



**FEDERAL MAGISTRATES COURT OF AUSTRALIA  
PRACTICE DIRECTION: NO. 1 OF 2006**

**Trial of a New Form: Initiating Application (Family Law)**

**Introduction**

In order to advance the implementation of the combined Registry project, the Federal Magistrates Court of Australia and the Family Court of Australia have agreed to trial a new form entitled "Initiating Application (Family Law)". In the Federal Magistrates Court the existing Response form should be used.

This Practice Direction relates to the use of this new document in the Federal Magistrates Court of Australia. The Chief Justice of the Family Court has issued a Practice Direction dealing with the use of the new Initiating Application (Family Law) in the Family Court.

**Practice Direction**

This Practice Direction is effective from 8 January 2007.

The new Initiating Application (Family Law) may be used to seek both final and interim relief in family law proceedings in the Federal Magistrates Court. Until the trial has been completed and appropriate consultation and evaluation has taken place, there will be no Rule changes and use of the new forms is permitted by this Practice Direction as an option to using the existing form to commence proceedings.

Proceedings seeking final orders alone, or both final and interim orders in family law proceedings, should be initiated using the form entitled "Initiating Application (Family Law)".

The new form has not been allocated a form number and should simply be referred to as "Initiating Application (Family Law)"

The new form will be available over the counter at Family Law Court Registries and will be able to be downloaded from this website: [www.fmc.gov.au](http://www.fmc.gov.au)

Save for the use of the new form authorised by this Practice Direction, the Federal Magistrates Court Rules (other than Rule 4.06) apply, changing what needs to be changed to achieve this. Thus, the requirements for filing an affidavit in support of the application when initiating proceedings continue to apply. If the new form is used it will not be necessary to comply with Rule 4.06, as all of the relevant content required for the information sheet is now in the Initiating Application (Family Law).

**JOHN PASCOE AO  
CHIEF FEDERAL MAGISTRATE  
FEDERAL MAGISTRATES COURT OF AUSTRALIA**

**DATE: 20 December 2006**