



Maintenance

Who is Maintenance payable for?

There is a legal responsibility in Ireland on both spouses to maintain each other and on parents to maintain their children in accordance with their means.

Is there a definition for the word child?

Child maintenance is payable for a child up to the age of 18 or to the age of 23 if the child is in full time education. If the child has a mental or physical disability to such a degree that it will not be possible for the child to maintain him/herself fully, then there is no age limit on the maintenance payments.

What is standard Maintenance here?

A standard rate of child maintenance payment does not exist here currently but the District Court has the power to award maintenance of up to €150 per week per child and up to €500 per week per spouse. If someone is seeking higher maintenance than this they will have to apply through the Circuit Court.

What is Spousal Maintenance?

A married person can seek maintenance following the breakdown of the marriage.

The obligation to maintain and support a husband/wife continues even if the person paying the maintenance remarries and takes on the responsibility for the support of a new spouse and dependent children. Subject to the terms of any agreement reached or to the terms of a court order, a husband/wife only stops being responsible for the maintenance and support of the person receiving the maintenance when that person dies or remarries.

If father and mother are working and custody is given to father, does Spousal Maintenance apply to the father?

We deal with situations where a mother pays maintenance to a father. The rights are the same, irrespective of whether the father or the mother is financially dependent on the other.

Is there Legal Aid for someone who wants to go to Court for Maintenance?

There is free legal aid granted to anyone who is earning less than €18,000 per year.

