family violence intervention order

mention & directions hearing checklist

For use in applications made under the *Family Violence protection act 2008*

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| **For completion by legal representatives, police representative or the judiciary** |

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| --- | --- | --- | --- |
| **In the Magistrates’ Court at** | | **Case No** | |
|  | | | |
| **Applicant** | |  | |
| **Applicant’s lawyer or police representative** | |  | |
| Duty lawyer provided: | | Legal advice/ representation  Procedural advice  N/A | |
| **Affected Family Member** | |  | |
| **Affected Family Member’s lawyer** | |  | |
| Duty lawyer provided: | | Legal advice/ representation  Procedural advice  N/A | |
| **Respondent** | |  | |
| **Respondent’s lawyer** | |  | |
| Duty lawyer provided: | | Legal advice/ representation  Procedural advice  N/A | |
|  | | | |
| **Application adjourned from:** | Mention to Mention | Mention to Directions Hearing | Directions Hearing to Contest |
| **Unsuitable dates:** |  | | |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Issues in dispute** | |  | **Hearing requirements** | | | |
|  | Factual argument |  | **Duration:** |  | | |
|  | Conditions of the order |  | **Interpreter for:** | AFM | **Language:** |  |
|  | Inclusion of children on the order |  |  | Respondent | **Language:** |  |
|  | Effect of the order on firearms licence |  | **Remote witness facility required:** | | | Yes  No |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Witnesses proposed to be called at next hearing** | | | | | | |
| **Number of witnesses to be called by:** | | **Applicant:** | |  | **Respondent:** |  |
| **Children present at incident (Note prohibition s.67 FVPA)** | | | **Ages:** |  | | |
| **Names of witnesses:** |  |  | | | | |
|  |  |  | | | | |

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| **Other proceedings** | |
| **Other relevant proceedings:** | Criminal  Child Protection  Family Law  Other: |
| **Provide particulars (including next date):** |  |

|  |  |  |
| --- | --- | --- |
| **Procedural orders sought** | | |
|  | Summary of allegations (x3) to be filed by: |  |
|  | Respondent’s reply to summary of allegations (x3) to be filed by: |  |
|  | Applicant witness summaries/ statements/ copy exhibits (x3) to be filed by: |  |
|  | Respondent witness summaries/ statements/ copy exhibits (x3) to be filed by: |  |
| **Section 71/ 72 FVPA (orders usually only made at Directions Hearing)** | | |
|  | s71.4 Warning to respondent that if refuses legal representation, cannot cross-examine etc. | |
|  | s71 Order for VLA to offer respondent legal representation for cross-examination of protected witness | |
|  | s72 Order for VLA to offer protected witness legal representation for cross-examination by respondent’s legal representative | |

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| **Notes** | |
| **Other relevant issues including reason for adjournment:** |  |

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| **Signed by or on behalf of the parties:** | | | |
| **Applicant, lawyer or police representative** |  | **Date** |  |
| **Affected Family Member or lawyer** |  | **Date** |  |
| **Respondent or lawyer** |  | **Date** |  |