



Responding to a notice of application

When you receive a notice of application from the Family Court, it means someone has made an application about a child in your life. You may be a parent, guardian or whānau (family and friends).

This happens when people involved in the child's life can't agree on how the child will be looked after.

Choosing how to respond (reply)

1. Read the application

It's important to read the application. It will tell you what the other person is asking the court to do and their reasons.

You'll receive:

- the application
- any Interim Court Orders (these are temporary and are not always made)
- a 'Notice to Respondent' – this document tells you an application has been filed and what you need to do.

2. Decide how you want to respond

You can decide if you want to respond to the application and be involved in the case.

If you disagree with any parts of the application, you can give a 'Notice of Response'.

This tells the Court you want:

- your views considered before a final decision is made
- the choice to appear in court and be heard in the future.

If you don't want to respond...

... and don't want to take part in court, you can choose to not respond. You'll need to give your mailing address to the Court if you want to receive their decision.

If you don't respond, a judge might make a final order without hearing your views. This could affect how much time you spend with the child, or how the child is cared for.

3. Complete the form

You'll need to complete a 'Notice of Response and Affidavit in Support' form, and file (send or drop off) it at your nearest court.

When to file the form

You should give your response in the timeframe shown on the 'Notice to Respondent'. The time starts from the day you received a copy of the other person's application.

To suggest your own arrangements for the child, you can complete a 'Parenting Order' application. You can submit this at the same time as your 'Notice of Response'.

Get the form by

- Visiting justice.govt.nz/notice-of-response
- Freephone the Ministry of Justice on 0800 224 733 to be sent a copy

If an interim order is made before you respond

Sometimes, the Family Court can make an Interim Order before you respond. These are temporary.

This usually happens if the application is urgent, and a judge agrees that an Interim Order should be made as soon as possible.

You'll be able to respond before this order is made final. You'll receive a copy of the order with the application.

A Parenting Through Separation course may help

It's important to first think about the child's best interests. Going to a Parenting Through Separation course can help you see things from their point of view and understand how separation or a change in family situation might affect them.



To find out more about this course visit justice.govt.nz/parenting-through-separation or freephone the Ministry of Justice on **0800 224 733**.

You can get legal advice at any time

It may be helpful to talk to a lawyer when you're working through a separation or change in family situation. If you're not sure where to start, visit your local Community Law Centre or communitylaw.org.nz

You have the right to feel safe

You can get help if you or someone else feels unsafe:

- If you or someone else is in immediate danger call 111
- Visit justice.govt.nz/family-violence
- Visit areyouok.org.nz
- Freephone 'Are You OK' on 0800 456 450

Where to get support

In your community

Kaiārahi (Family Court Navigators), Family Court Co-ordinators and court staff can guide you when sorting out parenting arrangements but cannot give you legal advice. Kaiārahi can also connect you with community support services in your area.

Contact:

- Visit your local court
- Email kaiarahi@justice.govt.nz
- Freephone the Ministry of Justice on 0800 224 733

Organisations to help you

Citizens Advice Bureau

They help you understand your rights and fill out forms.

- Freephone 0800 367 222
- Visit cab.org.nz

Community Law Centre

They offer free, confidential one-on-one legal help for people across Aotearoa New Zealand/

- Visit communitylaw.org.nz

Family Services Directory

They have a list of support services that help whānau (family and friends) across Aotearoa New Zealand. These services range from housing to counselling.

- Freephone 0800 211 211
- Visit familyservices.govt.nz/directory/

CCS Disability Action

They provide information and support to people with disabilities and their whānau (family and friends)

- Freephone 0800 227 200
- Email info@ccsDisabilityAction.org.nz

Counselling

For professional support for mental health, or other personal issues, contact:

- Need to Talk – Freephone or text 1737 or visit 1737.org.nz
- Lifeline – Freephone 0800 543 354 or text 4357
- Skylight – Freephone 0800 299 100 or visit skylight.org.nz

For children and young people

- What's Up – Freephone 0800 942 8787
- Youthline – Freephone 0800 376 633 or text 234

If you feel unsafe

- Visit areyouok.org.nz
- Freephone 'Are You OK' on 0800 456 450