



Magistrates' Court Victoria

Practice Direction

No.2 of 2020

COVID-19 PANDEMIC RESPONSE:

INTERVENTION ORDERS - FAMILY VIOLENCE PROTECTION AND PERSONAL SAFETY;

FAMILY LAW and RELATED PROCEEDINGS

The Magistrates Court of Victoria is committed to serving our community as we face COVID-19. **All our Courts across the State remain open.** After hearing from health experts, it is however necessary that we reduce the number of people in our court buildings and this requires us to change some aspects of our practice to ensure the health and safety of our judiciary, staff and all court users. We see these as temporary measures while we ensure we have sustainable solutions for the months ahead. This practice direction applies from 9AM 24 March 2020

All current relevant practice directions and listing protocols are suspended.

1. New **listing time frames** will apply in relation to the following proceedings:
 - i. Intervention order applications under the *Family Violence Protection Act 2008* (FV IVOs). This includes new applications and applications for variation, extension and revocation; and
 - ii. Intervention order applications under the *Personal Safety Intervention Orders Act 2010* (PS IVOs). This includes new applications and applications for variation, extension and revocation; and
 - iii. Applications under the *Family Law Act 1975*; and
 - iv. Ancillary and other applications related to the proceedings referred to above eg. applications to be deemed a non- prohibited person under the *Firearms Act 1996*
2. The following **listing time frames** will apply:
 - a. *First listing* dates for **urgent** applications, particularly in high risk circumstances, will be listed on a case by case basis. Direct contact should be made with the Court to request the listing of an urgent application.
 - b. **Otherwise**, *first listing* dates for:

i. IVO applications initiated by way of:

1. Family Violence Safety Notice – not later than **14 days** after service on the respondent (section 31 FVPA);
 2. Victoria Police FV and PSIO IVO applications - will be allocated through the use of the electronic mention diary;
 3. Non-Victoria Police FV and PSIO IVO applications – will be allocated by a Court Registrar.
- c. Unless otherwise ordered by the court, and subject to subparagraph d, *second and subsequent* listings will be adjourned to the nominal date of **15 June 2020**. No appearance is required for this purpose.
- d. Applications for an extension of FV and PSIO IVOs, where an ex-parte interim extension order has been made, will be listed not later than 28 days after the date the interim extension order has been made where the respondent has not been served (see section 107 FVPA and section 84 PSIO).

2. The *nominal date of 15 June 2020* has been allocated to allow time for planning of future listings. This will ensure that the Court can manage demand and give priority to the most urgent proceedings.

It is intended that, prior to 15 June 2020, the Court will advise the parties of a new hearing date as new listing arrangements are developed. It is NOT expected that parties will be required to attend on 15 June 2020.

This Practice Direction takes effect at 9am on **24 March 2020**.



Judge Lisa Hannan
Chief Magistrate

Date: 23 March 2020

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