



FAMILY COURT OF WESTERN AUSTRALIA

PRACTICE DIRECTION

(No. 1 of 2021)

New Family Court Rules 2021, New and Modified Forms and Rule 487 exemptions

Preamble

- The Family Court Rules 2021 were gazetted on 18 August 2021 and take effect on 23 August 2021.
- The Court will shortly be commencing a project to update its Case Management Guidelines.

Practice Direction

1. To the extent that the Court's existing Case Management Guidelines are inconsistent with the Family Court Rules 2021, then the Family Court Rules 2021 shall prevail.
2. Effective immediately, the following Practice Directions are revoked:
 - a. No 1 of 2006
 - b. No 1 of 2018
 - c. No 1 of 2020
 - d. No 4 of 2020.
3. Effective immediately, the following Information Notes and Notices are revoked:
 - a. Information Note issued 14 July 2008
 - b. Information Note issued 31 March 2010
 - c. Information Note issued 11 December 2017
 - d. Notice to Solicitors issued 21 July 2020.
4. To the extent that this Practice Direction is inconsistent with any other previous Practice Directions, Information Notes or Public Notices, then this Practice Direction shall prevail.

5. Effective immediately, the following prescribed forms are approved for use in the Court:

Form 1	Initiating Application
Form 1A	Response to Initiating Application
Form 1B	Reply to Initiating Application
Form 2	Application in a Case
Form 2A	Response to an Application in a Case
Form 3	Application for Divorce
Form 3A	Response to an Application for Divorce
Form 4	Notice of Child Abuse and Family Violence (or Risk)
Form 5	Notice of Intervention by Person Entitled to Intervene
Form 6	Acknowledgment of Service
Form 7	Affidavit of Service
Form 8	Notice of Address for Service
Form 9	Notice of Ceasing to Act
Form 10	Notice of Discontinuance
Form 11	Application for Consent Orders
Form 12	Submitting Notice
Form 13	Financial Statement
Form 14	Subpoena
Form 14A	Notice of request to inspect subpoenaed documents
Form 15	Notice Disputing Itemised Costs Account
Form 16	Enforcement Warrant – Seizure and Sale of Property
Form 17	Third Party Debt Notice
Form 18	Application – Contravention
Form 19	Application – Contempt
Form 20	Notice of Appeal
Form 20A	Notice of Contention
Form 21	Bankruptcy - Application
Form 22	Bankruptcy – Application in a Case
Form 23	Bankruptcy – Notice of Appearance
Form 24	Bankruptcy – Notice stating grounds of opposition to an Application or Application in a Case
Form 25	Bankruptcy – Summons for Examination

6. Effective immediately, the following non-prescribed forms are approved for use in the Court:

Form NP1	Exemption Form
Form NP2	Acknowledgement Form – “Information from a Family Counsellor or Family Dispute Resolution Practitioner”
Form NP3	Case Information Affidavit
Form NP4	“Consent to Conduct Proceedings as Child-related Proceedings” Form
Form NP5	“Consent Order Annexure” Form
Form NP6	Conciliation Conference Particulars
Form NP7	Application for reduction of payment of divorce or decree of nullity - general

Form NP8	Application for reduction of payment of divorce or decree of nullity – financial hardship
Form NP9	Request for deferral of court fees
Form NP10	Request for refund of court fees
Form NP11	Certificate of Conferral
Form NP12	Callover Certificate
Form NP13	Application for exemption from fees – general (not divorce)
Form NP14	Application for exemption from fees – financial hardship (not divorce)
Form NP15	Undertaking as to Disclosure

7. From 27 September 2021 the earlier versions of the prescribed and non-prescribed forms will no longer be accepted for filing.
8. The following are documents which cannot be filed by means of the ECMS:
 - a. Contravention Applications
 - b. Hague Applications
 - c. Bankruptcy Applications
 - d. Adoption Applications
 - e. Surrogacy Applications.
9. The following persons are exempt from the requirement to file documents by means of the ECMS:
 - a. Inmates of a prison or otherwise lawfully detained in a public institution.

A copy of the Family Court Rules 2021 and interactive and electronic copies of the forms are available on the Court's website at www.familycourt.wa.gov.au.

**GAIL SUTHERLAND
CHIEF JUDGE
FAMILY COURT OF WESTERN AUSTRALIA
23 August 2021**