

Form DV38
MAGISTRATES COURT OF QUEENSLAND

Domestic and Family Violence Protection Act 2012
s.184A(4)(b)&(c)
Domestic and Family Violence Protection Rules 2014
Rule 14AA

APPLICATION FOR SUBSTITUTED SERVICE ORDER

Aggrieved *(Insert Name)*

Respondent *(Insert Name)*

Applicant *(Insert Name)*

TAKE NOTICE that **insert name of person** applies to the Court for the following orders:

An order of the Court to effect substituted service of insert name of document on the Respondent pursuant to Section 184A of the Domestic and Family Violence Protection Act 2012.

This application will be heard by the Court at *(place)*
on: *(date of hearing)* at *(time)* am.

Filed in the *(place)* Registry on *(date)*:

Registrar: *(registrar to sign and seal)*

On the hearing of the application the applicant intends to rely on the following grounds:

- 1. Serving the document other than by personal service is necessary or desirable to protect the aggrieved because: *Attach extra pages if necessary.*

APPLICATION FOR SUBSTITUTED SERVICE ORDER	Name:
Filed on Behalf of <i>(insert name):</i>	Address for Service: <i>(applicants address)</i>
<i>Domestic and Family Violence Protection Act 2012.</i>	Phone No*:

**Leave blank if you do not want this information to be given to the other party.*

2. Serving the document other than by personal service is reasonably likely to bring the document to the attention of the respondent because: *Attach extra pages if necessary.*

3. An affidavit of attempted personal service (Form DV39) and draft order (Form DV40) is attached.

Statutory Declaration

*[If this statutory declaration is being declared in accordance with the Oaths Act 1867 requirements before a special witness (either remotely and/or using electronic signature/s) DO NOT USE the content below. INSTEAD use DV Form 01E Special Witness Statutory Declaration for DV forms] *delete these instructions*

The applicant, except if a member of the Queensland Police Service, must sign this application in the presence of a Justice of the Peace, Commissioner for Declarations, or a Solicitor

I, the applicant, do solemnly and sincerely declare that the contents of this application are true and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1867*.

I understand that a person who provides a false matter in a declaration commits an offence.

Declared by at on

[insert full name of declarant]

Signature of declarant

x

In the presence of

on

[insert full name of witness]

[insert type of witness]¹

* delete if not applicable

[insert name of law practice / witness's place of employment]²

Signature of witness

x

Queensland Police Service Applicant

The applicant, if a member of the Queensland Police Service, must sign this application and provide the details below:

Full Name and Rank:	<input type="text"/>
Registration No:	<input type="text"/>
Signature:	<input type="text"/>
Date:	<input type="text"/>

Notes to the respondent

If you do not appear in court a domestic violence order may be made in your absence.
The court may issue a warrant for you to be taken into custody by a police officer and brought before the court if the court believes that it is necessary for you to be heard.

Office Use Only

Court file number (if known) :

YOU ARE NOTIFIED that this application will be heard at the time and place as follows:

Court:	<input type="text"/>
Place:	<input type="text"/>
Date:	<input type="text"/>
Time:	<input type="text"/>

Signature
Clerk of the Court/Queensland Police Service

The footnotes are to assist in the completion of the form and can be deleted once complete.

Explanatory guides relating to making a statutory declaration in Queensland are available at [Statutory Declaration Forms - Datasets | Publications | Queensland Government](#).

¹ Insert the witness's capacity that makes them eligible to witness the statutory declaration, including as a special witness under section 16C or part 6A of the *Oaths Act 1867*. For example, Australian legal practitioner, lawyer, justice of the peace, commissioner for declarations, notary public, a justice of the peace or commissioner for declarations approved by the Chief Executive under section 12(2) of the *Oaths Act 1867*, government legal officer, etc.

² For example, the name of the law practice for the Australian legal practitioner, the name of the government department of the government legal officer, the name of the law practice for a justice of the peace who witnesses documents for a law practice, etc.