

DUBLIN METROPOLITAN DISTRICT COURT
ENFORCEMENT PROCEDURE GUIDE
CIVIL OFFICE, ÁRAS UÍ DHÁLAIGH, INNS QUAY, DUBLIN 7.



The debtor must reside in the Dublin Metropolitan District Area. Forms are available in the District Court Rules, 1997, Order 53 S.I. 129 of 2010. For details of Court Rules visit our web site at www.courts.ie.

Judgments from all civil courts, irrespective of the amount, can be enforced through the District Court.

To issue enforcement proceedings the creditor must lodge the following documents in the Civil Office:

(1) An original stamped summons for the attendance of the debtor (s) and copies. (2) A statutory declaration to accompany application for a summons for the attendance of the debtor (s). (3) The original order of the District/Circuit/High Court. A record number and a date for hearing the case will be allocated. This record number must be written on all documents at each stage of the procedure.

A copy of the **summons** and a **statement of means** must be served on the debtor at their place of residence by registered post (giving 21 clear days notice).

The original summons, together with a declaration of service, original postage slip and certificate of amount due, must be lodged with the District Court Civil Office by 4.30 p.m. on the 4th day before the hearing date. The case is heard in court.

An instalment order may be made requesting the debtor to pay a specific amount weekly/monthly or in one lump sum, together with costs as awarded by the court. The **instalment order** is prepared by the creditor and lodged in the Civil Office. It is signed by the judge or the District Court Clerk and returned to the creditor.

If the debtor's circumstances change an application can be made to the court by way of a **summons to vary an instalment order** by either the creditor or debtor. A stamped summons (and a copy) must be lodged in the Civil Office to obtain a hearing date.

The original summons to vary an instalment order, together with a declaration of service and original postage slip, must be lodged with the District Court Civil Office by 4.30 p.m. on the 4th day before the hearing date. The case is heard in court.

The **variation order** is prepared by the creditor and lodged in the Civil Office. It is signed by the judge or the District Court Clerk and returned to the creditor.

Should one or more instalment(s) fall due the creditor may issue a **summons on failure to comply with an instalment order**.

A stamped summons on failure to comply with an Instalment Order (and copy) must be lodged in the Civil Office to obtain a hearing date in Court No. 23 (Public Records Building). The original summons, together with a declaration of service and original postage slip, must be lodged with the District Court Civil Office by 4.30 p.m. on the 4th day before the hearing date. The case is heard in court.

The judge may order the parties to go to mediation

A committal order is made for non-compliance with the court order.

OR

A variation order is made in lieu of committal (See procedure above).

- The **committal order** and **warrant** are prepared by the creditor and lodged in the Civil Office
- The **order** and **warrant** are signed by the judge
- The **order** and **warrant** are forwarded to An Garda Síochána for execution

A sentence served does not clear the debt

The original form(s) must be stamped.
The Stamp Office is situated on the ground floor at Áras Uí Dhálaigh, Inns Quay, Dublin 7.

Details of court fees are available on www.courts.ie.

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