**APPLICATION TO VARY, REVOKE OR EXTEND A DOMESTIC VIOLENCE ORDER**

Pursuant to Practice Direction 30

*Domestic and Family Violence Act 2007, Sections 71, 77, 82J & 103V*

Case Number:

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| 1. **APPLICATION TYPE** | | | |
|  | Application to Vary or Revoke a DVO (s.49) | | |
|  | Application to Vary or Revoke a Recognised Non-local DVO (s.103V) | | |
| 1. **PARTIES TO THE APPLICATION** | | | |
| Party Seeking to Vary or Revoke the DVO\* | | Name:  Date of Birth: | |
| \* A Respondent must seek leave of the Court to make an application to vary or revoke | | | |
| Applicant On Current DVO | | Name:  Date of Birth: | |
| Respondent / Defendant On Current DVO | | Name:  Date of Birth:  Address: | |
| Protected Persons On Current DVO | | Name:  Date of Birth:  Relationship: | Name:  Date of Birth:  Relationship: |
|  | | Name:  Date of Birth:  Relationship: | Name:  Date of Birth:  Relationship: |
|  | | Name:  Date of Birth:  Relationship: | Name:  Date of Birth:  Relationship: |

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| **3. YOUR COURT DATE** |
| An application has been made asking the Local Court to vary, revoke or extend a Domestic Violence Order against the respondent.  **THIS APPLICATION WILL BE DEALT WITH**  by the Local Court at .............................................................. in the Northern Territory  on ............................................................................................. at ......……….... am / pm.  **IMPORTANT INFORMATION – PLEASE READ**  The respondent 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 RESPONDENT 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 respondent, 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\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  **OFFICE USE ONLY**  Sent for service to: Police Sheriff Private Bailiff on: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **4. CURRENT ORDERS** |
| Date current order made  Case Number (if known)  **Attach a copy of the current order** (If you do not have a copy of the order, you may obtain one from the Local Court.) |
| **5. VARY / REVOKE / EXTEND** |

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| What are you asking for? |
| Revoke the existing order  Vary the existing order (please complete Sections 6 & 7)  Extend the existing order for \_\_\_\_ years, \_\_\_\_ months, from: \_\_\_\_\_\_\_\_\_\_\_  Remove a protected person. Details:  Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DOB: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DOB: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DOB: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Add a protected person. Details:  Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DOB: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DOB: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DOB: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **6. URGENT TEMPORARY VARIATION** |
| Do you want the court to make an urgent variation to the Domestic Violence Order?  Yes No  The Court can vary a DVO before the respondent is served with an application. This will only occur if the Court is satisfied that the matter is sufficiently urgent.  Please state the reasons why your application to vary should be dealt with urgently: |
| **7. ORDERS SOUGHT FOR PROTECTED PERSON/S** |
| Tick the box next to all orders you want for any protected person/s. |
| **MANDATORY PROHIBITION** |

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| **1.**  The respondent is prohibited from committing domestic violence against each protected person | **Adult** | **Child** |
| **NON-CONTACT ORDERS** | | |
| **2.**  Approaching, contacting or remaining in the company of the protected person/s directly or indirectly (contact includes by mail, phone, text messages, email, social media or other forms of communication)  **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, 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\* |  |  |
| **3.**  Approaching, entering or remaining at any place where the protected person/s is living, working, staying, visiting or located;  **EXCEPT: 3(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, 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  **3(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\*  **3(c)**  to attend (insert address)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ only when in the company of a police officer to collect personal property belonging to the respondent |  |  |
| \* The effect of these orders are that the respondent will only be able to spend supervised time with the children unless a Parenting Plan or a Family Law Order says otherwise. | | |
| **NON-CONTACT WHILE INTOXICATED ORDERS** | **Adult** | **Child** |
| **4.**  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;  **5.**  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  **6.**  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. |  |  |
| **NON-VIOLENCE ORDERS** | **Adult** | **Child** |
| **7.**  causing harm or attempting or threatening to cause harm to the protected person/s |  |  |
| **8.**  causing damage to property, or attempting or threatening to cause damage to property of the protected person/s |  |  |
| **9.**  intimidating or harassing or verbally abusing the protected person/s |  |  |
| **10.**   stalking the protected person/s |  |  |
| **11.**  exposing a protected person or children of the protected person to domestic violence | | |
| **12.** locating or attempting to locate the protected person or children of the protected person, or any child who usually resides with the protected person | | |
| **PREMISES EXCLUSION ORDERS** | | |
| **13.**  The respondent must vacate the premises located at (insert address) \_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ within \_\_\_\_day/s, and the respondent is restrained from returning to the said premises, unless accompanied by a police officer to retrieve the respondent’s personal property | | |
| **14.**  The respondent is restrained from approaching within \_\_\_\_ metres of the premises located at (insert address) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | | |
| **INTIMATE IMAGES** | | |
| **15.**  The respondent must immediately destroy any intimate image of the protected person in the respondents possession and control and must not share, publish, distribute or obtain any intimate image/s of the protected person | | |
| **OTHER ORDERS SOUGHT** | | |
| (Outline any other orders sought)  **16.** | | |

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| **10. 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. If you want the Court to revoke orders, you must outline in the affidavit the reasons why you say the current orders should be revoked. If you want the orders to be varied or extended, you must outline in the affidavit the reasons why you say the variation or extension is necessary. The Affidavit is a separate form that you will need to collect from the Court or download form the Court’s website. |

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| **11. OTHER COURT PROCEEDINGS OR ORDERS** |
| You **must** inform the Court if there are any other relevant court proceedings, undertakings or orders. If there are current orders or undertakings that involve the respondent or protected persons, you should 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. |
| **What other orders are in place now?** |
| Family Law Orders  Child Protection Orders  Domestic Violence Orders  Undertaking  Bail Conditions  Other Order |
| **Date and details of order:**  **Copy Attached** |
| **What other court proceedings are happening now?** |
| Federal Circuit Court  Family Court  Criminal Court  Domestic Violence  Child Protection  Other Proceedings |
| **Date of next court event and details of proceedings:** |
| **13. 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.  [Grab your reader’s attention with a great quote from the document or use this space to emphasize a key point. To place this text box anywhere on the page, just drag it.]  Applicant/Solicitor Name Signature Dated |