

Last updated: 18 October 2018

Family members	
1.	<p>Are affected family member and respondent family members?<sup>1</sup></p> <p><b>If yes, go to 2</b></p> <p><b>If no</b>, but there may be grounds for a stalking intervention order, <b>refer to registrar</b> to re-issue application</p>
Final orders in absence of the Respondent	
2.	<p>Is the respondent present at court?</p> <p><b>If yes, go to 5</b></p> <p><b>If no, go to 3</b></p>
3.	<p>Has the respondent been served?</p> <p><b>If yes, go to 4</b></p> <p><b>If no, consider whether to make orders for alternative or substituted service?</b> ss 202, 202A, 202C (interim order continues – s 60)</p>
4.	<p>Court may make a final order if respondent has committed family violence against affected family member and is likely to do so again – ss 61, 74.</p> <p><b>Go to final orders checklist</b></p>
Final Consent Orders	
5.	<p>Are the parties consenting to a final order being made?</p> <p><b>If yes, go to final orders checklist</b></p> <p><b>If no, go to 6</b></p>
Interim Order until final hearing	
6.	<p>Is there an interim order in place?</p> <p><b>If yes</b>, it will continue until the final hearing (s 60). Go to 7</p> <p><b>If no, go to interim orders checklist</b></p>
Legal representation for cross-examination	
7.	<p>Is the respondent legally represented?</p> <p><b>If not represented</b>, inform respondent of prohibition on personal cross-examination, inquire as to whether respondent has sought representation and adjourn to special mention hearing, if necessary – s 70(4)</p> <p><b>If represented</b>, adjourn to final hearing</p>

<sup>1</sup> Note expanded definition in ss8-10 that includes 'being like a family member' – s 8(3) and Aboriginal or Torres Strait Islander 'relatives' – s 10(1)(b)