Guidance on Using the Application for Restraining Order Template

(Form 92 of the District Court Rules 2014)

About the application for restraining order

If you are being harassed (as defined by the Harassment Act 1997) by another person, a restraining order can help provide you with protection. A restraining order legally prevents that person from contacting you.

If you want protection from a person that you are in a “domestic relationship” (as defined by the Domestic Violence Act 1995) with you instead need to apply for a protection order through the Family Court.

When applying for a restraining order (in addition to form 92) you must also file:

* A notice of proceeding (form 94)
* An affidavit in support of the application.

You must file your application (along with the supporting documents) before the documents can be served. Please ensure that you file sufficient copies of all the documents: one copy for the court, and one copy for every respondent to the application**.**

If you are applying for a restraining order, or are a protected person who is a party to an application to vary or discharge a restraining order, you may apply to the court to keep your address confidential from the other parties to the proceeding. If you wish to keep your address confidential please:

* Do not enter your address when filling in this form, and
* File a notice of residential address and request for confidentiality (form 95).

How to use the template

All the required fields are set out in the template on the following two pages.

The sections that you have to fill out are marked with red text. The red text explains what you need to put in. These are fillable form fields, so click on the red text and start typing. The red text will be replaced by the content that you type. If you want to leave the field blank, just enter a space.

The blue text is explanatory notes. Delete these notes before printing the form.

Formatting your form

Before printing the form, check that the pages are numbered. Numbering should start at page 1 on the page after the cover page (i.e. the cover page should not be numbered). The template is set up to automatically number the pages in this matter.

You may print the form either single or double-sided. However, the cover sheet must not be double sided. If you print double sided you must adjust the margins as follows:

* In the “Margins” section in Word, select “Custom Margins”. In the box that pops up, find the field called “Multiple pages”. Select “Mirror Margins” from the dropdown menu, and click OK.
* The wide margin should now be on the left of every front page, and on the right of every reverse page.

Once you have completed the form, print and sign it.

No: Enter the CIV number (court reference number) if known.

In the District Court at Choose an item.

Under the Harassment Act 1997

Applicant’s full name, address and occupation.

(applicant)

Respondent’s full name, address and occupation.

(respondent)

If there is an associated respondent, enter their details as well.

Application for restraining order

**NOTE: enter enough lines above so this section is at the bottom of the cover page.**

Filed by your name, the applicant in person.

Complete the relevant statement “1” and delete the statement that does not apply.

1. I, your full name, apply for a restraining order against respondent’s full name, the respondent.

OR

1. I, your full name, the appointed representative of applicant’s full name, the applicant, apply on behalf of the applicant for a restraining order against respondent’s full name, the respondent.
2. The proposed duration of the order sought is a period of duration.
3. I seek a direction that the restraining order apply against associated respondent’s full name, the associated respondent.

(Delete this line if there is no associated respondent).

1. I request that the following special conditions be part of the restraining order:

Set out in sufficient detail the special conditions sought.

(Delete this line if there are no special conditions sought).

**Affidavit in support**

I rely on the content of the affidavit dated date of affidavit filed in support of this application.

(Note: if someone else was the deponent of the affidavit, specify in the above sentence the name of the deponent).

Date:

Signature: (sign here)

(applicant)

**Date of hearing**

(The Registrar completes the following section)

I appoint

at the District Court at

for the hearing of this application.

Date:

Signature:

(Registrar)