

# Application in an Appeal

Family Law Rules ~ RULE 22.36

Please type or print clearly and mark [X] all boxes that apply. Attach extra pages if you need more space to answer any question/s.

Filed in:

- Sydney Registry
- Brisbane Registry
- Melbourne Registry
- Family Court of Western Australia Registry
- Other (specify) \_\_\_\_\_

Filed on behalf of:

Full name \_\_\_\_\_

**COURT USE ONLY**

Client ID \_\_\_\_\_

Appeal number  
\_\_\_\_\_

Filed at

Filed on

Court location

Court date \_\_\_\_\_

Time \_\_\_\_\_

You must file an affidavit with this application

**IMPORTANT:** Information for respondents to the application is on page 4.

## Part A About the parties

1

### APPLICANT 1

Family name as used now

Given names

### APPLICANT 2

Family name as used now

Given names

### RESPONDENT 1

Family name as used now

Given names

### RESPONDENT 2

Family name as used now

Given names

- 2 What is your contact address (address for service) in Australia? If you give a lawyer's address, include the name of the law firm.

State	Postcode
Phone	Fax *
DX	
Lawyer's code	
Email*	

### Respondent's address

State	Postcode
Phone	

\* Please do not include email or fax addresses unless you are willing to receive documents from the Court and other parties in that way.

If there is a second applicant or second respondent attach a separate sheet answering this question for Applicant 2/Respondent 2.

## Part B About the independent children's lawyer (if appointed)

- 3 Independent children's lawyer

Family name

Given names

- 4 The contact address (address for service) in Australia for the independent children's lawyer is:

Phone	Fax*
DX	Email*
Lawyer's code	

\* Please do not include email or fax addresses unless you are willing to receive documents from the Court and other parties in that way.

## Part C About the orders you [THE APPLICANT] are seeking

- 5 What type of orders are you seeking? Mark (X) all the boxes that apply.

Application to extend time to file documents including a Notice of appeal?

Application to adduce further evidence

Application for security for costs

Other (specify)

Do you want this application to be dealt with in the absence of the parties in accordance with Rule 22.38 and Part 5.4 of the Family Law Rules?

Yes – see the notes below

No

### Notes

- a) If the respondent objects to the application being determined in the absence of the parties you still must attend the court.
- b) If the application is to be heard in the absence of the parties each party must file at least 2 days before the hearing a list of documents to be read by the court and a supporting submission (see Rule 5.17).

## Part D The orders you [THE APPLICANT] are seeking

6 State the orders that you are seeking. [PLEASE NUMBER EACH ORDER SOUGHT]

1.

Attach extra pages if you need more space.

## Part E Certification

I certify that to the best of my knowledge and information, the orders sought in this application are supported by evidence.

## Part F Signature of applicant or lawyer

Signed	Date
	/   /

This application was signed by  the applicant/s  lawyer for the applicant/s

This application was prepared by  applicant/s  lawyer


PRINT NAME AND LAWYER'S CODE

Please go to page 4 for the Important Notices to the Respondent/s

## Important Notices to the Respondent/s

You should seek legal advice about this application.

If you oppose the orders sought in this application or want the Court to make different orders **you must:**

- file with the Court a Response to an Application in an Appeal; **and**
- file an affidavit; **and**
- serve a copy of the documents filed on each other party not less than 2 days before the Court date shown on page 1 of this form.

You must attend at court on the date shown on page 1 of this form, unless you agree with the applicant's request that the Court determine the application in the absence of the parties. If you object to the applicant's request, you must immediately notify the Court and the other party in writing, telling them of your objection.

If you are required to attend and you do not attend, orders may be made in your absence.

If the application is to be determined in the absence of the parties each party must file at least 2 days before the hearing a list of documents to be read by the court and a supporting submission (see Rule 5.17).