Form 55I

AN CHÚIRT CHUARDA

THE CIRCUIT COURT

CIRCUIT COUNTY OF

Record number:

In the matter of the Assisted Decision-Making (Capacity) Act 2015 and in the matter of …………………..of …………………………………., \*(relevant person)\*(ward)

\*CAPACITY APPLICATION

PART 5 OF THE ASSISTED DECISION-MAKING (CAPACITY) ACT 2015

\*DISCHARGE APPLICATION

PART 6 OF THE ASSISTED DECISION-MAKING (CAPACITY) ACT 2015

Application of……………………….of …………………………………., Applicant(s)

AFFIDAVIT IN SUPPORT OF APPLICATION

I, [Insert name of Deponent], ............... [Insert occupation of Deponent], ................... of [Insert address of Deponent] ..................... being aged 18 years and upwards MAKE OATH and say as follows:

1. I am the applicant in the above-entitled proceedings. I make this Affidavit from facts within my own knowledge save where otherwise appears and where so appearing I believe the same to be true.

**A – Verification of Application**

2. I beg to refer to the \*Capacity Application \*Discharge Application herein. I also beg to refer to the above Statement of Particulars of the \*[Relevant Person] \*[Ward] I say that such of the statements therein as relate to my particulars are true and correct and such of the statements therein as relate to the particulars of the Relevant Person to whom this application relates or to any other matter I believe to be true.

3. I beg to refer to true copies of the following documents referred to or relied upon in the Statement of Particulars herein, upon each of which I have signed my name prior to the swearing hereof, namely:

…… marked “B”;

…… marked “C”;

…… marked “D”, etc.

**B – Basis of jurisdiction**

4. I say that the Court has jurisdiction because —

\*the said …………., the \*[Relevant Person] \*[Ward] the subject of this application is \*residing \*carrying on business at ………………in the above-mentioned Circuit of this Honourable Court

\*the said …………., the [Relevant Person] \*[Ward] the subject of this application has resided at ………………in the above-mentioned Circuit of this Honourable Court between ………20… and ………20…, being a time during the period of three years immediately prior to the making of this application.

**C – Other relevant correspondence and documents**

5. I beg to refer to a set pinned together, indexed and numbered sequentially in chronological order and marked “E”, and upon which I have signed my name prior to the swearing hereof, of true copies of what I believe are all of the other relevant correspondence and documents so far as affects the Relevant Person, relevant to the matter or matters in respect of which relief is sought in this application.

**\*D – Proposals for the further conduct of the proceedings**

[6. *Where the applicant wishes to make proposals for the directions which may be made for the further conduct of the proceedings, set out the facts or circumstances which it is alleged justify the giving of any particular directions sought, and set out the basis of the deponent’s belief as to the existence of those facts or circumstances*.]

**E – Other relevant information**

[7. *Set out all other evidence on which the applicant relies in support of the application for relief and all other information relevant to the application and where same is contained in any report or other document, exhibit such document*.]

[insert appropriate paragraph number] I accordingly pray for the relief set out in the Capacity Application herein.

SWORN  by

                                                                        This       day of                     20

Before me a practising Solicitor / Commissioner for Oaths and the Deponent

DELETE AS APPROPRIATE  -  is personally known to me / is identified to

me by           who is personally known to me / whose identity has been established

by reference to a relevant document (insert particulars of document) containing a photograph

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_                                                    \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Deponent/Declarant                                        Practising Solicitor / Commissioner for Oaths