



STATUTORY INSTRUMENTS.

**S.I. No. 281 of 2026**



DISTRICT COURT (CHILD CARE) RULES 2026

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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, Home Affairs and Migration, make the following Rules of Court.

Dated this 15<sup>th</sup> day of April 2026.

Alan Mitchell	_____
Monika Leech	_____
Joyce Good Hammond	_____
Ann McGarry	_____
Eoin Martin	_____
James Finn	_____
Eoin Manning	_____

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.

S.I. No. 281 of 2026

DISTRICT COURT (CHILD CARE) RULES 2026

1. (1) These Rules, which shall come into operation on the 23rd day of June 2026, may be cited as the District Court (Child Care) Rules 2026.

(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 2026.

2. The District Court Rules 1997 (S.I. No. 93 of 1997) are amended:

(i) by the insertion immediately following the definition of “child” in rule 1 of Order 84 of the following definition:

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

(ii) by the substitution for sub-rule (1) of rule 2 of Order 84 of the following sub-rule:

“(1) Proceedings under Part III, Part IV, Part IVA (inserted by the Act of 2001), Part IVB (inserted by the Act of 2001), Part VA (inserted by the Child Care (Amendment) Act 2022) or Part VI of the Act shall, subject to the provisions of the Act, be heard otherwise than in public.”;

(iii) by the insertion immediately following rule 33 of Order 84 of the following captions and rules:

*“Guardians ad litem appointed under the Act*

34.(1) An order directing the appointment of a guardian ad litem for a child in proceedings under this Act in accordance with section 35B(3) or section 35H(3) of the Act may be in the Form 84.68, Schedule C.

(2) Unless the Court otherwise directs:

(i) the Clerk shall serve a copy of the order referred to in sub-rule (1) on the Minister by such means, including electronic means, as may be agreed with the Minister, or in the absence of such agreement, in accordance with rule 3;

(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 84.69, Schedule C, to

be filed with the Clerk, 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) in accordance with rule 3;

- (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 pleadings, notices, affidavits, exhibits, orders 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 or otherwise in accordance with rule 3;
- (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 in the Form 84.69, Schedule C to be filed with the Clerk, and shall cause a copy of such notice to be served on each party to the proceedings, in accordance with rule 3, 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.

(3) Where a guardian ad litem wishes to make an application to the Court under the Act, the application may be made by notice of motion, which may, as necessary, be grounded on an affidavit, provided that the Court may hear an application made ex parte by a guardian ad litem where the guardian ad litem has consulted the parties to the proceedings or the counsel or solicitor, if any, representing such parties and each such party has consented to the application.

(4) An application by a guardian ad litem under section 35G(2) of the Act may be made by notice of motion, which may, as necessary, be grounded on an affidavit, served on the Agency only.

*Approved officers*

35.(1) An approved officer (within the meaning of section 29 of the 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.”.

3. The forms in the Schedule shall be added to Schedule C to the District Court Rules, immediately following Form 84.67.

**Schedule**  
No. 84.68

Schedule C  
O.84, r.34

CHILD CARE ACT 1991, as amended

**Order directing the appointment of guardian ad litem under \*section 35B(3) \*35H(3)**

District Court Area of

District No.

In the matter of ....., a child

..... Applicant

of .....

..... Respondent

of .....

WHEREAS proceedings concerning the child referred to above were before the Children Court held at ..... on the ..... day of ..... 20.....

**Particulars of the child**

Name	Date of birth (if known)	Age (or apparent age)	Place of residence or place where child was found in this Court district

THE COURT made an order in accordance with \*section 35B(3) \*section 35H(3) of the Child Care Act 1991 directing that a guardian ad litem be appointed for the said child.

AND THE COURT DIRECTED under section 35B(5) of the Child Care Act 1991 that

\*a copy of this order be served on the Minister for Children, Disability and Equality

\*the applicant serve a copy of the grounding affidavit on the Minister for Children, Disability and Equality

\*when notified by the guardian ad litem of his or her appointment, the applicant serve on the guardian ad litem copies of the following documents relating to the proceedings, namely

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

\*the making of this order and the appointment of the guardian ad litem be notified to the parties to the proceedings in accordance with Order 84A, rule 34 of the District Court Rules.

\*AND THE COURT FURTHER DIRECTED under section 35B(5) of the Child Care Act 1991 that

.....

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

Signed .....

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

To: the Minister for Children, Disability and Equality

Please arrange for notice of appointment of a guardian ad litem, in the Form 84.69, Schedule C, District Court Rules to be filed with the District Court Clerk at ..... and arrange for a copy of such notice to be served on the following parties to the proceedings (or, as the case may be, the solicitors for such parties) and, where necessary, for a copy of this order to be served on the applicant:

..... of ....., \*(Solicitor for) applicant

..... of ....., \*(Solicitor for) respondent

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

*\*delete if inapplicable*

Schedule C  
O.84, r.34

CHILD CARE ACT 1991, as amended

**Notice of appointment of guardian ad litem under section 35C**

District Court Area of

District No.

In the matter of ....., a child

..... Applicant

of .....

..... Respondent

of .....

Record number:

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: District Court Clerk at .....

To: ..... of ..... , \*(Solicitor for) applicant, \*and 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 at ..... 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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