Initiating Application (Family Law) Cover Sheet

In the Federal Circuit and Family Court of Australia

File number	DNC103/2024
Filed at	DARWIN
Filed on	Tuesday 12/03/2024 01:37 PM
Presiding Judicial Officer	Senior Judicial Registrar Friend
Court location	
Court date	Friday 15/03/2024
Time	9:30 AM
Type of hearing	Interim Defended Hearing Senior Judicial Registrar

The following questions have been answered online for the attached application

Filed on behalf of: The Applicant

Prepared by: **DARWIN FAMILY LAW PTY LTD** Lawyer's code: **DAR6060351**

Name of law firm: **DARWIN FAMILY LAW PTY LTD**

Address for service in Australia: **GPO Box 3635**

Suburb: **DARWIN** State: **NT** Postcode: **0801**

Email:

Phone: Mobile:

The orders sought

Final Order(s) sought [X] **Parenting**

Interlocutory Order(s) sought [X] **Interlocutory Parenting/children**

Relationship of the parties

Are the parties married	Not applicable
Are the parties separated	Yes Date: 04/05/2023
Are the parties divorced	Not applicable

Risk of abuse, neglect, family violence/urgent

Is there risk of abuse, neglect or family violence? Yes

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Are you seeking orders for urgent consideration?	Yes

Parties

Applicant 1

Name	Chloe Templeton
Gender	Female
Date of birth	26/02/1986
Country of birth	Australia
Residential address	Address not provided or unknown
ATSI origin	No

Respondent 1

Name	Thomas Edward Kelly
Gender	Male
Date of birth	15/06/1984
Country of birth	Australia
Residential address	37 ODEGAARD DRIVE ROSEBERY 0832 NT AUSTRALIA
ATSI origin	No

Children

Child 1

Name	Brooke Marilyn Kelly
Gender	Female
Date of birth	11/02/ 2011
With whom does the child live?	Parent 1

Child 2

Name	Zac Andrew Kelly
Gender	Male
Date of birth	12/06/ 2013
With whom does the child live?	Parent 1

Child 3

Name	Dylan Arthur Kelly
Gender	Male
Date of birth	11/04/ 2016
With whom does the child live?	Parent 1

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Initiating Application (Family Law)

Filed in:

☐ Federal Circuit and Family Court of Australia

☐ Family Court of Western Australia

☒ Other (specify):

Commonwealth Courts Portal

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	1, Supreme Court Building, 5 Smith Street, Darwin, NT 0800
Court date	
Time	
Type of hearing	

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

CHLOE TEMPLETON
Applicant's Name
Parent

THOMAS EDWARD KELLY
Respondent's Name
Parent

Part A: The orders sought

1a. 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	Tessa Louise Czislowski	Lawyer's Code	DAR6060351
Name of law firm	Darwin Family Law		
Address for service in Australia	GPO Box 3635		
Darwin	State NT	Postcode	0801
Email	tessa@darwinfamilylaw.com.au		
Tel	(08) 8946 1666	Attention	Tessa Louise Czislowski

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2. Final orders sought

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

1. That the children **BROOKE MARILYN KELLY** born 11 February 2011, **ZAC ANDREW KELLY** born 12 June 2013 and **DYLAN ARTHUR KELLY** born 11 April 2016 live with the mother.

2. That the mother filed an amended Initiating Application detailing the spend time orders for the children upon receipt of a family report and pyschiatric assessment of the father.

Travel

3. That should either party wish to take the children interstate or overseas for a holiday during their school holiday time, the following shall apply:

    a) The travelling parent is to provide a full itinerary to the non-travelling parent not less than 14 days prior to interstate travel and not less than 21 days prior to overseas travel, with such itinerary include return flights, addresses where the children will be staying and contact number for the children, and for overseas travel, evidence of travel insurance.

    b) That for overseas travel, the non-travelling parent shall provide their written consent within seven (7) days of receipt the itinerary pursuant to Order 9(a) herein, with such consent to not be unreasonably withheld.

    c) That for overseas travel by the mother, the father shall provide the mother with the travelling children's passports not less than seven (7) days prior to the proposed travel.

    d) The travelling parent will make arrangements for the children to Skype/Facetime the non-travelling parent at least once each week.

    e) In the event the proposed travel with the children is for a period of time outside the children's time with the travelling parent pursuant to these Orders, the travelling parent must obtain the written consent from the non-travelling parent to extend their time, and will provide makeup time to the non-travelling parent upon their return.

4. That within 30 days of a request from either parent, the parents sign all documents and do all acts and things necessary to obtain an Australian Passport for the children:

    a) **BROOKE MARILYN KELLY** born 11 February 2011;

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b) **ZAC ANDREW KELLY** born 12 June 2013; and

c) **DYLAN ARTHUR KELLY** born 11 April 2016.

5. In the event that either parent refuses to sign any passport application within 30 days of a request, then this Order shall be sufficient for the purposes of the Australian Passport Act and the Passports Office to issue a passport for the children:

a) **BROOKE MARILYN KELLY** born 11 February 2011;

b) **ZAC ANDREW KELLY** born 12 June 2013; and

c) **DYLAN ARTHUR KELLY** born 11 April 2016.

6. That when the children are not travelling, the children's passport is to remain with the mother, and is to be returned to the mother at the conclusion of any travel.

Communication

7. That the parents shall communicate via the My Family Wizard communication App regarding the children only, and such communication shall be polite, respectful and children focussed.

8. That the children have Facetime and/or other video call communication with each parent at all reasonable times.

9. That the parents advise each other as soon as possible of any medical or other emergency involving the children whilst in their respective care.

10. The parents shall keep each other informed of their current contact details including their residential and postal addresses, telephone numbers and email address and will inform the other of any change to any of these details within two (2) days of any change.

11. That each parent is permitted to attend at the children's school for the purposes of any assemblies, awards ceremonies, sports days, concerts, parent/teacher interviews or any other events which parents are invited to attend.

12. That each parent shall ensure that the children attend any extra-curricular activities that thye are enrolled in, and each parent shall consult with the other and reach agreement prior to enrolling the children into any new extra-curricular activities.

13. That a copy of these Orders authorises the children's schools and medical practitioners to provide to each of the parents:

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a) Copy of school reports, school newsletters, school photo application forms, parent/teacher interview notices and so forth regarding the educational needs of the children; and

b) Copy of medical reports including any referrals, information regarding any medical condition suffered by the children, including treatment and any other information or material concerning the health and wellbeing of the children.

Parental Obligations

14. That the parents are restrained and an injunction issue against each with respect to the following;

a) Denigrating each other or any member of their family or persons of significance, including but not limited to within the hearing presence of the children or allowing the children to remain in the presence of another person who is doing so; and

b) Requesting the children to pass messages to the other parent.

c) Attending the residence of each other without the other parent's prior permission.

d) Questioning the children about the other parent/parent's household.

e) Discussing inappropriate adult issues with the children.

f) Discussing or otherwise exposing the children to particulars of the family law proceedings and/or domestic violence proceedings.

g) From physically disciplining or restraining the children as a form of discipline or permitting a third party to do so, and this includes smacking, pinching, pushing or hitting;

h) From exposing the children to abuse (including verbal abuse) or family violence and the parents will take all necessary measures to remove the children from any act of family violence should such circumstances arise.

i) From posting to any social media account negative or derogatory comments including photos or information in relation to the children, the parents, their partners or family members or these proceedings.

j) From consuming alcohol to excess when the children is in their care, being a blood alcohol level of over 0.05.

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15. That pursuant to s68B of the Family Law Act 1975 (as amended) an injunction issue restraining the father from having contact or communication with the mother or the children except in accordance with these Orders

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.

1. That this application is heard urgently and all times for service are abridged.

2. That forthwith the father return the child BROOKE MARILYN KELLY born 11 February 2011 to the mother.

3. That the children BROOKE MARILYN KELLY born 11 February 2011, ZAC ANDREW KELLY born 12 June 2013 and DYLAN ARTHUR KELLY born 11 April 2016 live with the mother.

4. That should the father fail to return the child within 24 hours of the making of these orders, then a recovery order issue and Orders 5-7 herein shall apply.

5. That this recovery order made pursuant to Section 67U of the Family Law Act 1975 is addressed to the Marshal of the Court, all officers of the Australian Federal Police and all officers of the State and Territory police services.

6. That the persons to whom this recovery order is addressed are authorised and directed to find, recover and deliver the child BROOKE MARILYN KELLY born 11 February 2011 to the mother, namely CHLOE TEMPLETON or a person nominated by her in writing, and for that purpose to stop and search any vehicle, vessel or aircraft and to enter and search any premises or place in which there is or was reasonable cause to believe that the child may be found.

7. That the father, his servants or agents, be and are hereby restrained from again removing or causing the removal of the children from the care of the mother, upon any breach of which injunction the persons to whom this recovery order is addressed are authorised and directed to arrest the father without a warrant.

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8. That the chidlren spend time with the father each alternate Saturday and Sunday from 9:30am to 4:30pm, with such time to be supervised by a person to be agreed to by the parties, PROVIDED that supervisor/s has filed an affidavit with the Court confirming they have read the brochure from Legal Aid Queensland titled Deciding whether you should help with supervision and confirming they agree to supervise the children spending time with the Father.

9. That handover shall occur at Johnston McDonalds, with the supervisor to conduct handover on behalf of the Father, and the Father is not to be present.

10. That in the alternate to Order 8 herein, the children shall spend time with the Father supervised by CatholicCare NT, at dates and times to be nominated by the Director of CatholicCare NT, and for the purposes of this Order, the parties shall do all acts and things necessary to complete their intake with CatholicCare NT forthwith.

11. That the parents shall communicate via the My Family Wizard communication App regarding the children only, and such communication shall be polite, respectful and children focussed.

12. Within three (3) months the parents attend and complete either a circle of security, Magic 1,2,3 or Positive Parenting Programme (Triple P), or other parenting course and must:

    a) enrol in the course within 7 days;

    b) pay the reasonable fees for the course;

    c) upon completion of the course obtain a letter from the provider certifying sessions attended and completion of the course; and

    d) promptly provide the other party with a copy of the letter.

13. That forthwith the father engage in the men's behaviour change program and shall provide evidence to the mother of his ongoing engagement.

14. That the parents are restrained and an injunction issue against each with respect to the following;

    a) Denigrating each other or any member of their family or persons of significance, including but not limited to within the hearing presence of the

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children or allowing the children to remain in the presence of another person who is doing so.

b) Requesting the children to pass messages to the other parent.

c) Attending the residence of each other without the other parent's prior permission.

d) Questioning the children about the other parent/parent's household.

e) Discussing inappropriate adult issues with the children.

f) Discussing or otherwise exposing the children to particulars of the family law proceedings and/or domestic violence proceedings.

g) From physically disciplining or restraining the children as a form of discipline or permitting a third party to do so, and this includes smacking, pinching, pushing or hitting.

h) From exposing the children to abuse (including verbal abuse) or family violence and the parents will take all necessary measures to remove the children from any act of family violence should such circumstances arise.

i) From posting to any social media account negative or derogatory comments including photos or information in relation to the children, the parents, their partners or family members or these proceedings.

15. That the parties and the children attend upon a Court Child Expert for the purposes of the preparation of a Child Impact Report with such report to be released as soon as practicable.

16. Upon the release of the Family Report, the parties and their legal representatives shall attend a Court-based Family Dispute Resolution (FDR) Conference with a Registrar at a date to be fixed by the Court.

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Part B: Details of the parties

Details of Applicant/s

	Applicant 1	Applicant 2
4. Family name as used now	Templeton	
5. Given names	Chloe	
6. Gender^	☐ Choose not to answer	☐ Choose not to answer
	☐ M (male) ☒ F (female) ☐ X (indeterminate/intersex/unspecified)	☐ M (male) ☐ F (female) ☐ X (indeterminate/intersex/unspecified)
7a. Residential address (incl postcode)	C/- Darwin Family Law, GPO Box 3635, Darwin, 0801	
7b. Email address	chloetempleton@hotmail.com	
8. Phone number (home and mobile)	0422 765 686	
	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)	26/02/1986	
10. Usual occupation	Logistics manager	
11. Mark box as applicable for each applicant	☒ Present in Australia ☒ Ordinarily resident in Australia ☒ An Australian citizen ☒ Domiciled in Australia	☐ Present in Australia ☐ Ordinarily resident in Australia ☐ An Australian citizen ☐ Domiciled in Australia
12. Description	☐ Party to a marriage ☐ Party to a de facto relationship that has broken down ☒ Parent ☐ Grandparent ☐ Other (specify):	☐ Party to a marriage ☐ Party to a de facto relationship that has broken down ☐ Parent ☐ Grandparent ☐ Other (specify):
13. Is an interpreter required?	☒ No ☐ Yes If Yes, state language & dialect:	☐ No ☐ Yes If Yes, state language & dialect:
14. Is the applicant of Aboriginal and/or of Torres Strait Islander origin? ~	☒ No ☐ Yes Aboriginal ☐ Yes Torres Strait Islander ☐ Yes Aboriginal and Torres Strait Islander	☐ No ☐ Yes Aboriginal ☐ Yes Torres Strait Islander ☐ Yes Aboriginal and Torres Strait Islander

^ 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 policies 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 Court's 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.

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Details of Respondent/s

	Respondent 1	Respondent 2
15. Family name as used now	Kelly	
16. Given names	Thomas Edward	
17. Gender^	☐ Choose not to answer	☐ Choose not to answer
	☒ M (male) ☐ F (female) ☐ X (indeterminate/intersex/unspecified)	☐ M (male) ☐ F (female) ☐ X (indeterminate/intersex/unspecified)
18a. Residential address (incl postcode)	37 Odegaard Drive	
	Roseberry, NT 0832	,
18b. Email address	thomas_kelly5@bigpond.com.au	
19. Date of birth (day / month / year)	15/06/1984	
20. Usual occupation	Navy	
21. Mark box as applicable for each respondent	☒ Present in Australia ☒ Ordinarily resident in Australia ☒ An Australian citizen ☒ Domiciled in Australia	☐ Present in Australia ☐ Ordinarily resident in Australia ☐ An Australian citizen ☐ Domiciled in Australia
22. Description	☐ Party to a marriage ☐ Party to a de facto relationship that has broken down ☒ Parent ☐ Grandparent ☐ Other (specify):	☐ Party to a marriage ☐ Party to a de facto relationship that has broken down ☐ Parent ☐ Grandparent ☐ Other (specify):
23. Is an interpreter required?	☒ No ☐ Yes. If Yes, state language & dialect:	☐ No ☐ Yes. If Yes, state language & dialect:
24. Is the respondent of Aboriginal and/or of Torres Strait Islander origin? ~	☒ No ☐ Yes Aboriginal ☐ Yes Torres Strait Islander ☐ Yes Aboriginal and Torres Strait Islander	☐ No ☐ Yes Aboriginal ☐ Yes Torres Strait Islander ☐ Yes Aboriginal and Torres Strait Islander

For ^ and ~ details, see page 3.

Part C: Relationship of parties

25. Date parties commenced living together (day / month / year)	March 2008	or ☐	Not applicable
26. Date of marriage (day / month / year)		or ☒	Not applicable
27. Date of final separation (day / month / year)	04/05/2023	or ☐	Not applicable
28. Date of divorce (day / month / year)		or ☒	Not applicable

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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	Kelly	Kelly
30. Given names	Brooke Marilyn	Zac Andrew
31. Date of birth (day / month / year)	11/02/2011	12/06/2013
32. Gender^	☐ Choose not to answer	☐ Choose not to answer
	☐ Male ☒ Female	☒ Male ☐ Female
	☐ X (Indeterminate/intersex/unspecified)	☐ X (Indeterminate/intersex/unspecified)
33. Parent 1 family name	Templeton	Templeton
34. Parent 1 given names	Chloe	Chloe
35. Parent 2 family name	Kelly	Kelly
36. Parent 2 given names	Thomas Edward	Thomas Edward
37. With whom does the child live?	Mother	Mother

	Child 3	Child 4
38. Family name	Kelly	
39. Given names	Dylan Arthur	
40. Date of birth (day / month / year)	11/04/2016	
41. Gender^	☐ Choose not to answer	☐ Choose not to answer
	☒ M (male) ☐ F (female)	☐ M (male) ☐ F (female)
	☐ X (indeterminate/intersex/unspecified)	☐ X (indeterminate/intersex/unspecified)
42. Parent 1 family name	Templeton	Templeton
43. Parent 1 given names	Chloe	Chloe
44. Parent 2 family name	Kelly	Kelly
45. Parent 2 given names	Thomas Edward	Thomas Edward
46. With whom does the child live?	Mother	

For ^ details, see page 3.

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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.)
49b. Court name and place	Darwin Local Court
49c. Next Court date	
49d. Names of parties	NT Police, Chloe Templeton, Thomas Kelly
49e. State the nature of the orders sought (eg property settlement, parenting orders, child support)	Full non-contact Domestic Violence Order

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.)
50b. Court name and place	Darwin Local Court
50c. Date	27/11/2023
50d. Names of parties to the order, agreement, parenting plan or undertaking	NT Police, Chloe Templeton, Thomas Kelly

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Part G: For property and/or spouse/de facto partner 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 the *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
55b. Is the period or the total of the periods of the de facto relationship at least two years?	☐ No ☐ Yes
55c. Is there is a child of the de facto relationship?	☐ No ☐ Yes
55d. 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

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55e Is, or was, the relationship registered under a prescribed law of a state or territory of Australia?	☐ No ☐ Yes
55f. 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
55g. 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

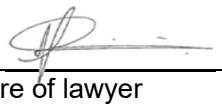
(Complete only if relying on cross-vested jurisdiction. Note: An affidavit **must** be filed – see rule 9.10 of the Rules)

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: Tessa Louise Czislowski

Date: 12 / 03 / 2024



Part K: Statement of Truth of the contents of this document

58. Applicant 1	Applicant 2
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 *Genuine Steps Certificate*.	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 *Genuine Steps Certificate*.
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: 11 / 03 / 2024.	Date: / /

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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*;
  - any other documents as required, depending on the orders you seek (see the relevant Practice Direction for each type of proceedings commenced by the applicant); and
  - unless you file an affidavit (see below), a *Questionnaire – Parenting*.
- **If seeking financial orders***:*
  - a *Response to Initiating Application;*
  - a *Financial Statement;*
  - a *Genuine Steps Certificate;*
  - any other documents as required, depending on the orders you seek (see the relevant Practice Direction for each type of proceedings commenced by the applicant); and
  - unless you file an affidavit (see below), a *Questionnaire – Financial.*

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

- In addition to the above forms, you must 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
  - required by the Rules or relevant Practice Direction.

An affidavit form is available on the Court's website www.fcfcoa.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 **video 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 if it will not be occurring in person. Please refer to the Court website for further information on attending hearings.

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

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