



FEDERAL CIRCUIT
AND FAMILY COURT
OF AUSTRALIA

Initiating Application (Family Law)



Use this kit to apply for final orders.

Interlocutory orders can only be sought in this form if you are also seeking final orders.

www.fcfcoa.gov.au

This kit includes:

- Information (pages A–E)
- *Initiating Application* form – (pages 1–10)
- Where to file

IT IS IMPORTANT TO READ THIS KIT BEFORE YOU COMPLETE THE APPLICATION.

For more information:

- visit **www.fcfcoa.gov.au**
- **LiveChat** on the website
- call **1300 352 000**

This kit provides general information only and is not provided as legal advice. If you have a legal issue, you should contact a lawyer before making a decision about what to do or applying to the Court. The courts cannot provide legal advice.

About the words used in this kit

Abuse – in relation to a child means,

(a) an assault, including a sexual assault, of the child; or

(b) a person (the first person) involving the child in a sexual activity with the first person or another person in which the child is used, directly or indirectly, as a sexual object by the first person or the other person, and where there is an unequal power in the relationship between the child and the first person; or

(c) causing the child to suffer serious psychological harm, including (but not limited to) when that harm is caused by the child being subjected to, or exposed to, family violence; or

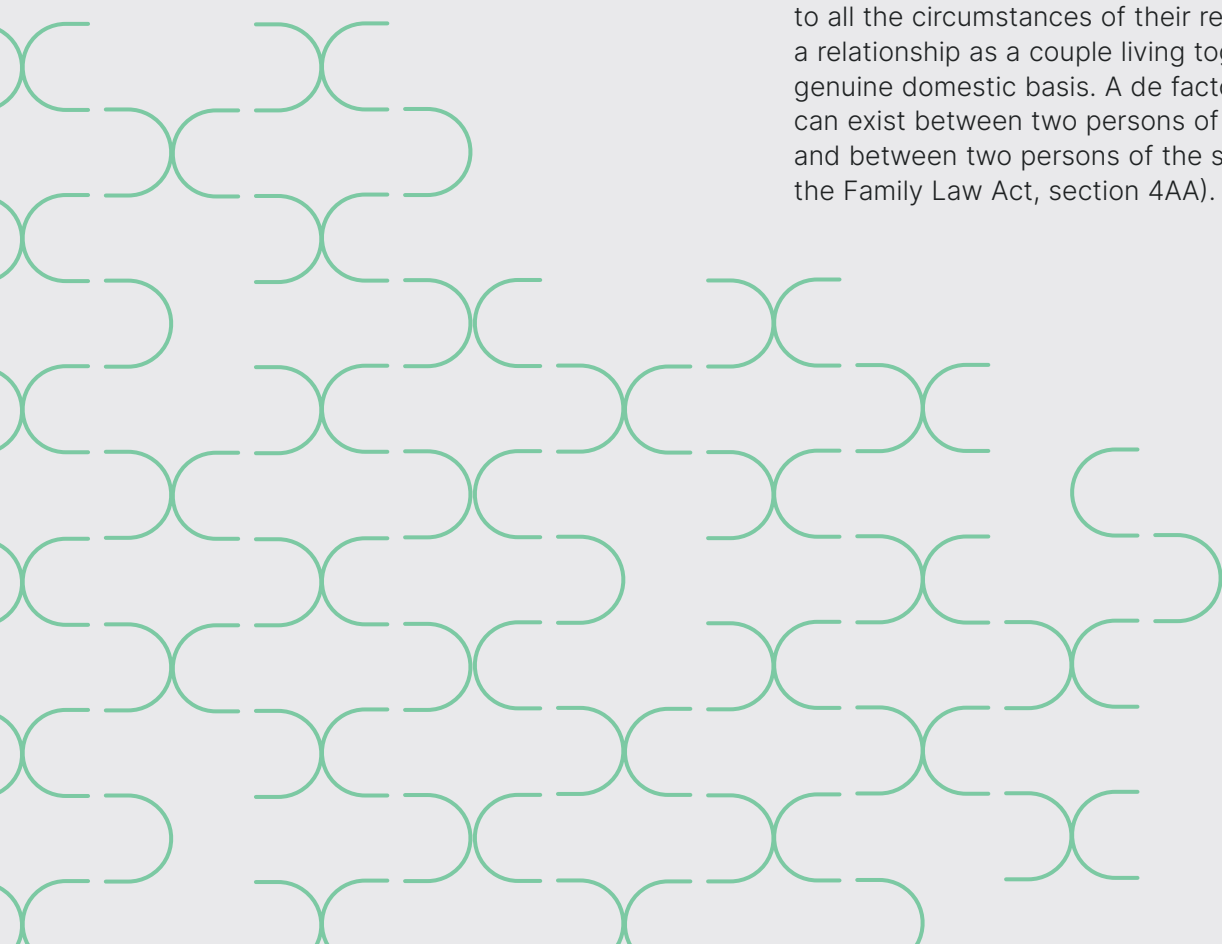
(d) serious neglect of the child.

Act – means the *Family Law Act 1975* (Cth).

Applicant – the person who seeks to have the court make orders.

Contact address (address for service) in Australia – the address in Australia that a party in a case nominates as being the place where documents are to be left for them or mailed, faxed or emailed to them.

De facto relationship – a relationship between two persons who are not legally married to each other; and not related by family and having regard to all the circumstances of their relationship, have a relationship as a couple living together on a genuine domestic basis. A de facto relationship can exist between two persons of different sexes and between two persons of the same sex. (See the Family Law Act, section 4AA).



Family violence – means violent, threatening or other behaviour by a person that coerces or controls a member of the person’s family (the family member), or causes the family member to be fearful. A child is exposed to family violence if the child sees or hears family violence or is otherwise exposed to family violence. See the Family Law Act, section 4AB, which gives examples. Family violence may also amount to child abuse.

Family violence order – an order (including an interim order) made under a prescribed law of a State or Territory to protect a person from family violence.

Filing – the procedure of you lodging an application or other document with a registry of the Court. You can do this by hand, post or electronic means.

Financial agreement – in relation to a marriage means an agreement that is a financial agreement under section 90B, 90C, 90D, of the Family Law Act but it does not include an ante-nuptial or post-nuptial settlement to which section 85A of the Act applies. In relation to a de facto relationship means a financial agreement under Part VIIIAB, Division 4 and sections 90UB, 90UC, 90UD and 90EU of the Family Law Act.

Genuine Steps Certificate – a certificate to be filed by each party at the same time as filing an *Initiating Application (Family Law)* or *Response to Initiating Application*, confirming they have complied with the pre-action procedures in Schedule 1 of the Rules.

Interlocutory application – an application filed by a party in a proceeding which has already been commenced, which seeks an interlocutory or interim order.

Interlocutory orders – an order which is sought on an interim or procedural basis in an interlocutory application.

Maintenance – financial support.

Medical procedures – an *Initiating Application (Family Law)* seeking an order authorising a major medical procedure on a child which is not for the purpose of treating some malfunction or disease.

Orders – a statement of what must be done to carry out a court decision. They can include an order made after a hearing by a judge or registrar, or an order made after parties who have reached their own agreement have applied to a court for consent orders. When an order is made, each person bound by the order must follow it.

Party – a person involved in a proceeding before the Court. Generally known as the applicant or respondent.

Pre-action procedures – steps that must be completed by each party before filing this form, unless an exception applies. Refer to Schedule 1 of the Rules for a list of the pre-action procedures.

Proceeding – the process of a case that has been filed in the Court.

Registry – how the offices of the Federal Circuit and Family Court of Australia are known. For example, the Melbourne Registry is in the Commonwealth Law Courts building on William Street.

Respondent – Party to an *Initiating Application (Family Law)* who is named in the application as a respondent.

Rules – the rules referred to in this kit are the *Federal Circuit and Family Court of Australia (Family Law) Rules 2021*.

Sealed copy – a copy of a document which has an original court seal stamped on it.

Service – the process of giving or delivering documents to a party after the documents have been filed. You should obtain the Court’s Service Kit.

Spouse – a party to a marriage, or former party to a marriage.

Spouse or de facto partner maintenance – financial support for a party to a marriage, or former party to a marriage, or a party to a de facto relationship which has broken down.

Statement of Truth – is a written statement which you must sign to confirm that the contents of your application is truthful. You must sign the Statement of Truth before your application will be accepted for filing.

Initiating Application (Family Law)

Applicants seeking final orders should use this form. Interlocutory orders can only be sought in this form if the applicant is seeking final orders as well.

Any forms and Practice Directions referred to in this application are available on the Federal Circuit and Family Court of Australia website www.fcfcoa.gov.au

There are pre-action procedures you MUST comply with before you file this application.

BEFORE YOU FILE:

- You must make a genuine effort to resolve your dispute through dispute resolution by:
 - Giving a copy of the pre-action procedures to the other party/ies;
 - Making inquiries about the dispute resolution services available to assist with resolving your dispute;
 - Inviting the other party/ies to participate in dispute resolution with an agreed person or organisation, where it is safe to do so; and
 - Providing written notice to the other party/ies of your intention to commence proceedings in the Court.
- In financial proceedings, you should also begin exchanging your financial information with the other party/ies.

You must complete and file a *Genuine Steps Certificate* with this kit, confirming your compliance with the pre-action procedures. If you have not complied with the relevant pre-action procedures, you must explain which exception you are seeking to rely on in the *Genuine Steps Certificate*.

WARNING: Failure to comply with the relevant pre-action procedures may result in your application being stayed.

More information about pre-action procedures is available in Schedule 1 of the Rules and the Court's brochures:

- Before you file – Pre-action procedures in parenting cases, and
- Before you file – Pre-action procedures in financial cases.

Legal advice

It is important that you understand the meaning and effect of the orders you seek.

Even if you have decided to make your application without the help of a lawyer, you should obtain independent legal advice about the effect and consequences of the orders you propose and signing of the Statement of Truth.

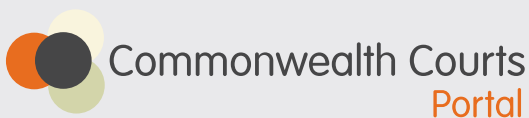
You can get legal advice from a:

- legal aid office
- community legal centre, or
- private law firm.

Court staff can help you with questions about forms and court processes, but cannot give you legal advice.

TO FILE THIS APPLICATION:

- **You must also file an affidavit setting out the facts relied on when seeking interlocutory orders or as required by the relevant Practice Direction/s.** See the Practice Direction/s relevant to each type of proceeding you are commencing. The affidavit must be in a separate document.
- **If you are seeking parenting orders:**
 - You must file a *Notice of child abuse, family violence or risk* and *Questionnaire – Parenting* with this application, and any other documents as set out in the Rules and relevant Practice Direction/s.
 - **You must file a certificate** given to you by a family dispute resolution practitioner under subsection 60I(9) of the Act, unless an exception under paragraph 60I(9)(a), (b), (c), (d), (e) or (f) of the Act applies.
 - **If a certificate from a family dispute resolution practitioner is not required** because paragraph 60I(9), (b), (c), (d), (e) or (f) of the Act applies, you must set out the factual basis of the exception claimed in any affidavit filed in support of your application or in a separate *Affidavit – Non-Filing of Family Dispute Resolution Certificate*.
 - **If you are seeking a Part VII order in relation to a child** and subsection 60J(1) of the Act applies, you must indicate in writing that you have received information from the family counsellor or family dispute resolution practitioner about the services and options available (including alternatives to court action) in circumstances of abuse or family violence. An *Acknowledgment – Information from a Family Counsellor or Family Dispute Resolution Practitioner* is available from www.fcfcoa.gov.au.
 - You must file a copy of any **family violence order** affecting a child or a member of the child's family.
- **If you are seeking financial orders:**
 - You must file a *Financial Statement*, and *Questionnaire – Financial* with this application and any other documents as set out in the Rules and relevant Practice Direction.
 - You must file a copy of any family violence order affecting a party.
- After you have filed your documents, you need to **serve** them on the other party/ies to the proceeding. For information on what you need to do to serve your documents, see the *Service Kit* and the step-by-step guide **How do I serve family law documents?** at www.fcfcoa.gov.au.
- **If you are completing this application by hand** and you need more space in any section, attach extra page/s as required.
- **If you are completing this application electronically** please ensure the font size is at least 12 point.
- **You only need to file pages 1-10** of this application. The instruction pages should be removed before filing.
- **Mark [X]** in all boxes that apply.



Note: Initiating applications should be eFiled through the Commonwealth Courts Portal www.comcourts.gov.au

For step-by-step guides to eFiling see www.fcfcoa.gov.au/howdoi

Hearing impaired clients

The National Relay Service is a free telephone service that allows deaf, or hearing and/or speech impaired clients with a TTY machine, to make telephone calls to a registry.

- **133 677** (clients who are deaf or hearing impaired)
- **1300 555 727** (clients who are both deaf/hearing impaired and speech impaired).

www.communications.gov.au/accesshub

IMPORTANT NOTES FOR COMPLETING PART A OF THIS FORM

You are the applicant and you must place your full name (first name then last name) as used now in the space provided as well as the full name (first name then last name) as used now of the other party who is known as the respondent. For example:

	[Jane Elizabeth DOE]
	Applicant's Name
[Party to a marriage / Party to a de facto relationship / Parent / Grandparent / Other]	
	[John Jason ROE]
	Respondent's Name
[Party to a marriage / Party to a de facto relationship / Parent / Grandparent / Other]	

Note: Your complete details and those of the other party as far as you are aware of them must be set out in Part B on page 3.

Remove this sheet before filing

PART A: THE ORDERS SOUGHT

Each type of family law proceeding has a Practice Direction setting out the documents that must be filed with this application, depending on the type of orders you are seeking.

Indicate the type of order(s) sought by you, the applicant.

- **Financial proceedings** means family law proceedings seeking orders about property, maintenance, superannuation and financial agreements under Parts VIII, VIIIA, VIIIAB, and VIIIB and injunctions pursuant to section 114 of the Act. It does **not** include child support or child maintenance proceedings.
- **Parenting orders proceedings** means family law proceedings seeking orders specifying with whom a child lives, spends time or communicates, and orders specifying who has the parental responsibility for a child. It does **not** include surrogacy proceedings, passport proceedings, medical procedure proceedings, or child maintenance proceedings.

Tick all boxes that apply.

Please review all relevant Practice Direction/s that will apply to the types of orders sought by you in your application.

You must also complete and file a *Genuine Steps Certificate* with this application, confirming your compliance with the pre-action procedures. If you have not complied with the relevant pre-action procedures, you must explain which exception you are seeking to rely on in the *Genuine Steps Certificate*.

Set out the **final, or the final and interlocutory orders** that you, the applicant, are seeking. Give a number to each order sought.

Note: An **interlocutory order** means an interim order, a procedural order, an ancillary order, or any other incidental order relating to an application.

You must complete the panel at the bottom of page 1. It provides the Court with information as to who prepared the application, your legal representatives (if any) and your contact details. Your address for service is your contact address in Australia but you do not have to give your residential address, if it is not safe to do so. You may give another address at which you are satisfied that you will receive documents. You **must** give an email address.

Remove this sheet before filing

Initiating Application (Family Law)

Filed in:

- Federal Circuit and Family Court of Australia
 Family Court of Western Australia
 Other (specify): _____



NOTE: Initiating applications should be eFiled through the Commonwealth Courts Portal – www.comcourts.gov.au

COURT USE ONLY
Client ID
File Number
Filed at
Filed on
Court location
Court date
Time
Type of hearing

IMPORTANT: Information for respondents to the application is on page 10.

[_____]
Applicant's Name
[Party to a marriage / Party to a de facto relationship / Parent / Grandparent / Other]

[_____]
Respondent's Name
[Party to a marriage / Party to a de facto relationship / Parent / Grandparent / Other]

Part A The orders sought

1 Type of orders sought (mark all boxes that apply)

- Parenting Financial (property and/or maintenance)
 Other (specify): _____

Note: You must complete and file a *Genuine Steps Certificate* with this application.

Filed on behalf of: The applicant

Prepared by _____ Lawyer's Code _____
Name of law firm _____
Address for service in Australia _____
State _____ Postcode _____
Email _____
Tel _____ Attention _____

2 Final orders sought

(State precisely and briefly the final orders sought by the applicant. Please give a number to each order sought.)

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3 Interlocutory orders sought

(These orders can only be sought in this form if you are seeking final orders as well; otherwise, leave blank. State precisely and briefly the orders sought. Please give a number to each order sought.)

If you seek interlocutory orders, you must file an affidavit which sets out the facts relied on in support of your application.

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IMPORTANT NOTES FOR COMPLETING PART B OF THIS FORM

PART B: DETAILS OF THE PARTIES

- You do not have to state your residential address, email address or your telephone number if it is not safe to do so. You can repeat your contact address for service if you wish.
- If you have difficulty with English and you need to make contact with the Court, you can get help from a qualified interpreter by contacting Translation and Interpreting Services on 131 450. This service is free.
- If you require an interpreter to attend court with you, you must notify the Court in advance in writing, addressed to Client Services.
- If there are more than two [2] applicants or two [2] respondents you must attach a separate sheet providing the detail requested for each other applicant or respondent.

NOTES for page 3,4 and 5

^ You are not required to answer this question. The information assists to understand the diversity of family relationships in Australia and contributes to gender disaggregated data. The Courts' privacy policy can be found on www.fcfcoa.gov.au.

~ You are not required to answer this question, but it will greatly assist the Court if you do. The information sought is being collected to assist the Court in planning and delivering client services. It is possible that you may be contacted to participate in a review of a particular aspect of the Courts' services, although your right not to participate will be respected. The information you provide may be shared with researchers approved by the Court, and may be included in publications in statistical form in a way that does not identify you.

Remove this sheet before filing

Part B Details of the parties

DETAILS OF APPLICANT/S

	APPLICANT 1	APPLICANT 2
4 Family name as used now		
5 Given names		
6 Gender [^]	<input type="checkbox"/> Choose not to answer <input type="checkbox"/> M (male) <input type="checkbox"/> F (female) <input type="checkbox"/> X (indeterminate/intersex/unspecified)	<input type="checkbox"/> Choose not to answer <input type="checkbox"/> M (male) <input type="checkbox"/> F (female) <input type="checkbox"/> X (indeterminate/intersex/unspecified)
7a Residential address (incl postcode)		
7b Email address		
8 Phone number (home & mobile)		
	You do not have to state your residential address, email address or telephone number if it is not safe to do so. You can repeat your contact address for service if you wish.	
9 Date of birth (day/month/year)	/ /	/ /
10 Usual occupation		
11 Mark box as applicable for each applicant	<input type="checkbox"/> Present in Australia <input type="checkbox"/> Ordinarily resident in Australia <input type="checkbox"/> An Australian citizen <input type="checkbox"/> Domiciled in Australia	<input type="checkbox"/> Present in Australia <input type="checkbox"/> Ordinarily resident in Australia <input type="checkbox"/> An Australian citizen <input type="checkbox"/> Domiciled in Australia
12 Description	<input type="checkbox"/> Party to a marriage <input type="checkbox"/> Party to a de facto relationship that has broken down <input type="checkbox"/> Parent <input type="checkbox"/> Grandparent <input type="checkbox"/> Other (specify):	<input type="checkbox"/> Party to a marriage <input type="checkbox"/> Party to a de facto relationship that has broken down <input type="checkbox"/> Parent <input type="checkbox"/> Grandparent <input type="checkbox"/> Other (specify):
13 Is an interpreter required?	<input type="checkbox"/> NO <input type="checkbox"/> YES If Yes, state language & dialect:	<input type="checkbox"/> NO <input type="checkbox"/> YES If Yes, state language & dialect:
14 Is the applicant of Aboriginal and/or of Torres Strait Islander origin? ~	<input type="checkbox"/> NO <input type="checkbox"/> YES Aboriginal <input type="checkbox"/> YES Torres Strait Islander <input type="checkbox"/> YES Aboriginal and Torres Strait Islander	<input type="checkbox"/> NO <input type="checkbox"/> YES Aboriginal <input type="checkbox"/> YES Torres Strait Islander <input type="checkbox"/> YES Aboriginal and Torres Strait Islander

DETAILS OF RESPONDENT/S

RESPONDENT 1

RESPONDENT 2

15	Family name as used now		
16	Given names		
17	Gender^	<input type="checkbox"/> Choose not to answer <input type="checkbox"/> M (male) <input type="checkbox"/> F (female) <input type="checkbox"/> X (indeterminate/intersex/unspecified)	<input type="checkbox"/> Choose not to answer <input type="checkbox"/> M (male) <input type="checkbox"/> F (female) <input type="checkbox"/> X (indeterminate/intersex/unspecified)
18a	Residential address (incl postcode)		
18b	Email address		
19	Date of birth (day/month/year)	/ /	/ /
20	Usual occupation		
21	Mark box as applicable for each applicant	<input type="checkbox"/> Present in Australia <input type="checkbox"/> Ordinarily resident in Australia <input type="checkbox"/> An Australian citizen <input type="checkbox"/> Domiciled in Australia	<input type="checkbox"/> Present in Australia <input type="checkbox"/> Ordinarily resident in Australia <input type="checkbox"/> An Australian citizen <input type="checkbox"/> Domiciled in Australia
22	Description	<input type="checkbox"/> Party to a marriage <input type="checkbox"/> Party to a de facto relationship that has broken down <input type="checkbox"/> Parent <input type="checkbox"/> Grandparent <input type="checkbox"/> Other (specify):	<input type="checkbox"/> Party to a marriage <input type="checkbox"/> Party to a de facto relationship that has broken down <input type="checkbox"/> Parent <input type="checkbox"/> Grandparent <input type="checkbox"/> Other (specify):
23	Is an interpreter required?	<input type="checkbox"/> NO <input type="checkbox"/> YES If Yes, state language & dialect:	<input type="checkbox"/> NO <input type="checkbox"/> YES If Yes, state language & dialect:
24	Is the respondent of Aboriginal and/or of Torres Strait Islander origin? ~	<input type="checkbox"/> NO <input type="checkbox"/> YES Aboriginal <input type="checkbox"/> YES Torres Strait Islander <input type="checkbox"/> YES Aboriginal and Torres Strait Islander	<input type="checkbox"/> NO <input type="checkbox"/> YES Aboriginal <input type="checkbox"/> YES Torres Strait Islander <input type="checkbox"/> YES Aboriginal and Torres Strait Islander

Part C Relationship of parties

25	Date parties commenced living together (day/month/year)	/ /	or <input type="checkbox"/> Not applicable
26	Date of marriage (day/month/year)	/ /	or <input type="checkbox"/> Not applicable
27	Date of final separation (day/month/year)	/ /	or <input type="checkbox"/> Not applicable
28	Date of divorce (day/month/year)	/ /	or <input type="checkbox"/> Not applicable

For ^ and ~ details, see the 'Important notes for completing part B'.

Part D Children

(Complete details for each child. If more space is required for extra children, attach an extra page)

	CHILD 1	CHILD 2
29 Family name		
30 Given names		
31 Date of birth (day/month/year)	/ /	/ /
32 Gender [^]	<input type="checkbox"/> Choose not to answer <input type="checkbox"/> M (male) <input type="checkbox"/> F (female) <input type="checkbox"/> X (indeterminate/intersex/unspecified)	<input type="checkbox"/> Choose not to answer <input type="checkbox"/> M (male) <input type="checkbox"/> F (female) <input type="checkbox"/> X (indeterminate/intersex/unspecified)
33 Parent 1 family name		
34 Parent 1 given name		
35 Parent 2 family name		
36 Parent 2 given name		
37 With whom does the child live?		
	CHILD 3	CHILD 4
38 Family name		
39 Given names		
40 Date of birth (day/month/year)	/ /	/ /
41 Gender [^]	<input type="checkbox"/> Choose not to answer <input type="checkbox"/> M (male) <input type="checkbox"/> F (female) <input type="checkbox"/> X (indeterminate/intersex/unspecified)	<input type="checkbox"/> Choose not to answer <input type="checkbox"/> M (male) <input type="checkbox"/> F (female) <input type="checkbox"/> X (indeterminate/intersex/unspecified)
42 Parent 1 family name		
43 Parent 1 given name		
44 Parent 2 family name		
45 Parent 2 given name		
46 With whom does the child live?		

Part E

For applications for parenting orders

- 47 Has the applicant obtained a certificate from a registered family dispute resolution practitioner? (Refer to section 60I of the *Family Law Act 1975*).

No Yes

If yes, attach a copy of the certificate to this application and go to Part F of this form.

If no, to obtain an exemption from filing a certificate you must either complete and file the form *Affidavit - Non-Filing of Family Dispute Resolution Certificate* or include the factual basis for the exemption in the affidavit you file in support of any order you are seeking.

- 48 Has the applicant received advice from a family counsellor or a family dispute resolution practitioner about the services and options (including alternatives to court action) available in circumstances of abuse or violence? (Refer to section 60J of the *Family Law Act 1975*).

No Yes

Part F

Other court cases and orders

ONGOING CASES

- 49a Are there any ongoing cases in this or any other court about family law, child support, family violence or abuse in relation to a child, or child welfare issues that involve any of the parties or children listed in this application?

No Yes

If yes, provide the following details for each ongoing case.

(Attach extra pages as required.)

- b Court name and place
- c Next Court date
- d Name of parties
- e State the nature of the orders sought (eg property settlement, parenting orders, child support)

EXISTING ORDERS, AGREEMENTS OR UNDERTAKINGS

- 50a Are there any existing orders, agreements, parenting plans or undertakings to a court about family law, child support, family violence or abuse in relation to a child (including family violence orders which have applied to a child or a member of the child's family), or child welfare issues concerning any of the parties or children listed in this application?

No Yes

If yes, either **attach copies** of any orders, agreements, parenting plans or undertakings or provide details below.

(If there is more than one order etc, attach extra pages as required.)

- b Court name and place
- c Date
- d Names of parties to the order, agreement, parenting plan or undertaking

IMPORTANT NOTES FOR COMPLETING PART H OF THIS FORM

PART H: DE FACTO RELATIONSHIP JURISDICTION – FINANCIAL CAUSES

- Mark NO or YES for each box in Part H.

Entitlement to apply and geographic requirements

- The relevant date for Australian territories and states is 1 March 2009 **EXCEPT** in South Australia for which the relevant date is 1 July 2010.
- If you answer NO to (a) and you have made a choice under subitems 86A(1) or 90A(1) of schedule 1 to the *Family Law (De Facto Financial Matters and Other Measures) Act 2008*, you must comply with subitem 86A(5) or 90A(5) of that Act. Copies of the written and signed consents and statements of legal advice by legal practitioners for both parties will need to be available and provided at the first court event.
- To enable the Court to exercise its jurisdiction in de facto financial causes, you must answer YES to one of the questions in 55b–55e and answer YES to one of the questions 55f or 55g.

Part G

For property and/or spouse/de facto spouse maintenance applications

If the parties were in a de facto relationship that has broken down, complete Part H

- 51 Have the parties entered into a financial agreement or a part VIIIAB Financial Agreement under the *Family Law Act 1975* or under any relevant state or territory legislation? No Yes
- 52 If either party has a superannuation interest, have the parties entered into a binding superannuation agreement in relation to that superannuation interest? No Yes
- 53 Is any party currently bankrupt or currently a debtor in bankruptcy proceedings started by either a creditor's petition or a debtor's petition or currently a debtor subject to a personal insolvency agreement? No Yes
- 54 Is there a proceeds of crime order or current forfeiture application in relation to any of the property of any of the parties? No Yes

If yes, attach a sealed copy of the order or application.

Part H

De facto relationship jurisdiction – financial causes

(subsection 4(1) of *Family Law Act 1975* defines de facto financial cause)

Complete **all** the boxes below if relying on the Court's jurisdiction to make orders for the benefit of a party to de facto relationship that has broken down.

ENTITLEMENT TO APPLY AND GEOGRAPHIC REQUIREMENTS

- 55a Did your de facto relationship break down on or after 1 March 2009 or if resident in South Australia on or after 1 July 2010? (See important notes for completing Part H.) No Yes
- b Is the period or the total of the periods of the de facto relationship at least two years? No Yes
- c Is there is a child of the de facto relationship? No Yes
- d Has the applicant made substantial contributions and a failure to make an order or declaration would result in serious injustice to the applicant? No Yes

- e Is, or was, the relationship registered under a prescribed law of a state or territory of Australia? No Yes
- f Were both parties to the relationship ordinarily resident in one or more of the Australian territories or New South Wales, Queensland, Victoria, Tasmania or South Australia for at least one third of the domestic relationship, or at the date the relationship broke down? No Yes
- g Did the applicant make substantial contributions in one or more of the Australian territories or New South Wales, Queensland, Victoria, Tasmania or South Australia? No Yes

Part I Cross-vested jurisdiction

(Complete only if relying on cross-vested jurisdiction. Note: An affidavit **must** be filed – see Rule 9.10)

- 56 If relying on a cross-vesting law, specify the Territory law relied on

Part J Lawyer's declaration

- 57 If the applicant is filing this application without a lawyer, this part need not be completed. However the applicant should obtain a copy of the information brochure *Marriage, Families and Separation* from the Court when filing the application. If a lawyer is filing the application, then the lawyer must give the applicant a copy of the brochure and sign the following declaration.

I gave the applicant(s) a copy of the Court's brochure *Marriage, Families and Separation*.

Signature of lawyer

Full name of lawyer:

Date: / /

IMPORTANT NOTES FOR COMPLETING PART K OF THIS FORM

PART K: STATEMENT OF TRUTH BY APPLICANT(S)

- Please do not complete this part until you have completed Parts A–J.
- You must complete the Statement of Truth by signing it and dating it.

Remove this sheet before filing

58

APPLICANT 1

APPLICANT 2

<ol style="list-style-type: none"> 1. The facts of which I have personal knowledge are true. 2. All other facts are true to the best of my knowledge, information and belief and the orders sought in this application are supported by evidence. 3. I am aware that I have a duty to the Court and to each other party to give full and frank disclosure – in a timely manner – of all information relevant to the issues in the case. 4. I have read and complied with the pre-action procedures required of me as outlined in Schedule 1 of the Rules, and completed a <i>Genuine Steps Certificate</i>. 	<ol style="list-style-type: none"> 1. The facts of which I have personal knowledge are true. 2. All other facts are true to the best of my knowledge, information and belief and the orders sought in this application are supported by evidence. 3. I am aware that I have a duty to the Court and to each other party to give full and frank disclosure – in a timely manner – of all information relevant to the issues in the case. 4. I have read and complied with the pre-action procedures required of me as outlined in Schedule 1 of the Rules, and completed a <i>Genuine Steps Certificate</i>.
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I have read and understood this Statement of Truth (please tick)

I have read and understood this Statement of Truth (please tick)

Signature of Applicant 1

Signature of Applicant 2

Date: / /

Date: / /

IMPORTANT NOTICE TO RESPONDENT(S)

You should seek legal advice about this application.

If you do not want the Court to make the orders sought in this application or if you want the Court to make other orders, **YOU MUST:**

File with the Court:

- **If seeking parenting orders:**
 - a *Response to Initiating Application*;
 - a *Notice of child abuse, family violence or risk*;
 - a *Genuine Steps Certificate*;
 - a *Questionnaire – Parenting*; and
 - other documents as required, depending on the orders you seek (see the relevant Practice Direction for each type of proceedings commenced by the applicant).
- **If seeking financial orders:**
 - a *Response to Initiating Application*;
 - a *Financial Statement*;
 - a *Genuine Steps Certificate*;
 - a *Questionnaire – Financial*; and
 - other documents as required, depending on the orders you seek (see the relevant Practice Direction for each type of proceedings commenced by the applicant).

These forms are available on the Court's website www.fcfoa.gov.au

- You must also file an affidavit if:
 - Interlocutory orders are sought by either party, or
 - an allegation is made in the *Notice of child abuse, family violence or risk*, or
 - if required by the Rules or relevant Practice Direction.

An affidavit form is available on the Court's website www.fcfoa.gov.au

You must also serve copies of the documents filed on all other parties.

ATTENDING THE HEARING

Your hearing may be **in person, by telephone** or **electronic web conference** eg. *Microsoft Teams*.

Please file a *Notice of Address for Service* **as soon as possible** so the Court can provide instructions on how to attend your hearing. Please refer to the Court's websites for further information on attending hearings.

Please note: if you do not attend the hearing, orders may be made in your absence.

Where to file

This form should be filed with any accompanying documents online via www.comcourts.gov.au, by post, or in person at any one of the Court locations below.

www.fcfoa.gov.au

☎ 1300 352 000

NOTE: For filing a family law application in **Western Australia** visit www.familycourt.wa.gov.au

ACT	Canberra Registry	Cnr University Ave and Childers St, Canberra, ACT 2600 (GPO Box 9991 Canberra ACT 2601)
NSW	Albury Registry	Level 1, 463 Kiewa St, Albury, NSW, 2640 (PO Box 914 Albury NSW 2640)
	Dubbo Registry	Cnr Macquarie and Wingewarra Sts Dubbo, NSW 2830 (PO Box 1567 Dubbo NSW 2830)
	Lismore Registry	Level 2, 29–31 Molesworth St, Lismore, NSW 2480 (PO Box 9 Lismore NSW 2480)
	Newcastle Registry	61 Bolton St, Newcastle, NSW 2300 (PO Box 9991 Newcastle NSW 2300)
	Parramatta Registry	1–3 George St, Parramatta, NSW 2123 (PO Box 9991 Parramatta NSW 2123)
	Sydney Registry	97–99 Goulburn St, Sydney, NSW 2000 (GPO Box 9991 Sydney NSW 2001)
	Wollongong Registry	Level 1, 43 Burelli St, Wollongong, NSW 2500 (PO Box 825 Wollongong NSW 2500)
NT	Darwin Registry	Supreme Court Building, State Square, Darwin NT 0800 (GPO Box 9991 Darwin NT 0801)
QLD	Brisbane Registry	119 North Quay, Brisbane, Qld 4000 (GPO Box 9991 Brisbane QLD 4001)
	Cairns Registry	Level 3 and 4, 104 Grafton St Cairns Qld 4870 (PO Box 9991 Cairns QLD 4870)
	Rockhampton Registry	48 East St, Rockhampton, Qld 4700 (PO Box 9991 Rockhampton QLD 4700)
	Townsville Registry	Level 2, 143 Walker St Townsville Qld 4810 (PO Box 9991 Townsville QLD 4810)
SA	Adelaide Registry	3 Angas St, Adelaide, SA 5000 (GPO Box 9991 Adelaide SA 5001)
TAS	Hobart Registry	39–41 Davey St, Hobart, Tas 7000 (GPO Box 9991 Hobart TAS 7001)
	Launceston Registry	Level 3, ANZ Building, Cnr Brisbane and George Sts Launceston TAS 7250 (PO Box 9991 Launceston TAS 7250)
VIC	Dandenong Registry	53–55 Robinson St, Dandenong, VIC 3175 (PO Box 9991 Dandenong VIC 3175)
	Melbourne Registry	305 William St, Melbourne, VIC 3000 (GPO Box 9991 Melbourne VIC 3001)