definition:

““Minister” has the meaning assigned to it by section 2(1) of the 1991 Act;”;

(ii) by the substitution for paragraph (b) of sub-rule (1) of rule 4 of the following paragraph:

“(b) an order directing the appointment of a guardian ad litem for a child in accordance with section 35B(2) or section 35H(3) of the 1991 Act;”;

(iii) by the substitution for sub-paragraph (h) of paragraph (iv) of sub-rule (2) of rule 10 of the following sub-paragraphs:

“(h) an application for directions or an order under section 23NK of the 1991 Act (including an application to vary or discharge such directions or order), or

(i) subject to sub-rule (3), any application under the 1991 Act by a guardian ad litem, provided that an application under section 35G(2) of the 1991 Act shall, in the first instance, be served on the Agency only.”;

(iv) by the insertion immediately following rule 12 of the following rules:

“13. Unless the Court otherwise directs, and subject to the Court’s power to revoke or vary any direction and give further directions, the following directions shall be given:

(i) the Registrar shall serve on the Minister a copy of any order directing the appointment of a guardian ad litem

by such means, including electronic means, as may be agreed with the Minister, or in the absence of such agreement, by prepaid ordinary post;

- (ii) the moving party shall serve a copy of the grounding affidavit on the Minister by such means, including electronic means, as may be agreed with the Minister, or in the absence of such agreement, by prepaid ordinary post;
- (iii) the Minister shall cause a notice of appointment of a guardian ad litem, in the Form No. 10, to be filed, and shall cause a copy of such notice to be served on each party to the proceedings (and, where necessary, shall also serve a copy of the Court's order on the moving party);
- (iv) for the purposes of section 35B(5)(b) of the Act, the moving party shall serve on the guardian ad litem appointed, or his or her solicitors, copies of such notices, affidavits, exhibits, orders, reports and other documents in the proceedings as are specified in the Court's order directing the appointment, by such means, including electronic means, as may be agreed with the guardian ad litem;
- (v) where, in accordance with section 35C(3) or section 35C(4) of the Act, the Minister appoints a replacement guardian ad litem, or a guardian ad litem other than the guardian ad litem previously appointed, the Minister shall cause a further notice of appointment to be filed, and shall cause a copy of such notice to be served on each party to the proceedings, and in such a case, it shall be the responsibility of the guardian ad litem whose appointment has ceased to provide copies of such pleadings, notices, affidavits, exhibits, orders and other documents in the proceedings as are in his or her possession or control to the newly-appointed guardian ad litem, or his or her solicitors.

14.(1) An approved officer (within the meaning of section 29 of the 1991 Act) must, prior to or at the commencement of the hearing of the proceedings, identify himself or herself to the Court and apply for such directions as the Court may, having heard any submission made by or on behalf of any party to the proceedings, give under section 29(5B) of the Act.

(2) The Court may, of its own motion or on the application of any party or person, vary or modify any such directions during the course of the proceedings.”.

4. The form in the Schedule shall be added to Appendix LL to the Rules of the Superior Courts, immediately following Form No. 9.

**Schedule**

No. 10

O.65A, r. 4(1)(b)

**HIGH COURT  
SPECIAL CARE**

In the matter of ..... a child

..... Applicant

of .....

..... Respondent

of .....

Record number:

**NOTICE OF APPOINTMENT OF GUARDIAN AD LITEM**

TAKE NOTICE that the Minister for Children, Disability and Equality has appointed a guardian ad litem for \*the above-named child/\*the following children in these proceedings

**Particulars of child/children for whom guardian ad litem appointed**

Name	Date of birth (if known)

**Particulars of guardian ad litem appointed**

Name of guardian ad litem	
Business address of guardian ad litem	
*Solicitor for guardian ad litem (if any)	
*Business address of solicitor (if any)	
*Contact details for guardian ad litem or solicitor (if any)	Telephone:
	e-mail:

<p>*Where the Minister has appointed a replacement guardian ad litem, or a guardian ad litem other than the guardian ad litem previously appointed, provide the name of the previous guardian ad litem in this case</p>	
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Dated this ... day of ..... 20...

Signed .....

\*(Solicitor for)\*(Duly authorised officer of) Minister for Children, Disability and Equality

To: Central Office of the High Court

To: ..... of ..... , (Solicitor for) applicant

\*The Court has directed the applicant to furnish copies of documents relating to the proceedings to the guardian ad litem pursuant to the Court's order directing the appointment of a guardian ad litem made on the ..... day of ..... 20..., a copy of which is attached

And to: ..... of ..... , \*(Solicitor for) respondent

..... of ..... , \*(Solicitor for) other named party

*\*delete if inapplicable*

EXPLANATORY NOTE

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

These rules facilitate the commencement of the Child Care (Amendment) Act 2022, by providing for, subject to the court's directions, documentation to be sent to the Minister for Children, Disability and Equality and to the Guardian Ad Litem (GAL) when the court directs that a GAL be appointed. The rules also provide for a Notice of Appointment when a GAL is appointed by the Minister, for applications to be made to the court by a GAL, and for attendance at court by approved officers of the Minister.

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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