

Childrens Court of Queensland

Form 44  
Childrens Court Act 1992  
Childrens Court Rules 2016, r 73

Registry:  
Number:

**APPLICATION IN A PROCEEDING<sup>1</sup>**

**Child**

Name

**Applicant**

For this form, the applicant is the name of the person making this 'application in a proceeding'.

Name

**First respondent**

Normally you must name every other party to the proceeding as respondents to this application.

Name

**Second respondent (if applicable)**

Delete the below box if there is only one respondent. Add additional boxes if there are more than two respondents.

Name

**Additional participants (delete if not applicable)**

Sometimes additional people are included in a child protection proceeding as though they are a party (e.g.: a separate representative appointed for a child in a child protection proceeding under section 110 of the Child Protection Act). Put those people's details here. Also, if you are serving a person's guardian because the guardian has filed a notice of address for service under rule 23, put the guardian's details here.

Add additional boxes if there is more than one additional participant in this proceeding. Delete this box if there are no additional participants in this proceeding.

Name

Role in proceeding

(e.g.: separate representative, guardian for Ms Jones.)

Please indicate which type of application this is:

- |  |   |
|--|---|
| <input type="checkbox"/> An application for leave to withdraw a child protection application<br>(section 57A, <i>Child Protection Act 1999</i> )                                       | <input type="checkbox"/> An application to take part in a proceeding<br>(section 113, <i>Child Protection Act 1999</i> )  |
| <input type="checkbox"/> An application for disclosure of documents or information<br>(section 191(4), <i>Child Protection Act 1999</i> , rule 54, <i>Childrens Court Rules 2016</i> ) | <input type="checkbox"/> An application for substituted service<br>(rule 29, <i>Childrens Court Rules 2016</i> )  |
| <input type="checkbox"/> An application to appear by audio link (e.g.: telephone) or audio visual link (e.g.: video conference)<br>(rule 48, <i>Childrens Court Rules 2016</i> )       | <input type="checkbox"/> An application for leave to disclose a document in a child protection proceeding to a party by a particular day<br>(rule 53, <i>Childrens Court Rules 2016</i> ) |

<sup>1</sup> Do not use this form if you are starting a proceeding. This form is to be used if a proceeding is already happening and you want the court to make an order or issue a direction about something in the proceeding.

- An application to set aside all or part of a subpoena  
*(rule 97, Childrens Court Rules 2016)*
- Application to view or copy documents or things produced under subpoena  
*(rule 99, Childrens Court Rules 2016)*
- Other application  
*(please give information below)*

Take notice that the applicant is seeking the following order/s or direction/s from the court:

1. You must set out the orders or directions that you are seeking in numbered paragraphs.

The application is supported by the following affidavits:

1. List the affidavits to support this application or delete if not applicable.

**Notice to respondent(s)**

(to be completed by the registrar if the court directs that the application is to be decided at a hearing)

The application will be heard by the Childrens Court at *insert place of court* on *insert hearing date* at *insert time of hearing*.

Filed in the *insert place of the court* registry on *insert date of filing*:

\_\_\_\_\_  
Registrar  
Signature and seal of registrar

**Details of person filing the application:**

Full name	
Role in proceeding <small>(e.g.: 'separate representative', 'party', 'public guardian')</small>	
Contact person / lawyer	<small>(e.g.: the contact person may be the name of a lawyer representing the person filing this form)</small>
Postal address	
Phone	
Fax <small>(optional)</small>	
Email <small>(optional)</small>	

**Information for respondents**

**What to do if you disagree with this application**

If you disagree with the order/s or direction/s that the applicant is seeking from the Childrens Court, you can attend court on the date and time listed above to tell the court why you disagree.

You can appear in court in person or seek the help of a lawyer to speak for you. If you don't appear in court on the date stated above, the applicant may seek order/s or direction/s about this application even though you are not present.