



**FAMILY COURT OF WESTERN AUSTRALIA**

**MAGISTRATES COURT OF WESTERN AUSTRALIA**

# FORM 1 - INITIATING APPLICATION

Client ID

File No (P)PTW

Filed on

COURT LOCATION

COURT DATE

TIME

am / pm

<b>Applicant's family name</b> <i>(as used now)</i>	
<b>Given names</b>	

<b>Respondent's family name</b> <i>(as used now)</i>	
<b>Given names</b>	

<b>Address for service of documents in Australia</b>	
<b>Prepared by *</b>	
<b>Lawyer's Code *</b>	
<b>Name of law firm *</b>	
<b>Email ^</b>	
<b>Telephone</b>	
<b>Fax ^</b>	

\* Complete where filed by a law firm

^ Please do not include email or fax details unless you are willing to receive documents from the Court and other parties in that way.

## Part A Orders sought

**1 Type of orders sought** (mark all boxes that apply)

- |   |  |
|---|--|
| <input type="checkbox"/> Children (parenting) | <input type="checkbox"/> Financial (property and/or maintenance) |
| <input type="checkbox"/> Child support        | <input type="checkbox"/> Other (specify) _____                   |

**2 Final orders sought** (State precisely and briefly the final orders sought by the applicant – give a number to each order sought)

1.

**3 Interim or procedural orders sought** (State precisely and briefly the interim or procedural orders sought by the applicant – give a number to each order sought)

1.

**NOTE - Go to Part F where filing a Case Information Affidavit with this application.**

(Do not complete Part B, C, D or E)

**Part B Details of the Parties**

	<b>Applicant</b>	<b>Respondent</b>
<b>4 Family name as used now</b>		
<b>5 Given names</b>		
<b>6 Gender</b>	<input type="checkbox"/> male <input type="checkbox"/> female	<input type="checkbox"/> male <input type="checkbox"/> female
<b>7 Residential address</b> (incl postcode)		
You do not have to state your residential address or your telephone number if you are concerned about family violence. You can repeat your contact address for service if you wish.		
<b>8 Telephone number</b> (home and mobile)		
<b>9 Date of birth</b> (day / month / year)	/  /	/  /
<b>10 Occupation</b>		
<b>11 Mark box as applicable for each party</b>	<input type="checkbox"/> present in Australia <input type="checkbox"/> ordinarily resident in Australia <input type="checkbox"/> Australian citizen <input type="checkbox"/> domiciled in Australia <input type="checkbox"/> Aboriginal origin	<input type="checkbox"/> present in Australia <input type="checkbox"/> ordinarily resident in Australia <input type="checkbox"/> Australian citizen <input type="checkbox"/> domiciled in Australia <input type="checkbox"/> Aboriginal origin
<b>12 Is an interpreter required?</b>	<input type="checkbox"/> No <input type="checkbox"/> Yes If Yes, state language & dialect:	<input type="checkbox"/> No <input type="checkbox"/> Yes If Yes, state language & dialect:

\*If there is more than one applicant or respondent, just add a page with the same details on it for them.

The information you provide may be shared with researchers approved by the Court, and may be included in publications in statistical form in a way that does not identify you.

**Part C Relationship of Parties**

<b>13 Date parties commenced to live together</b> (day / month / year)	/  /	or <input type="checkbox"/> Not applicable
<b>14 Date of marriage</b> (day / month / year)	/  /	or <input type="checkbox"/> Not applicable
<b>15 Date of final separation</b> (day / month / year)	/  /	or <input type="checkbox"/> Not applicable
<b>16 Date of divorce</b> (day / month / year)	/  /	or <input type="checkbox"/> Not applicable

**Part D Children**

(If more than four children, add a page with the same details)

	Child 1	Child 2
<b>17 Family name</b>		
<b>18 Given names</b>		
<b>19 Date of birth</b> (day / month / year)	/ /	/ /
<b>20 Gender</b>	<input type="checkbox"/> male <input type="checkbox"/> female	<input type="checkbox"/> male <input type="checkbox"/> female
<b>21 Child lives with</b>		
	Child 3	Child 4
<b>22 Family name</b>		
<b>23 Given names</b>		
<b>24 Date of birth</b> (day / month / year)	/ /	/ /
<b>25 Gender</b>	<input type="checkbox"/> male <input type="checkbox"/> female	<input type="checkbox"/> male <input type="checkbox"/> female
<b>26 Child lives with</b>		

**Part E Safety concerns**

<p><b>27 Is there a current Restraining Order between you and/or the other party or the children?</b></p>	<p><input type="checkbox"/> No <input type="checkbox"/> Yes</p> <p>If yes, who is restrained?</p>
<p><b>28 Are you concerned about your safety while attending Court?</b></p>	<p><input type="checkbox"/> No <input type="checkbox"/> Yes</p>

**Part F      Lawyer's declaration**

**29 If the applicant is filing this application without a lawyer, this part need not be completed.** However the applicant should obtain a copy of the information brochure *Marriage, Families and Separation* from Court staff when filing the application. If a lawyer is filing the application, then the lawyer must give the applicant a copy of the brochure and sign the following declaration.

I gave the applicant(s) a copy of the Court's brochure *Marriage, Families and Separation*.

\_\_\_\_\_  
Signature of lawyer

Full name of lawyer

Date      /      /

**Part G      Statement of Truth of the Contents of this document**

(If more than one applicant, attach a further page providing a full name and statement of truth in this form)

<b>30 Applicant's name</b>	
<p>1. I believe that the facts of which I have personal knowledge are true.</p> <p>2. All other facts are true to the best of my knowledge, information and belief and the orders sought in this application are supported by evidence.</p> <p>3. I am aware that I have a duty to the Court and to each other party to give full and frank disclosure – in a timely manner - of all information relevant to the issues in the case.</p>	

**I have read and understood this Statement of Truth (please tick)**

\_\_\_\_\_  
 **Signature of Applicant**

Date      /      /

# IMPORTANT NOTICE TO RESPONDENT

You should seek legal advice about this application.

If you do not want the Court to make the orders sought in this application or if you want the Court to make other orders, **YOU MUST:**

- file at the Court a Form 1A *Response to Initiating Application*, and other relevant documents – including, in parenting cases a *Case Information Affidavit* and in financial cases a Form 13 *Financial Statement*. [see Rule 4.18 and 9.02]
- serve a copy of the response, affidavit and other relevant documents at the applicant's address for service within the time prescribed by the Family Law Rules, and
- attend at the Court at the date and time indicated for the hearing. **If you do not attend the hearing, orders may be made in your absence.**
- Relevant forms and a kit to assist respondents are available at the Court's registry or from the website at [www.familycourt.wa.gov.au](http://www.familycourt.wa.gov.au)