**APPLICATION FOR A DOMESTIC VIOLENCE ORDER**

Pursuant to Practice Direction 30

*Domestic and Family Violence Act 2007, Sections 28, 29 & 30*

Case No:

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| 1. **APPLICATION TYPE** | | | |
| Standard Application (s30) | | Application by a young person | |
| Application by a police officer (s28) | | Application by a child protection officer | |
| 1. **PARTIES TO THE APPLICATION** | | | |
| Applicant | Name:  Date of Birth:  Police Registration Number | | |
| Defendant | Name:       IJIS/PROMIS ID:  Date of Birth:        Address: | | |
| Protected Persons | Name:  IJIS/PROMIS ID:  Date of Birth:  **Relationship to the Defendant:** | | |
|  | Name:  Date of Birth:  Relationship: | | Name:  Date of Birth:  Relationship: |
|  | Name:  Date of Birth:  Relationship: | | Name:  Date of Birth:  Relationship: |
| **Note -** An Applicant will need to list their name as both ‘applicant’ and ‘protected person’ if they want to be protected by any orders made. | | | |
| 1. **URGENT DOMESTIC VIOLENCE ORDER** | | | |
| In certain circumstances you might be able to obtain a DVO before the defendant is served with this application. This will only occur if you can satisfy the Court that the matter is urgent. If you wish to seek an urgent order, briefly outline the reasons for the urgency and bring this request to the attention of the registry staff.  Please state the reasons why your application should be dealt with urgently: | | | |

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| \*Attach additional pages or file an affidavit if necessary |

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| 1. **DOMESTIC VIOLENCE ORDERS YOU WANT THE COURT TO MAKE** | | |
| Length of order sought  **12 months  2 years  Other period** \_\_\_\_\_\_\_\_\_\_\_ | | |
| Place a tick in the box next to the order you would like the court to make and indicate whether this order is to apply to the adults only or all of the protected persons (including children). | **Who is to be protected?** Tick one or both | |
| **NON-CONTACT ORDERS** | **Adult** | **Child** |
| **1.**  Approaching, contacting or remaining in the company of the protected person/s directly or indirectly (contact includes by mail, phone, text messages, facsimile, email or other forms of communication)  **EXCEPT: 1(a)**  **for the adult protected person**, via or in the presence of a solicitor, family dispute resolution practitioner, third party nominated by the protected person or Children’s Contact Centre worker for the purposes of these proceedings, making arrangements for the children or property of the parties, or in accordance with a Parenting Plan, or Family Law Order  **1(b)**  **for the non-adult (children) protected persons**, in the presence of a Children’s Contact Centre worker or a third party nominated by the Adult protected person, for the purposes of spending time with the children of the parties, or in accordance with a Parenting Plan, or Family Law Order\* |  |  |
| **2.**  Approaching, entering or remaining at any place where the protected person/s is living, working, staying, visiting or located;  **EXCEPT: 2(a)**  **for the adult protected person,** via or in the presence of a solicitor, family dispute resolution practitioner, third party nominated by the protected person or Children’s Contact Centre worker for the purposes of these proceedings, making arrangements for the children or property of the parties, or in accordance with a Parenting Plan, or Family Law Order  **2(b)**  **for the non-adult (children) protected persons,** in the presence of a Children’s Contact Centre worker or a third party nominated by the Adult protected person, for the purposes of spending time with the children of the parties, or in accordance with a Parenting Plan, or Family Law Order\*  **2(c)**  to attend (insert address)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ only when in the company of a police officer to collect personal property belonging to the defendant |  |  |
| **NON-CONTACT WHILE INTOXICATED ORDERS** | **Adult** | **Child** |
| **3.**  Approaching, contacting or remaining in the company of the protected person/s directly or indirectly when consuming alcohol or another intoxicating drug or substance or when under the influence of alcohol or another intoxicating drug or substance;  **4.** Approaching, entering or remaining at any place where the protected person/s is living, working, staying, visiting located if consuming alcohol or another intoxicating drug or substance or when under the influence of alcohol or another intoxicating drug or substance; and  **5.** Must submit to a breath test and/or breath analysis and/or drug test when requested by a police officer in relation to this order. |  |  |
| \* The effect of these orders are that the defendant will only be able to spend supervised time with the children unless a Parenting Plan or a Family Law Order says otherwise. | | |
| **NON-VIOLENCE ORDERS** | **Adult** | **Child** |
| **6.**  causing harm or attempting or threatening to cause harm to the protected person/s |  |  |
| **7.**  causing damage to property, or attempting or threatening to cause damage to property of the protected person/s |  |  |
| **8.**  intimidating or harassing or verbally abusing the protected person/s |  |  |
| **9.**  stalking the protected person/s |  |  |
| **10.**  exposing a protected person or children of the protected person to domestic violence |  |  |
| **PREMISES ACCESS ORDERS** | | |
| **11.**  The defendant must vacate the premises located at (insert address) \_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ within \_\_\_\_day/s, and the defendant is restrained from returning to the said premises, unless accompanied by a police officer to retrieve the defendant’s personal property | | |
| **OTHER ORDERS SOUGHT** | | |
| (Outline any other orders sought) | | |
| 1. **OTHER COURT PROCEEDINGS OR ORDERS** | | |
| You should inform the Court if there are any other relevant court proceedings, undertakings or orders. If there are current orders or undertakings that involve the defendant or protected persons, you must provide a copy of those orders or undertakings. If you do not have a copy of those documents, please provide a brief outline of what they say. | | |
| **Type of Order** | | |
| Family Law Orders  Child Protection Orders  Domestic Violence Orders  Undertaking  Bail Conditions  Other Order | | |
| **Date and details of order:**    **Copy Attached** | | |
| **Other Current Proceedings** | | |
| Federal Circuit Court  Family Court  Criminal Court  Domestic Violence  Child Protection  Other Proceedings | | |
| **Date of next court event and details of proceedings:** | | |
| 1. **EVIDENCE IN SUPPORT OF THE APPLICATION** | | |
| **YOU MUST FILE AN AFFIDAVIT IN SUPPORT OF THIS APPLICATION**. An affidavit is a written statement made under oath. In the Affidavit you must outline the reasons why you say the protected person/s fears or should fear the commission of domestic violence. You should give examples of the types of violence, verbal abuse, threats, intimidation or harassment that has occurred, including approximate dates of the incidents. The Affidavit is a separate form that you will need to collect from the Court or download form the Court’s website. | | |
| 1. **AUTHORISATION AND INFORMATION SHARING** | | |
| If you wish to authorise an organisation or individual to be able to obtain information about your matter from the Court, please complete a Client Authority Form, which is available from the Court registry. Examples of organisations or individuals include: lawyer, social worker, victim service, adult guardian or family member. | | |
| 1. **SIGNATURE OF APPLICANT OR REPRESENTATIVE** | | |
| The information contained in this Application is true to the best of my knowledge information and belief.  I acknowledge that it is recommended, but not compulsory, that I obtain legal advice prior to commencing any court proceedings.  Signature of Applicant/Solicitor Date: | | |
| **OFFICE USE ONLY** | | |
| An application has been made asking the Local Court to make a Domestic Violence Order against the defendant.  **THIS APPLICATION WILL BE DEALT WITH**  **by the Local Court at** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **in the Northern Territory on** \_\_\_\_\_\_\_\_\_\_**at** \_\_\_\_**am./pm.**  The defendant must attend the hearing at the Court on the date and time set out above if he/she wishes to defend the application. IF THE DEFENDANT DOES NOT ATTEND AT COURT, the Court may make the orders set out in the application or other similar orders in his/her absence. A domestic violence order made in the Northern Territory is a nationally recognised DVO and is enforceable in all States and Territories in Australia and also may be registered and enforced, without notice to the defendant, in New Zealand.  If the Applicant or a legal representative for the Applicant does not attend the hearing of this application, the Court may dismiss the Application without notice.  Accepted by Registrar:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on \_\_\_\_\_\_\_\_\_\_\_\_\_ at\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | | |