Affidavit

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Family Law Rules ~ RULE **15.08** | | | | |
| Filed in:  Family Court of Australia  Family Court of Western Australia  Federal Circuit Court of Australia  Other (specify) | |  | | |
| Client ID | |  |
| File number | |  |
| Filed at | |  |
| Filed on behalf of: | | Filed on | |  |
| Court location | |  |
| Court date | |  |
|  | |  |
| Name of person [affirming/swearing] this affidavit (SEE PART C) | | | | |
|  | | | | |
| Date of swearing/affirming: |  | |  | |

|  |  |  |  |
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|  | About the parties | | |
| APPLICANT 1 | |  | RESPONDENT 1 |
| 1. Family name as used now | |  | 1. Family name as used now |
|  | |  |  |
| 1. Given names | |  | 1. Given names |
|  | |  |  |
| APPLICANT 2  Family name as used now | |  | RESPONDENT 2  Family name as used now |
|  | |  |  |
| 1. Given names | |  | 1. Given names |
|  | |  |  |

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| 1. What is the contact address (address for service) in Australia for the party filing this affidavit?   You do not have to give your residential address. You may give another address at which you are satisfied that you will receive documents. If you give a lawyer's address, include the name of the law firm. | | | | | | | | | |
| C/- , Deputy CEO (Attn: ), Legal Aid NSW | | | | | | | | | |
|  | | | | | | State |  | Postcode |  |
| Phone |  | | | | Fax\* |  | | | |
| Lawyer’s code | |  | Email\* |  | | | | | |
| \* Please do not include a fax or email address unless you are willing to receive documents from the Court and other parties in that way. | | | | | | | | | |

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|  | About the independent children's lawyer (if appointed) | |
| Independent children's lawyer family name | | Given names |
|  | |  |
| Firm name | |  |
|  | | |

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|  | About you (the deponent) | | | | | | |
| What is your family name as used now? | | | Your given names? | | | | |
|  | | |  | | | | |
|  |  |  |  | | | | |
| Gender |  |  | Usual occupation | | | | |
| Male | Female | X |  | | | | |
| 1. What is your address? You do not have to give your residential address. You may give another address at which you are satisfied that you will receive documents. | | | | | | | |
|  | | | | | | | |
|  | | | | State |  | Postcode |  |

|  | Evidence |
| --- | --- |
| * Set out the facts divided into consecutively numbered paragraphs. Each paragraph should be confined to a distinct part of the subject matter. * Make sure that the page containing Part E is always the last page of the form. You and the witness to your affidavit must sign at the bottom of each page. | |

1. I am a ……………………. Annexed hereto and marked with the letter "A" is my curriculum vitae setting out my qualifications and experience.
2. At the request of the parents and the Independent Children’s Lawyer and pursuant to Orders dated ………….., I prepared a report in respect of [enter details].
3. Annexed hereto and marked with the letter "B" is a true copy of that report.
4. I have made all the enquiries I believe are necessary and appropriate and to my knowledge there have not been any relevant matters omitted from this report, except as otherwise stated in this report.
5. I believe that the facts within my knowledge that have been stated in this report are true.
6. The opinions I have expressed in this report are independent and impartial.
7. I have read and understand Part 15.5 of the *Family Law Rules 2004* and have used my best endeavours to comply with it.
8. I understand my duty to the Court and I have complied with it and will continue to do so.

**Options**

1. I have complied with the requirements of the following professional codes of conduct or protocol, being Psychology Board of Australia Codes of Conduct.
2. I have complied with the requirements of my professional codes of conducts or protocol, being Royal Australian and New Zealand College of Psychiatrists Practice Guidelines *#3 Guidelines for Psychiatrists in Relation to Family Court Proceedings*.

|  |  |
| --- | --- |
|  | Signature |

I affirm/swear the contents of this affidavit are true.

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| --- | --- |
|  |  |
| Signature of deponent |  |
|  |  |
| Place Date  / / |  |
|  |  |
|  |  |
| Before me (signature of witness) |  |
|  |  |
|  |  |
| Full name of witness (please print) |  |
| Justice of the Peace  Notary public |  |
| Lawyer |  |

|  |  |  |
| --- | --- | --- |
| This affidavit was prepared by | deponent/s  lawyer | Legal Aid NSW  solicitor code |
|  | | PRINT NAME AND LAWYER’S CODE |