

Interim parenting orders

1. That until further order, [insert].

(Family report)

2. That pursuant to Section 62G of the *Family Law Act* [insert name of proposed report writer] be appointed to prepare a family report in relation to [insert].
3. Each party pay one half of the costs of the family report, upon demand.

(If seeking the appointment of an independent children's lawyer)

4. That the [child/children] be independently represented in these proceedings and it is requested that Legal Aid [insert State/Territory] arrange such representation, and that the independent children's lawyer be at liberty to peruse and/or take copies of all documents filed in these proceedings upon the making of an appointment to do so with the Court Registry.

(Recovery order – child taken in breach of parenting order)

5. That the application for interim orders filed the [child/children] be heard urgently and that all times for service be abridged.
6. That the [father/mother] [insert full name] forthwith return the [child/children] [insert full name/s] to the [mother/father] [insert full name].
7. That under Section 67Q of the *Family Law Act 1975*, the Marshal of the Family Court of Australia, the Australian Federal Police and all officers of the police forces of each State and Territory of the Commonwealth of Australia be authorised and directed to recover and deliver the [child/children] to the [mother/father], namely [insert full name], and for that purpose to stop and search any vehicle, vessel or aircraft and search any premises or place in which there is, at any time, reasonable cause to believe that the [child/children] may be found.
8. That the [father/mother], [his/her] servants or agents, be and are hereby restrained from again removing or causing the removal of the [child/children] from the care of the [mother/father], upon any breach of which by any person that person may be arrested without warrant.
9. That the [father/mother] pay the [mother's/father's] costs of and incidental to this application fixed in the sum of \$5,000.
10. That the [father/mother] be served with a copy of the applicant's application and affidavit[s] filed [date] and a copy of this order.
11. That the parenting order made by [this/the] [specify] Court on [date] be suspended as to its provision for the [child/children] to spend time with the [father/mother] until further order upon application being made by the [father/mother] for a parenting order in [his/her] favour.
12. That this matter be adjourned for further hearing on [date and time].

(Injunction – child taken within Australia, where no parenting order)

13. An injunction that the [father/mother] [insert full name], [his/her] servants or agents, be and are hereby required to return the [child/children] to the [child's/children's] former address at [specify] or within 20 kilometres of that address forthwith.
14. That failing compliance with paragraph 6 of this order by the respondent within 24 hours, the Marshal of the Family Court of Australia, the Australian Federal Police and all officers of the police forces of each State and Territory of the Commonwealth of Australia be authorised and directed to recover and deliver the [child/children] to the applicant, namely [insert full name], and for that purpose to stop and search any vehicle, vessel or aircraft and search any premises or place in which there is, at any time, reasonable cause to believe that the [child/children] may be found.
15. That until further order [Insert paragraph 1 above and any other paragraphs of "final orders sought" below that your client will be needing upon return of child/children as interim orders].
16. That the respondent pay the applicant's costs of and incidental to this application fixed in the sum of \$5,000.
17. That the matter be adjourned for further hearing on [date and time].

(Injunction – where flight risk)

18. [Within Australia] That until further order the [father/mother] [insert full name], and [his/her] servants or agents, be and are hereby restrained from removing or causing the removal of the [child/children] [insert full name/s] from their current address at [specify] OR beyond a radius of 20 kilometres from [specify CBD, post office or other local landmark].
19. [Overseas] That until further order the [father/mother] [insert full name], [his/her] servants or agents, be and are hereby restrained from removing or causing the removal of the [child/children] [insert full name/s] from the Commonwealth of Australia.
20. That failing compliance with paragraph 4 [OR 5] of this order by the respondent within 24 hours, the Marshal of the Family Court of Australia, the Australian Federal Police and all officers of the police forces of each State and Territory of the Commonwealth of Australia be authorised and directed to recover and deliver the [child/children] to the applicant, namely [insert full name], and for that purpose to stop and search any vehicle, vessel or aircraft and search any premises or place in which there is, at any time, reasonable cause to believe that the [child/children] may be found.

(Watch List order)

21. That until further order the [father/mother] [full name and date of birth], and [his/her] servants or agents be and are hereby restrained from removing or attempting to remove or causing or permitting the removal of the [child/children] from the Commonwealth of Australia AND IT IS REQUESTED that the Australian Federal Police give effect to this order by placing the [name/names] of the said [child/children] on the Watch List in force at all points of arrival and departure by air or sea in the Commonwealth of Australia and maintain the [child's/children's] [name/names] on the Watch List until the Court orders its removal.
22. **Note** – Where the child has no passport but the other party might apply for one without your client's consent see "child alert request" in Chapter 4 under "abduction and recovery of children".