

GETTING AN INTERIM FAMILY VIOLENCE RESTRAINING ORDER APPLICATION CHECKLIST

General information

The **Applicant** is the person asking for an order to be made, which is usually you.

The person seeking to be protected is the person you want to be protected by the order. This is you and / or your children.

In most cases the Applicant and the person seeking to be protected are the same person.

The **Respondent** is the person you are seeking the restraining order against.

Family Violence Restraining Order (FVRO) application form

- When lodging the application form available from registry or on the Magistrates Court of WA website** I have ticked the box on the application form for my application to be dealt with in the absence of the Respondent.

For online applications (lodged through an approved legal service provider), you do not need to tick a box.

- I have provided the best contact details that I can for the Respondent.
This will help the police serve the interim FVRO if it is granted.

Affidavit in Support of an Application for a Family Violence Restraining Order (FVRO)

If you lodge in person or by fax and the court does not require an affidavit, use this checklist to help you organise what you want to say in court. The magistrate may let you look at your notes in court. Otherwise check these points are covered in your online application:

- I have filled out the details of my relationship with the Respondent.
- I have filled in all of my personal details.
Your address will not be given to the Respondent.
- I have focused on the worst and most recent incidents.
Other incidents can be told to the court at the final order hearing.
- I have set out where the police were called to any incidents.
- I have listed the details of any injuries I received.
- I have set out the impact that the family violence has had on me including if I was upset or scared.
- For orders to cover my children, I have included:
- details of any family violence that my children have seen or heard, and
 - why I think my children will be exposed to family violence.
- I have set out details of any previous restraining orders, conduct agreement orders or undertakings.
- I have attached a copy of family court orders (if there are any in place) or referred to them as I do not have a copy of the orders.