

Notice of Appeal

Form 20 Family Court Rules - Rule 452

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 on behalf of:

Full name: _____

MARK [X] IN THE BOX THAT APPLIES TO YOU

Appellant/Applicant

Cross-appellant/Applicant

This is an appeal*/application for leave to appeal* from:

Magistrates Court 150 Terrace Rd, Perth
Western Australia – Family Law Magistrate

Court of Summary Jurisdiction (a Magistrates or Local
Court of a State or Territory)

* Delete whichever is inapplicable

This Notice is used by a party who wishes to appeal against an order or apply for leave to appeal against an order.

COURT USE ONLY

Appeal file number _____

Filed at _____

Filed on _____

Court location _____

Court date _____

Time _____

IMPORTANT: Information for respondents to the Notice of Appeal/Application for Leave to Appeal is on page 5.

Part A About the parties

1 APPELLANT 1 / APPLICANT 1 / CROSS-APPELLANT 1

What is your family name as used now?

Given names?

APPELLANT 2 / APPLICANT 2 / CROSS-APPELLANT 2

What is your family name as used now?

Given names?

RESPONDENT 1

Family name as used now

Given names

RESPONDENT 2

Family name as used now

Given names

APPELLANT 1 / APPLICANT 1/ CROSS-APPELLANT 1

2

What is your contact address (address for service) in Australia? If you give a lawyer's address, include the name of the law firm.

State	Postcode
Phone	Fax *
DX	
Lawyer's code	
Email *	

RESPONDENT 1

Respondent's address

State	Postcode

* Please do not include email or fax addresses unless you are willing to receive documents from the Court and other parties in that way.

If there is a second appellant / applicant /cross-appellant or second respondent attach a separate sheet providing a contact address for the second appellant / applicant/ cross-appellant or an address for the second respondent.

Part B About the independent children's lawyer (if appointed)

3

Independent children's lawyer

Family name

Given names

4

The contact address (address for service) in Australia for the independent children's lawyer is:

FIRM NAME			
		State	Postcode
Phone	Fax*		
DX	Email*		
Lawyer's code			

* Please do not include email or fax addresses unless you are willing to receive documents from the Court and other parties in that way.

Part C Leave to Appeal

5

Are you (the applicant) applying for leave to appeal?

No. Go to Part D

Yes. Attach a copy of the order(s) you wish to appeal.

6

State briefly the facts relied on in support of the application for leave to appeal and which establish an error of principle or a substantial injustice. Please number each paragraph

1.

Attach extra pages if you need more space.

Part D About the orders appealed / proposed to be appealed

You must attach a copy of the orders you are appealing / propose to appeal (if not already attached)

7 Details of order

Date of order ____ / ____ / ____

Name of Family Law Magistrate/Magistrate _____

Registry

File Number

8 Are you appealing / proposing to appeal all of the orders?

Yes GO TO ITEM 9

No List the paragraph numbers of the orders you are appealing / propose appealing (eg. 1, 4, 7, 10)

Part E Grounds of appeal

9 State briefly the grounds of the appeal / proposed appeal, numbering each ground of appeal. Do not complete this part if you are appealing / propose to appeal from an order made by a Court of summary jurisdiction.

1.

Attach extra pages if you need more space.

Part F The orders sought in the appeal

10 State the orders you are seeking (give a number to each order sought)

1.

Attach extra pages if you need more space.

Part G Signature of appellant/cross-appellant/applicant or lawyer

Signed	Date
	/ /

This notice was signed by

<input type="checkbox"/> the appellant/s	<input type="checkbox"/> lawyer for the appellant/s
<input type="checkbox"/> cross-appellant/s	<input type="checkbox"/> lawyer for the cross-appellant/s
<input type="checkbox"/> the applicant/s	<input type="checkbox"/> lawyer for the applicant/s

This notice was prepared by

<input type="checkbox"/> the appellant/s	<input type="checkbox"/> lawyer for the appellant/s
<input type="checkbox"/> cross-appellant/s	<input type="checkbox"/> lawyer for the cross-appellant/s
<input type="checkbox"/> the applicant/s	<input type="checkbox"/> lawyer for the applicant/s

PRINT NAME AND LAWYER'S CODE

Important Notices to the Respondent/s and independent children's lawyer (if appointed)

Notice to the respondent and independent children's lawyer (if appointed) in an appeal from a Court of Summary Jurisdiction

- The appeal is listed for hearing on the court date at the time and place shown at the top of page 1 of this form.
- If you do not attend the hearing the appeal may be decided in your absence.
- If you wish to appeal against any of the orders identified in Part D of this Notice, you must file a Notice of Appeal endorsed as a cross-appeal within 14 days of receipt of this notice or within 28 days after the date the order appealed from was made, whichever is the later.
- You should seek legal advice.

Notice to the respondent and independent children's lawyer (if appointed) in all other appeals and applications for leave to appeal

- You will soon receive written notice from the Court advising you of the date and time for a Procedural Hearing.
- If you wish to appeal, or apply for leave to appeal, against any of the orders identified in Part D of this Notice, you must file a Notice of Appeal endorsed as a cross-appeal within 14 days of receipt of this notice or within 28 days after the date the order appealed from was made, whichever is the later.
- You should seek legal advice.