



DAWSON

FAMILY LAW

FAMILY AND DOMESTIC VIOLENCE

Whilst the Family Law Act is a Federal piece of legislation, if you are a party named in an Application for a Protection Order, that matter will be heard in the State Court (eg. the Townsville Magistrates Court).

If you are a victim of domestic violence you can file an Application for a Protection Order and seek a Temporary and/or Final Protection Order be made to protect you.

You may also request that the Order protect other named persons, such as children or a new partner, that have been exposed to or are victim of act/s of violence. The Order may list a number of conditions that the Respondent perpetrator would need to abide by. For example, that they not attend your home, or place of employment.

If you are an alleged perpetrator of domestic violence you can contest the making of an Order and file affidavit material in support of your challenge. There are other options available for negotiation prior to an affidavit being filed or the matter being listed for hearing.

For example, the application can be resolved by undertaking, rather than a formal court Order. An undertaking is a promise to the court to commit any acts of domestic and family violence.

If defending an application, we strongly recommend you obtain legal advice about the options available to you before making a decision how to proceed as it may affect your employment and overseas travel in the future. Book an appointment with our office for advice specific to your circumstances.



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A fresh start