



An tSeirbhís Chúirteanna  
Courts Service



What is a Ward of Court for an adult?

When caring for yourself and making decisions is hard to do



you may need support from the Irish Government



This support is called becoming a Ward of Court. If you are a Ward of Court, it means you are a person that the court protects. In Ireland around 3,000 people are Wards of Court



The law says that parents have a right and a responsibility to care for their child. But the law says that no one has a right to be a decision maker for another adult.



If you are 18 years old or older your family or other people you know, and trust can help or support you make a decision but the law says they cannot make decisions for you or be your guardian.



Only the courts can make decisions or be guardian for an adult who cannot make decisions for themselves.

The court becomes involved when someone, often a family member or person providing support, is concerned that the person they are supporting has a serious difficulty with decision making.



Decisions about making someone a Ward of Court are made by the High Court. The High Court is not a local court, it is a national court based in Dublin city.



The court can support the person to make decisions about managing their money or the property they own

Property can mean a bank account, a house, a business, or other income.



The court can set up a group of people called a "Committee," to support the person with decision making. The people on the committee are often family members or people who asked the court for help with supporting decision making.



The court can decide to hire someone if the people who began the process cannot take on the role.

This people on the committee must make decisions in the best interest of the person who is Ward of Court.



Typical jobs of the committee will be collecting the ward's pension and managing money matters



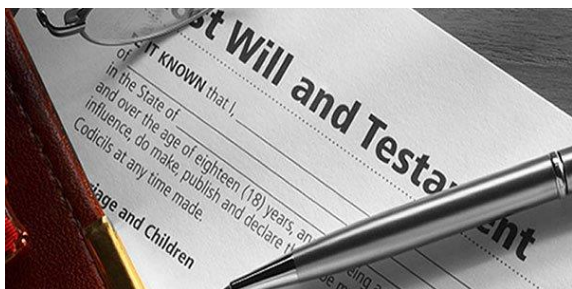
A Ward of Court can be supported to buy a house



A Ward of Court cannot travel outside of Ireland without permission from the High Court.



Following a change to the law a Ward of Court **can** marry.



A Ward of Court can make a will if

1. The Ward expresses the wish to make a will.
2. There is medical evidence that the Ward has capacity to make the will.
3. The solicitor believes the Ward has capacity to make a will



The costs in becoming a Ward of Court include Solicitor's Fees, Medical Reports, and Stamp Duty.

Costs that occur will be paid through the High Court from the account of the Ward of Court.



The Ward of Court process will come to an end soon.

This change will be made under new legislation called the Assisted Decision Making (Capacity) Law of 2015.



Under the new law decision making will be supported through the Decision Support Service, an Office of the Mental Health Commission

There will be three decision making support roles possible for family members or other people you know well and trust:

- decision-making assistant,
- co-decision-maker
- decision-making representative



It is hoped that the new law will be more flexible and less restrictive than the ward of court system.

We are waiting for guidelines that will explain how the new law and new supports will work for each person and situation.



The National Safeguarding Committee Review of Current Practise in Wardship for Adults in Ireland 2017 and other helpful resources are listed below.

## **FURTHER RESOURCES:**

1. [THE NATIONAL SAFEGUARDING COMMITTEE REVIEW OF CURRENT PRACTISE  
IN WARDSHIP FOR ADULTS IN IRELAND 2017](#)
2. [ASSISTED DECISION MAKING \(CAPACITY\) LAW 2015, INCLUSION IRELAND  
PLAIN ENGLISH FOUR PAGE FACT SHEET:](#)
3. [DECISION SUPPORT SERVICE, MENTAL HEALTH COMMISSION](#)
4. [ASSISTED DECISION MAKING \(CAPACITY\) LAW 2015, HSE:](#)
5. [OFFICE OF WARDS OF COURT – INFORMATION ON WARDSHIP](#)