

Request to attend by electronic communication

Federal Circuit and Family Court of Australia (Family Law) Rules 2021 – RULES 15.16, 15.17, 15.18

Please type or print clearly and mark [X] all boxes that apply. Attach extra pages if you need more space to answer any question/s.

Filed in: **Check the first box**

- Federal Circuit and Family Court of Australia
 Family Court of Western Australia
 Other (specify) _____

This form may be used to seek permission to use electronic communication to attend; adduce evidence of a party or witness, or make a submission to the Court.

File number **Write your file number here**

Filed at **Leave blank**

Filed on **Leave blank**

Court location **Leave blank**

Court date **Leave blank**

Time **Leave blank**

Note: This request must be received by the Court at least 5 business days before the date fixed for the court event to which it relates, but at least 28 days before if it is for a final hearing. Before making this request you must advise the other party and seek their agreement to your proposal to attend/make a submission/adduce evidence by electronic communication.

The request will be decided by a Registrar on the documents filed.

Part A About the parties

1 **APPLICANT 1**
Family name as used now
Write your surname or spouse's surname here

Given names
Write you or your spouse's first and middle names here

APPLICANT 2
Family name as used now
Leave blank

Given names
Leave blank

2 Independent children's lawyer family name
Leave blank

RESPONDENT 1
Family name as used now
Write your surname or spouse's surname here

Given names
Write you or your spouse's first and middle names here

RESPONDENT 2
Family name as used now
Leave blank

Given names
Leave blank

Given names
Leave blank

Part B About the party requesting permission

3 Family name as used now Given names
Write your surname here **Write your first and middle names here**

4 What is your contact address (address for service) in Australia?
Write your postal address here

State **Write your state** Postcode **Write your postcode**

Phone **Write your telephone number here**

If represented, lawyer's ID **Leave blank**

Email **Write your email address here**

Part C About the case

- 5
- Initiating Application
 - Application in a Proceeding
 - Appeal
 - Other (specify) **Tick this box and write 'Application for Divorce'**

Date of filing of application or notice of appeal

Write the date

Part D Details

6 Court event to which request relates

- Procedural hearing (e.g. directions/mention/compliance)
- Interim hearing
- Dispute resolution event (e.g. conciliation conference, FDR, arbitration)
- Final hearing (trial) **Tick this box**

7 Date of Court event

Write the date

8 Purpose for which permission is sought and details of who seeks permission

Attend **Tick this box and tick the box below to show which party you are**

Applicant

Respondent

Other – Details _____

Make a submission

Applicant

Applicant Lawyer _____

(Name)

Respondent

Respondent Lawyer _____

(Name)

Other Party

Other Party's Lawyer _____

(Name)

Party to give evidence

Applicant

Respondent

Other – Details _____

Adduce evidence from witness

(full name) _____

Date affidavit filed

____ / ____ / ____

9 State the reasons why you are seeking to use electronic communication (give a number to each reason)

1. Explain why you are requesting to appear by electronic communication

2. Use one number per reason

3. Be as specific as possible – use facts, dates and times where possible

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Type of electronic communication sought to be used

Tick the box to show how you want to attend the divorce hearing

- Telephone
- Video link
- Other (please specify)

Contact name and number for the party on the court date, noting a directly number may be required. Switch board or a general office number may not be acceptable.

Name: **Write your name here**

Number: **Write your telephone number here**

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Set out your proposed arrangements for the attendance (if the attendance is to make a submission or to adduce or give evidence, include the place from which the attendance will take place, the facilities available at that place, details of the witness and their evidence, and the expense of the attendance: see Rule 15.16).

(e.g. The Applicant Wife will be in her solicitor's office. The Applicant Wife's solicitors will telephone the number provided by the Court at the relevant time, if this application is granted. The telephone will be on loud speaker so both the wife and her solicitor can hear everything that is said and may speak when called upon).

Explain what arrangements you are asking for

Part E Other party/ies response to this request

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On **Write the date** I advised the other party/s of my intention to make this request. The other party agrees to my attending/adducing evidence/making a submission by electronic communication
Tick the box to show how your spouse responded to your request to attend by electronic communication

- Yes
- No
- Attached is a copy of the letter I have received from the other party in response to this request

Part F Acknowledgment and signature

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I acknowledge that I am responsible for the cost of the electronic communication unless the Court orders otherwise.

I understand that my attendance at Court is required if this request is not approved.

Signed Date
 Write the date
Sign here

If no response has been received and this request is made less than five (5) working days after advising the other party (or 28 days prior to a trial), reasons should be provided in the "Details of Request" section as to why the application should be considered at this time.

Court use only Leave this section blank

Attendance by the applicant/respondent at the event listed is approved/not approved.

Party advised by telephone/letter/email on / /

Registrar's Signature

Date

 / /

SAMPLE