

Affidavit of Service

Federal Circuit and Family Court of Australia (Family Law) Rules 2021 – RULE 2.32

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: **Tick the first box**

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

Filed on behalf of:

Write your name here _____

(NAME OF PARTY)

Client ID Write your Client ID here _____

File number Write your file number here _____

Filed at Leave blank

Filed on Leave blank

Court location Leave blank

Next Court date (if known) Leave blank _____

Part A About the server

1 What is the name and address of the person who served the documents?

Family name as used now

Given names

Write your surname here

Write your first and middle name here

Write your address here

State Write your state Postcode Write your postcode

Part B About the person and the documents being served

2 What is the name of the person on whom the documents were served?

Family name as used now

Given names

Write your spouse's surname

Write your spouse's first and middle names

3 What documents were served? Mark [X] all boxes that apply

- Initiating Application (Family Law)
 Financial Statement
 Application in a Proceeding
 Application – Contravention
 Application – Contempt
 Court brochure/s (specify) **Tick this box and write 'Marriage, Families and Separation'** _____
 Copy of affidavit of (FULL NAME) **Tick this box and write your full name here** _____
sworn/affirmed on **Write the date of your affidavit**
 Subpoena and conduct money of \$ _____
 Other (give details) **Tick this box and list the other documents you served on your spouse, for example, Application for divorce** _____

Part C About how service was carried out

- 4 How were the documents served?
Tick the box to show how you served your spouse
You should only tick one box.

By hand

GO TO PART D

By post or by electronic means

GO TO PART E

Part D Service by hand Only complete this section if you served your spouse by hand

Choose whether you want to swear (religious oath) or affirm (non-religious oath) your affidavit. Delete or cross out the other choice.

- 5 I swear* / affirm* that (mark [X] all boxes that apply):

The facts set out in Items 1-4 are true Tick this box

Tick this box if you served your spouse with your application and supporting documents

I served the documents listed in Item 3 by handing them to the person named in Item 2

on Write the date at Write the time AM/PM Cross out the wrong time period at:

Write the address where you served the documents

State Write the state Postcode Write the postcode

Tick this box if you attempted to serve your spouse with your application and supporting documents

I attempted to hand the documents listed in Item 3 to the person named in Item 2

on Write the date at Write the time AM/PM Cross out the wrong time period at:

Write the address where you attempted to serve the documents

State Write your state Postcode Write your postcode

The person refused to accept them. I put them down and left them in the presence of the person and told the person what the documents were.

I am able to identify the person served because (mark [X] all boxes that apply):

I know the person Tick this box

The person is shown in the attached photograph

I saw the person sign the Acknowledgment of Service attached Tick this box if your spouse signed the Acknowledgment of service

I had the following conversation with the person at the time of service
(set out the conversation relating to the person's identity) _____

PLEASE DO NOT SIGN UNTIL YOU ARE WITH A PERSON WHO IS LEGALLY ABLE TO WITNESS YOUR SIGNATURE IN YOUR STATE OR TERRITORY

Sign here

Signature of person serving documents

Place Write the suburb Date Write the date

Witness signs here

Before me (signature of witness)

Write the witness's name here

Full name of witness (please print)

Tick the box to show the witness's qualifications

Justice of the Peace

Notary public

Lawyer

Authorised Staff Member of the Court

* delete whichever is inapplicable

Part E

Service by post or electronic communication

Only complete this section if you served your spouse by post or electronic communication

Choose whether you want to swear (religious oath) or affirm (non-religious oath) your affidavit. Delete or cross out the other choice.

6 I swear* / affirm* that (mark [X] all boxes that apply):

- The facts set out in Items 1-4 are true **Tick these boxes**
- I served the documents listed in Item 3 by posting them* / by electronic communication* **[delete whichever is not applicable]** on **Write the date** (date of posting or sending) to the person being served at:

Write the address where you posted the documents

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

Phone **Write your spouse's telephone number here**

DX **Leave blank**

Email **Write your spouse's email address here**

Tick this box

- I recognise the signature on the attached Acknowledgment of Service as that of [insert name of person served]

Write your spouse's name here _____

because I have seen that person's signature on previous occasions.

PLEASE DO NOT SIGN UNTIL YOU ARE WITH A PERSON WHO IS LEGALLY ABLE TO WITNESS YOUR SIGNATURE

Sign here

Signature of person serving documents

Place **Write the suburb** Date **Write the date**

Witness signs here

Before me (signature of witness)

Write the witness's name here

Full name of witness (please print)

Tick the box to show the witness's qualifications

- Justice of the Peace Notary public Lawyer
- Authorised Staff Member of the Court

delete whichever is inapplicable