

Notice of Discontinuance

Federal Circuit and Family Court of Australia (Family Law) Rules 2021 – RULE 10.02

Federal Circuit and Family Court of Australia (Division 2) (General Federal Law) Rules 2021 – RULE 13.01

Please type or print clearly and mark [X] all boxes that apply. Attach extra pages if you need more space to answer any questions.

Use this form if you are no longer seeking all or some of the orders previously sought by you.

Filed in: **Check the first box**

- Federal Circuit and Family Court of Australia
 Family Court of Western Australia
 Other (specify) _____

Type of proceedings:

- Family law proceedings
 Migration proceedings
 General federal law proceedings **Check this box**
 Other (specify) _____

Filed on behalf of:

Full name: **Write your name here**

Client ID **Write your Client ID here**

File number/appeal number **Write your file no**

Filed at **Leave blank**

Filed on **Leave blank**

Court date **Write the next court date here**

NOTE:

- This notice must be served on any other party, including any independent children's lawyer as soon as practicable after filing.
- Filing this notice does not prevent any other party from continuing with their case, and obtaining orders, including for costs.
- If this notice relates to an appeal in the appellate jurisdiction of the Federal Circuit and Family Court of Australia (Division 1) the notice must be filed in the National Appeal Registry.

Part A About the parties

1 APPLICANT 1 / APPELLANT 1

Family name as used now

Write your surname here

Given names

Write your first and middle names here

APPLICANT 2 / APPELLANT 2

Family name as used now

Leave blank

Given names

Leave blank

RESPONDENT 1

Family name as used now

Write your employer's surname here

Given names

Write your employer's first and middle names here

RESPONDENT 2

Family name as used now

Leave blank

Given names

Leave blank

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

2 Independent children's lawyer family name

Leave blank

Given names

Leave blank

Firm name

Leave blank

Part C

Details of discontinuance – family law proceedings only

Leave this section blank

- 3 Which application / response / reply / notice of appeal / notice do you wish to discontinue in whole or in part?

MARK [X] ALL BOXES THAT APPLY

<input type="checkbox"/>	Initiating Application (Family Law)	filed on	/	/
<input type="checkbox"/>	Response to Initiating Application (Family Law)	filed on	/	/
<input type="checkbox"/>	Reply	filed on	/	/
<input type="checkbox"/>	Application in a Proceeding	filed on	/	/
<input type="checkbox"/>	Response to Application in a Proceeding	filed on	/	/
<input type="checkbox"/>	Application for Divorce	filed on	/	/
<input type="checkbox"/>	Response to Divorce	filed on	/	/
<input type="checkbox"/>	Application – Contravention	filed on	/	/
<input type="checkbox"/>	Application – Contempt	filed on	/	/
<input type="checkbox"/>	Application – Enforcement	filed on	/	/
<input type="checkbox"/>	Notice of Appeal	filed on	/	/
<input type="checkbox"/>	Application in an Appeal	filed on	/	/
<input type="checkbox"/>	Notice Disputing Itemised Cost Accounts	filed on	/	/
<input type="checkbox"/>	Other [specify]	filed on	/	/

- 4 Do you want to discontinue the whole of the application/response/reply/notice of appeal/notice?

Yes GO TO PART E

No State which parts (orders sought / grounds of appeal) of the application / response / reply / notice of appeal / notice you wish to discontinue. Do this by listing the orders / grounds of appeal by the number used in the application / response / reply / notice of appeal / notice.
(Do not set out the orders / grounds of appeal in full)

Part D

Details of discontinuance – migration and general federal law proceedings only

- 5 Which document do you wish to discontinue?

Title of application / response / reply / notice of appeal / notice **Write 'Application – Fair Work Division'**

Date document was filed:

Write the date here

- 6 Which of the orders you applied for do you want to discontinue?

All of them GO TO PART E **Tick this box if you want all of your case to be discontinued.**

Some of them State which parts (orders sought / grounds of appeal) of the application / response / reply / notice of appeal / notice you wish to discontinue. Do this by listing the orders / grounds of appeal by the number used in the application / response / reply / notice of appeal / notice.
(Do not set out the orders / grounds of appeal in full)

Tick this box if you still want some of the orders you applied for.

List the orders you no longer want the Court to make.

Part E

Signature of person filing this notice

Signed

Date

Sign here

Write the date you sign this form here

This notice was signed by

Check the first box

applicant

respondent

appellant

lawyer for the applicant

lawyer for the respondent

lawyer for the appellant

This notice was prepared by

Check the first box

applicant

respondent

appellant

lawyer for the applicant

lawyer for the respondent

lawyer for the appellant

Leave blank

PRINT NAME AND LAWYER'S CODE