

Application (Parenting Plan)

FORM 16 Family Law Rules ~ rr.10.16, 10.18(1) and (2) and 10.19(2)

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

Filed in:

- Family Division of the High Court
- Family Division of the Magistrates' Court

COURT USE ONLY

File number _____

Filed at _____

Filed on _____

Notice to parties

- Each **applicant** must swear or affirm the affidavit in Part F.
- Each **respondent** must swear or affirm the affidavit in Part H.
- Each copy must be certified by you or your lawyer as a true copy.

Part A About the parties

1 APPLICANT

Full name as used now (*including father's name ("f/n"), if necessary for identification; surname (if any) underlined*)

Residential address

Former name(s), if any, in full

Father Mother

2 Occupation

3 What is your address for service in the Fiji Islands?

Address for service in the Fiji Islands
(*Mark only one*)

- Residential address, as above
- Postal, work or other address (*insert*):

Solicitor (*insert particulars*):

Solicitor's name:

Firm name:

Address:

RESPONDENT

Full name as used now (*including father's name ("f/n"), if necessary for identification; surname (if any) underlined*)

Residential address

Former name(s), if any, in full

Father Mother

Occupation

What is your address for service in the Fiji Islands?

Address for service in the Fiji Islands
(*Mark only one*)

- Residential address, as above
- Postal, work or other address (*insert*):

Solicitor (*insert particulars*):

Solicitor's name:

Firm name:

Address:

Part B About the relationship of the parties

4	When did you begin living together?			NOT APPLICABLE
	DATE / /			<input type="checkbox"/>
5	When and where did you get married?	CITY/TOWN/LOCALITY	COUNTRY	
	DATE / /			<input type="checkbox"/>
6	When did you finally separate?			
	DATE / /			<input type="checkbox"/>
7	When and where did you get divorced?	CITY/TOWN	COUNTRY	
	DATE / /			<input type="checkbox"/>

Part C Order(s) sought

8 The parties seek orders: (mark [X] the boxes that apply)

That the parenting plan attached, and signed on each page by the applicant(s), be registered in this court under section 59 of the Family Law Act.

That, in accordance with section 59 of the Family Law Act, the attached agreement to revoke a registered parenting plan be registered under that section.

9 Details of any existing registered parenting plan (if applicable)

Date	Court	File number (if known)
/ /		

Part D About other Court cases and orders

10 Are there any **ongoing cases** in this or any other court about family law, domestic violence or child welfare that involve any of the parties or any of the children listed on this form?

No

Yes PLEASE GIVE THE FOLLOWING DETAILS

Court name and place	Court file number	Next Court date
		/ /

State the names of the parties

State the nature of the orders sought (NUMBER EACH ORDER SOUGHT)

1.

IF THERE IS MORE THAN ONE CASE PLEASE ATTACH AN EXTRA PAGE, NUMBERING IT ITEM 10, PAGE 2.

11 Are there any **existing orders**, agreements, parenting plans or undertakings to a court about family law, domestic violence or child welfare concerning any of the parties or children listed on this form?

No

Yes **EITHER** attach a full copy of the order, agreement, parenting plan or undertaking **or** set out details below (attach an extra page if you need more space, numbering the page/s Item 10, page 2, and so on).

Attached is/are a copy/copies of the following (*mark [X] the boxes that apply*):

order undertaking parenting plan agreement

OR

GIVE THE FOLLOWING DETAILS

Court name and place	Court file number	Next Court date
		/ /

Names of the parties to the order / agreement / parenting plan / undertaking

Details of the order / agreement / parenting plan / undertaking

1.
2.
3.

IF THERE IS MORE THAN ONE CASE PLEASE ATTACH AN EXTRA PAGE, NUMBERING IT ITEM 11, PAGE 2.

12 If there is a family violence order, are the orders sought in this application consistent with that order?

No

Yes **GIVE BRIEF DETAILS**

13 Has any person with whom the child will reside or have contact been convicted of any offence under a child welfare law or the Family Law Act, or of a criminal offence relevant to a child's welfare?

No

Yes **GIVE DETAILS**

Name of the person	Approximate date
	/ /

Court name and place	Court file number	Offence

Part E About the children

14 The Court needs to determine whether the arrangements for your children are proper in all the circumstances. To assist the Court to do this, please set out below the arrangements for the children including details about their home, schooling, health, financial support (including any maintenance paid for them), their contact with each of their parents and any other matter you consider will assist the Court.

Part F Affidavit of applicant

- Strike out whatever does not apply.
- You must attach a further page setting out Part F and G for each other applicant, if applicable.

I swear* /affirm* that:

- I am the **applicant**.
- I have read this application and the attached *parenting plan/*agreement.
- The orders are agreed upon by all parties.
- I am aware of my right to obtain independent legal advice.
- I have had independent legal advice on my relevant rights under the Family Law Act and the effect and consequences of orders being made in the terms proposed.
- The matters stated in this application and the attached *parenting plan/*agreement that are within my personal knowledge are true and all other facts are true to the best of my knowledge, information and belief and the orders sought are supported by evidence.
- I have signed each page of the attached *parenting plan/*agreement.
- I have read and considered section 121(2) of the Family Law Act and on the basis of that section, I say that the provisions of the attached *parenting plan/*agreement are in the best interest of each child .

Your signature	Place	Date / /
Before me (signature of witness)	Full name of witness (please print)	

Justice of the Peace
 Notary public
 Lawyer / Commissioner for Oaths

* delete whichever is inapplicable

Part G Statement of independent legal advice (applicant's lawyer)

(OMIT IF NOT APPLICABLE)

- I am a lawyer entitled to practise in this Court.
- I have given the **applicant** independent legal advice as to the meaning and effect of the attached parenting plan and explained the respective rights, entitlements and obligations of the parties.
- I have signed each page of the attached parenting plan sought.
- I have explained to the applicant the effect of revoking the registration of the existing registered parenting plan.

Signature of lawyer	Print name
Firm name	Date / /

Part H Statement by child and family counsellor or registrar

1. What is the attached agreement? Parenting Plan
 Agreement to revoke a Parenting Plan

2. Who consulted with the child and family counsellor or registrar?

Full name (including father's name ("f/n"), if necessary for identification; surname (if any) underlined)

3. What is the date of the plan/agreement?

Day	Month	Year
/	/	

3. I am a:

- child and family counsellor
 registrar

within the meaning of the Family Law Act.

5. The attached agreement of the above date was developed after consultation with me by the person(s) in 2 above.

Signature of mediator/counsellor

Print full name

This application was prepared by:

- applicant(s)
 lawyer for applicant(s)

PRINT LAWYER'S FIRM NAME