

# NOTICE - APPLICATION FOR LEAVE TO WITHDRAW AN APPLICATION

MAGISTRATES' COURT (FAMILY VIOLENCE PROTECTION) RULES 2018 ORDER 4.08

## About the family violence intervention order application

In the Magistrates' Court at	Case no
Your name	
You are the	<input type="checkbox"/> Applicant for the intervention order (non-police) <input type="checkbox"/> Police Applicant for the intervention order
Respondent's name	

Please tell the Court if your email or home address has changed

## About the application for leave to withdraw

I want to withdraw the application for a Family Violence Intervention Order.

Why do you want to withdraw the application *(please state reason/s)*

I understand the Court must give leave (permission) to withdraw the application for an intervention order

I understand the Respondent\* will be served with (given) a copy of this notice in accordance with Order 4.08(2)(a) of the *Magistrates' Court (Family Violence Protection) Rules 2018*.

*\* Where the Police are the Applicant, the Affected Family Member will also be served with this Notice*

I understand if the Court grants leave and withdraws the application, the protection of any interim family violence intervention order in place will end

Signed:

Date:

The application for leave to withdraw the application will be heard:

In the Magistrates' Court at:

Date of Hearing:

Time:

You can ask to talk to a family violence practitioner if you want non-legal support. Contact your local Court for help.

## Information for the Recipient

### Understanding this Notice

You have received this notice because the applicant wants to withdraw the application for family violence intervention order.

This notice tells you

- the applicant is seeking permission from the Court to withdraw the application for intervention order
- why they want to withdraw the application
- when the Court will consider the request to withdraw the application (the hearing date)

### **This notice does not mean the application for intervention order has been withdrawn.**

A magistrate must give permission (grant leave) for a person to withdraw an application. They will consider the application at a hearing – details are on page 1 of this notice.

The Court recommends you appear at the hearing – this is where the magistrate will decide if the application can be withdrawn and will explain their decision.

### **Any interim intervention order will continue while the Court considers this application.**

You can contact the Court if you have questions about this notice or the hearing. If you need non-legal support, you can ask to speak with a family violence practitioner.

For more information on family violence intervention order applications, visit [mcv.vic.gov.au/intervention-orders](http://mcv.vic.gov.au/intervention-orders)

## Getting legal advice

You are encouraged to get legal advice before the hearing. You can hire a private lawyer or you may be eligible for free legal advice from the following services.

Victoria Legal Aid	<a href="http://www.legalaid.vic.gov.au">www.legalaid.vic.gov.au</a>	1300 792 387
Community Legal Centre	<a href="http://www.fclc.org.au">www.fclc.org.au</a>	1300 792 387
Victorian Aboriginal Legal Service	<a href="http://www.vals.org.au">www.vals.org.au</a>	1800 064 865
Djirra Legal Services	<a href="http://www.djirra.org.au">www.djirra.org.au</a>	1800 105 303
Q+Law	<a href="http://www.flis.org.au">www.flis.org.au</a>	03 9968 1002
InTouch Legal Centre	<a href="http://www.intouch.org.au">www.intouch.org.au</a>	1800 755 988
Refugee Legal	<a href="http://www.refugeelegal.org.au">www.refugeelegal.org.au</a>	03 9413 0100
Seniors Rights Victoria	<a href="http://www.seniorsrights.org.au">www.seniorsrights.org.au</a>	1300 368 821
Villamanta Disability Rights Legal Centre	<a href="http://www.villamanta.org.au">www.villamanta.org.au</a>	1800 014 111
Youthlaw	<a href="http://www.youthlaw.asn.au">www.youthlaw.asn.au</a>	03 9113 9500
Women's Legal Service	<a href="http://www.womenslegal.org.au">www.womenslegal.org.au</a>	03 8622 0600