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Seven consent divorces ruled by Circuit Court in provincial city, access and maintenance adjourned

Five divorces were ruled on consent in the Circuit Court in a provincial city, one following negotiation on the day, and an application for access and maintenance was adjourned in a family law sitting in a provincial city. Two further consent divorces were granted in a later hearing in the same court.

Consent divorce after terms agreed on morning of hearing
The Court granted a decree of divorce under section 5(1) of the Family Law (Divorce) Act 1996, as amended by the Family Law Act 2019 following negotiations. Both parties were represented by a solicitor and barrister.

The barrister for the applicant wife estimated that the case would take 45 minutes during the call-over in the morning but the parties went into negotiations for over two hours and agreed the terms. The subsequent hearing took approximately ten minutes.

The barrister for the applicant presented the consent terms to the Court and the applicant gave formal evidence confirming the facts and terms.

The parties had married in 2006 and separated in 2016. They had two teenage children. Both parties were in employment. They did not own property and were both renting. There were no property adjustment orders or pension adjustment orders. Both parties were responsible for their own debts. There was no spousal maintenance but there was maintenance for the children, but the amount was not read aloud at court. It was agreed that the respondent would pay for the children's extracurricular activities.

The younger child had access with the respondent on Saturdays, while the older child was legally an adult. Holidays were to be known in advance.

The judge was satisfied that there was no prospect of reconciliation and that proper provision had been made for the children.

Consent divorce where applicant wife abroad
The judge granted a decree of divorce where both parties were represented by a solicitor and barrister. The applicant wife was resident in a European country and was not present in court.

The couple married in 2019, but the relationship broke down in 2022. There were no children. The assets in the marriage were the family home and a car. The house was valued at €475,000 with a mortgage of €227,000. The respondent was in a good position to buy the

house, and it was agreed that he would pay the applicant a lump sum amount of €120,000. The applicant's name would be removed from the mortgage. The respondent had use of the car so it was agreed that he would keep it.

The respondent gave evidence confirming the facts and these terms. The judge was satisfied with the terms.

Consent divorce with family home sold
The judge granted another decree of divorce where both parties were represented by a solicitor and barrister.

The barrister for the applicant wife outlined the consent terms. The parties had married in 2011 and separated in 2022. Relations were very good between the parties. The family home had been sold, and the proceeds had been split on a 50/50 basis. Both parties had bought properties. They had two primary school aged children and custody was on a shared basis.

Both parties were in full time employment, and neither was seeking maintenance. There was no child maintenance and the costs for the children were split. Both parties had pensions.

The applicant wife gave evidence confirming these facts and stating that she was satisfied with the terms of consent. The judge was satisfied that there was no prospect of reconciliation and that there was proper provision for the children and the parties. The (nil) pension adjustment order would be filed in the Circuit Court.

The judge expressed gratitude and praised the parties for resolving this in a non-adversarial matter and wished the parties the best.

Consent divorce where ownership of several properties agreed
The judge granted another decree of divorce where both parties were represented by a solicitor and barrister. The respondent husband was not in court.

The parties married in 2015 and separated in 2020. They had two children. Both parties were working and in business together. There were several properties dealt with in the consent terms. The family home and a second property had always been in the applicant wife's name and would remain so. The other properties had always been in the respondent's name, and he would be responsible for these properties.

There was no dispute regarding access and no order for child maintenance. Both parties paid equally for the children.

The applicant gave evidence confirming these facts and that she was satisfied with the consent terms. The judge was satisfied that there was no possibility of reconciliation and that proper provision has been made.

The judge praised the applicant for the "smooth relationship for the children" and thanked the legal teams. The judge said that "parties empower themselves by doing this." The judge said that the pension would be filed in the Circuit Court.

Consent divorce with maintenance for children
The judge granted another decree of divorce on consent where both parties were represented by a solicitor and barrister.

The parties married in 2011 and separated in 2022. There was one child from the marriage, of primary school age, and one child from before the marriage with another party, who was now an adult, for whom the respondent was in loco parentis and this child was still dependent.

The family home was valued at €250,000 with a mortgage balance of €60,000. The respondent had a new partner and was living with her. The applicant wife was in receipt of disability payment. The respondent husband worked and earned €853 a week.

It was agreed that the respondent would pay €200 a week for the two dependent children. The wife gave evidence confirming that there was no prospect of reconciliation and that she was happy with the terms agreed. The judge said that the terms were fairly balanced.

Access and maintenance applications adjourned for mediation
A case involving ancillary orders for access and maintenance was adjourned on consent following five hours of negotiation in the Circuit Court.

The parties got divorced in September 2025. Both parties were in court and had solicitors and barristers. There were two dependent children of primary and secondary school ages.

Negotiations ran from 10.30 am to 3.30 pm on the day of the court hearing. After negotiations, there was an application seeking an adjournment on consent in order to facilitate mediation next month. The judge said that "this is a sensible approach. The Court's concern is that the case goes on as soon as possible."

In terms of the Court's time, the case was put it in for mention [in two months' time] and for hearing in [in three months]. The Court was waiting for a report from mediation. The judge said that this case would get "the earliest possible hearing."

Two divorces consented to at a later hearing
At a later hearing in the same Court two further consent divorces were heard.

In the first of these both parties self-represented. The applicant wife gave formal evidence.

The parties had married in 2001 and separated in 2015. They had three children, the eldest child was in college, and the other two children were in secondary school. It was agreed that the parties would be joint guardians and custodians, but the children would reside with the applicant wife in the family home.

There was a property adjustment order whereby the wife would have the family home and the respondent would have a right of residence. There was a condition on daytime access. Both parties had pensions and prepared a pension adjustment order which was sent into court.

The judge asked the applicant if she was happy with the terms and she confirmed that she was and that there was “no hope of reconciliation”. The judge was satisfied with the terms and granted the divorce “with the usual orders” and wished the parties the best.

In the second case both parties had legal representation. The applicant wife gave evidence. The parties had married in 2008 and separated in 2016. There were two children.

Both parties were in employment and had similar earnings. Both parties had pensions. There was a mortgage of €38,000 remaining on the family home.

It was agreed that the family home would be sold and divided between the parties. The applicant wife confirmed that there was “no prospect of reconciliation” and that she was “satisfied that there was proper provision”. The judge said he was “happy with the terms”.

In a separate hearing in the same court the judge granted a decree of divorce in a case where both parties were self-represented.

The applicant wife gave formal evidence. The parties had married in 2001 and separated in 2015. They had three teenaged children. The eldest child was in college and the other two children were in secondary school.

It was agreed that the parties would be joint guardians and custodians, but the children would reside with the applicant in her home. There was a condition on daytime access. There was a property adjustment order whereby the applicant had the family home and the respondent has a right of residence. Both parties had pensions had prepared a pension adjustment order and sent it into court.

The judge asked the applicant if she was happy with the terms and she confirmed that she was. There was “no hope of reconciliation”. The judge was satisfied so he granted the divorce with the usual orders and wished the parties the best.

In another consent divorce both parties had legal representation, a solicitor and a barrister. The parties married in 2008 and separated in 2016.

The applicant wife gave evidence, outlining that there were two children, both parties were employed and had similar earnings. Both had pensions. There was a mortgage of €38,000 remaining on the family home. The family home would be sold and divided between the parties.

There was no prospect of reconciliation and the parties were satisfied that there was proper provision.

The judge was happy with the terms and granted the divorce under section 5(1) of the Family Law (Divorce) Act 1996, as amended by the Family Law Act 2019.