

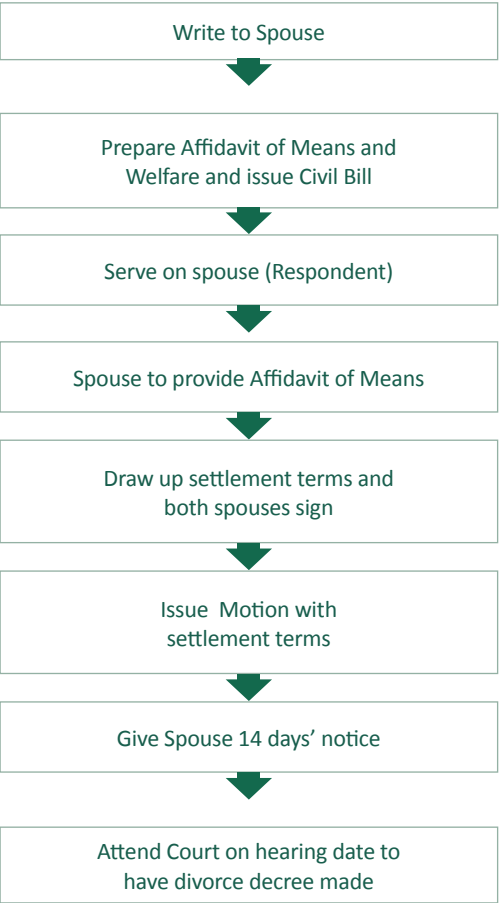
What is the process for divorce in Ireland?

Meet your Solicitor – tell your story, Solicitor assesses and sets out plan

Agreement in Place

Timeline (approx values)

- Week 1:** Write to spouse and prepare Affidavit of means and Welfare. Issue Civil Bill.
- Week 3:** Serve on spouse.
- Week 4/5:** Issue Motion with settlement terms and give spouse 14 days' notice of the Motion
- Week 8:** Attend hearing date.
- Week 9:** Divorce decree sent out within 10 days.

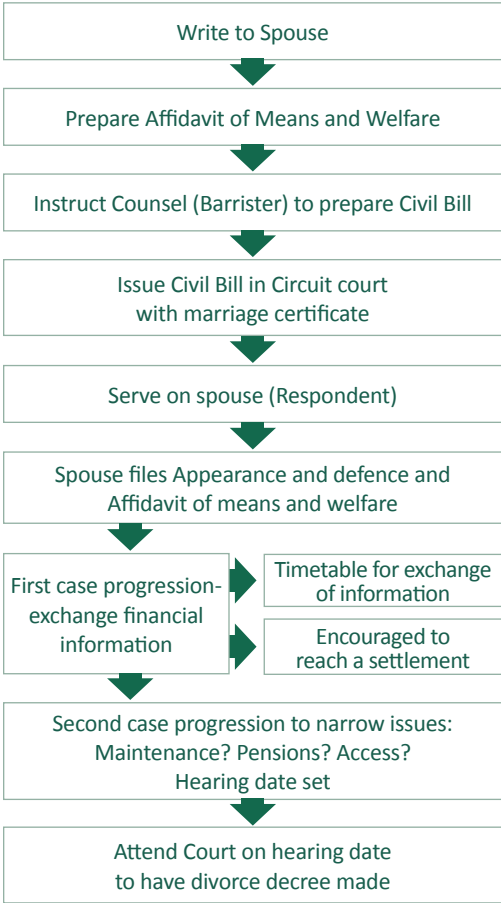


Divorce Decree made and sent out within 10 days

No Agreement in Place

Timeline (approx values)

- Week 1:** Write to Spouse. Prepare Affidavit of means and Welfare. Instruct Barrister to prepare Civil Bill.
- Week 3:** Issue Civil Bill In Circuit Court. Once the Civil Bill has issued and is served on the spouse, the spouse has 10 days to file an Appearance. A further period of 14 days is allowed for the spouse to file his/her defence.
- Week 7:** Spouse files Appearance and Defence/Counterclaim and Affidavit of means and welfare.
- Week 17:** The case will be listed before the County Registrar within 70 days from the date of the defence.
- Week 21:** Second Case Progression Hearing takes place.
- Week 35:** Attend court for hearing date.
- Week 36:** Divorce decree sent out within 10 days.



Divorce Decree made and sent out within 10 days

What is the Process for Divorce in Ireland

Jargon Buster

Access

Access means the contact that a child has with the parent with whom the child does not live with. It normally allows the parent to have the child visit the parent's home for an agreed amount of time and at an agreed frequency, ie. Once a week, twice a month.

Affidavit of Welfare

An Affidavit of Welfare is a sworn legal document that must be completed if there is dependent children of the marriage (ie under 18 or 23 if in full time education). It requires the living arrangements, educational details and health requirements for the child to be set out on paper before the Court.

Civil Bill

A Civil Bill is a legal document that is prepared by the Claimant in a Family law case in order to commence proceedings. It sets out the details of the case and the grounds for granting the divorce ie the couple's marriage has broken down and that there is no prospect of reconciliation between the parties.

Maintenance

Maintenance is the financial support given by one party in support of the dependent other party, either a Spouse or child of the marriage.

Affidavit of Means

An Affidavit of Means is a sworn legal document that is necessary to be completed when commencing family law court proceeding and it sets out the Applicant's financial situation including details of income, expenses, liabilities (such as a mortgage), Assets (such as property or a car) and future entitlements such as a pension.

Appearance

An Appearance is a formal legal document that is filed by the Respondent in a case and simply confirms his intention to defend the case. If the Respondent has decided to engage a Solicitor, the details of the Solicitor will also be included on the Appearance.

Counsel

Another term for Barrister

Motion

An application made to the Court to request for something to be done on the Applicant's behalf.

Defence

A formal legal document outlining the Respondent's defence to claim and is received in response to a Civil Bill

Settlement Terms

A legal agreement made between Spouses providing for financial matters in relation to each other and the dependent children together with other matters such as the division of joint property, access and custody of the dependent children and maintenance.

Divorce Decree

The Court Order granting the divorce and the terms that the divorce is granted on.

Katherine Irwin, Head of Family Law, Beauchamps Solicitors

Riverside Two, Sir John Rogerson's Quay, Dublin 2, Ireland.

t +353.1.418.0615 | f +353.1.418.0699 | k.irwin@beauchamps.ie | www.beauchamps.ie

