Assisting your client in making a co-decision-making agreement (CDMA)

Version 2 - June 2026

Guidance for Legal Practitioners

seirbhís tacaíochta cinnteoireachta
decision support service™

Step 1: Review our 'Checklist: Getting CDMA Ready' with your client

The Decision Support Service (DSS) have developed a checklist to help you, and your client, the appointer (the person making the CDMA), record the key information you will need to gather from your client and have ready when making a CDMA with them.

This checklist is available on our website - Checklist - getting CDMA Ready

Step 2: Accessing MyDSS

Your client and their co-decision-maker will each need to have their own verified MyDSS accounts. There are two ways to create a verified MyDSS account for your client:

Option 1: Creating an account for your client through the manual ID verification process and logging in on behalf of your client's account using the green Decision Support Service log in button.

Option 2: Alongside your client through their verified MyGovID account.

The co-decision-maker will also need to create a verified account using one of the above options.

Option 1: Manual ID verification process with the DSS - What will you need?

- A copy of photo ID for your client (current and in date)
- A copy of two proofs of address for your client (dated within the last 6 months)
- Your client's email address

The DSS ID verification form can be accessed on our website www.decisionsupportservice.ie/mydss-help/identity-verification-application-form

Note: You may wish to proceed with option 1 for your client, as proceeding through option 2 will require you to have access to your client's device to receive the multi factor authentication code that is issued through MyGovID each time access is requested through your client's account.

Option 2: MyGovID - What will you need?

- Your client's email address for their MyGovID account
- Your client's password for their MyGovID account
- Access to the device the authentication code will be sent to

You can access the MyDSS portal through the following link:

https://portal.decisionsupportservice.ie/SignIn

Step 3: Recording your authority to act for your client on MyDSS

As a legal practitioner, you can now record your authority to act on behalf of your client through their account on MyDSS.

Your authority can be recorded through MyDSS by completing the following steps:

1. **Create an application to register a CDMA on your client's account**
2. **Answer 'no' to the question 'Are you making this application on your own behalf?'**
3. **Answer 'yes' to the question 'Are you a practicing solicitor appointed to assist the applicant in the creation of this application for registration with the Decision Support Service?'**
4. **Record your contact details; your name, firm name, business address, contact number, and email address**

By recording this information, your client has provided their consent for the DSS to contact your directly and all communication by the DSS will be sent to you as the solicitor on record for the application.

Step 4: Accessing DSS resources to assist your client

The DSS website contains several resources to assist you and your client in creating a CDMA application. Please see listed below some resources which may assist you and your client:

- Making a co-decision-making agreement | Decision Support Service
- Checklist for completing your application to register a co-decision-making agreement
- Checklist – getting CDMA ready
- Steps for making your CDMA - coming soon
- Decisions booklet - coming soon
- Guidance for Medical and Healthcare Professionals for Completing a Capacity Statement

Step 5: Top tips to help your client make a good CDMA

Errors can cause delays and, in some cases, require re-completion of some or all of the application and supporting documents if the legal requirements have not been met.

To avoid delays for your client, you should consider the following to assist your client to make a good CDMA:

- Gather as much information as possible to ensure you understand the needs of your client so that the correct specified decisions are included in the CDMA.
- Ensure that specified decisions are included in the application; a CDMA cannot include a general authority for all decisions.
- Ensure your client has included clear details of the decisions to be included.
  Where the application relates to a part 5 or part 6 order, ensure the court is satisfied that the proposed CDMA meets your client's needs and the requirements of the court order.
- Ensure you finalise the details of the decisions in the application with your client before they have their statement of capacity completed, as this capacity assessor must review the decisions as part of their capacity assessment.
- As part of the CDMA application, you must download a unique statement of capacity form through your client's account. A report provided by a medical visitor to the Court is not sufficient for this purpose.
- The appointer and the co-decision-maker declarations are executed (signed) at the same time with the same two witnesses witnessing across both declarations.
- At least one of the two witnesses is not an immediate family member of either the appointer or the co-decision-maker.
- If a solicitor is representing the co-decision-maker, they do not sign as a witness.
- Two character references for the co-decision-maker are submitted as part of the application.
- Notice requirements have been met.
  The application is submitted to the DSS not later than five weeks from the date of execution.

Note: If specific decisions are not included in the CDMA application, your client will be required to re-complete the application and the supporting documents.

Step 6: CDMA made under part 5 or part 6 of the Act - notifying the court about the CDMA

If the application relates to a CDMA being made under part 5 or part 6 of the Act, you must ensure that:

- The court is satisfied that the CDMA meets your client's needs and the requirements of the court order.
- Follow any direction outlined in a court order regarding an application for registration of a CDMA.
- Following registration, you provide proof of registration, to include an authenticated copy of the CDMA, to the Registrar as directed in the order.

The Decision Support Service can be contacted by **emailing** queries@decisionsupportservice.ie or by **calling** Freephone +353 (01) 211 9750 on Monday – Friday between 09:00 – 16:00.

We are here to support you and your client in completing the co-decision-making agreement application and to provide you with the information you require.