

Guidelines for lawyers when filing without notice Family Court applications via email

Rule 76(2)(b) and 76(3) of the Family Courts Rules 2002 allow without notice Family Court applications to be presented for filing by sending them to an electronic system used by the court. This means that Courts will accept without notice family applications (and supporting documents) for filing by email. The rules still allow without notice applications to be filed by hand or prepaid post.

This process is reasonably straightforward; however we ask that lawyers appreciate the large volume of correspondence the courts receive on a daily basis. Clarification of this simple process will assist both counsel and court staff when dealing with without notice applications.

To ensure emails get to the correct person for action, the process to submitting applications by email is outlined below:

1. Email the without notice application to the filing court's without notice application email address. The email addresses for each court are listed in *appendix one*.
2. Please be aware that the Principal Family Court Judge has requested that lawyers:
 - a. Include a lawyer's certificate stating that the original application is identical to the scanned PDF copy emailed to the court. A template certificate approved by the Principal Family Court Judge can be found in *appendix two*.
 - b. Note that the original copies **do not** need to be filed unless they are requested by the Court.
3. Structure the application as one PDF file in the following order:
 - Lawyer's Certificate (email filing certification)
 - Application
 - Affidavit(s)
 - Other information such as Parenting Orders, DV programme information, information to police, Memorandum to counsel etc.
 - Information sheet

Care of Children applications (on the approved forms) are to be emailed as one PDF in the following order:

- Lawyer's Certificate (email filing certification)
- Approved Application pack (inclusive of the application, evidence section, information sheet and any exhibits)
- Other information such as Parenting Orders, DV programme information, information to police, Memorandum to counsel etc.

Note: please do not include a coversheet as part of the PDF file.

Note: any Fee Waiver application and accompanying evidence must be included as a separate PDF file in the same email.

4. Include in the subject line of the email the following details: Applicant's name v Respondent's name-title of application. For example: Smith v Smith-Application for Without Notice Protection Order

5. Please include a contact person and their number for the court to contact if there are any queries about the application.
6. If the application attracts a fee upon filing, the Family Court will phone you in order to pay the filing fee over the phone using a credit card. If you do not have a credit card, you will have to file the application over the counter.
7. Please do not copy the email to court staff directly or to another email address as this duplicates the correspondence.
8. Once you have sent the without notice application to the court by email, you will receive acknowledgment for the court registry that they have received your application. If you do not receive acknowledgment, please contact the court to ensure they have received the without notice application.
9. If you are filing applications for more than one client, these must be sent as independent emails. Multiple applications for one client may be send in the one email e.g. applications for parenting and protection orders.
10. If you need to send a follow up email, please make reference in the subject line to which without notice application the email is relating to. This will make it easier for staff to identify and action the follow up email.
11. If you have a question, please ring 0800 COURTS before you email the without notice application to the court. Please do not include questions in the email itself.
12. Please note that Courts' opening hours are generally Monday to Friday, 9am-5pm. Ideally, without notice applications will be sent through before 3:30pm in order to allow sufficient time to action the application and for the court to make contact if further information is required. Applications received after 3:30pm may not be actioned until the following day.

Appendix one – Email addresses for filing without notice applications

Family Court

Address

Alexandra Family Court	Alexandra.dc@justice.govt.nz
Ashburton Family Court	ashburton.dc@justice.govt.nz
Auckland Family Court	AKmetro-withoutnotice@justice.govt.nz
Balclutha Family Court	Withoutnotice.dunedin@justice.govt.nz
Blenheim Family Court	withoutnotice.blenheim@justice.govt.nz
Chatham Islands Family Court	wellington.fc@justice.govt.nz
Christchurch Family Court	chfamily@justice.govt.nz
Dannevirke Family Court	dannevirke.dc@justice.govt.nz
Dargaville Family Court	Northland.fc@justice.govt.nz
Dunedin Family Court	Withoutnotice.dunedin@justice.govt.nz
Gisborne Family Court	withoutnotice.gisborne@justice.govt.nz
Gore Family Court	gore.dc@justice.govt.nz
Greymouth Family Court	withoutnotice.greymouth@justice.govt.nz
Hamilton Family Court	Hamilton.FC@justice.govt.nz
Hastings Family Court	withoutnotice.hastings@justice.govt.nz
Hawera Family Court	Hawera.FC@justice.govt.nz
Huntly Family Court	withoutnotice.huntly@justice.govt.nz
Hutt Valley Family Court	lowerhutt.duty@justice.govt.nz
Invercargill Family Court	Invercargillfamilycourt@justice.govt.nz
Kaikohe Family Court	Northland.fc@justice.govt.nz
Kaitaia Family Court	Northland.fc@justice.govt.nz
Levin Family Court	levin.dc@justice.govt.nz
Manukau Family Court	AKmetro-withoutnotice@justice.govt.nz
Marton Family Court	whanganui.family@justice.govt.nz
Masterton Family Court	masterton.fc@justice.govt.nz
Morrinsville Family Court	withoutnotice.morrinsville@justice.govt.nz
Napier Family Court	napier.dc@justice.govt.nz
Nelson Family Court	nelson.duty@justice.govt.nz
New Plymouth Family Court	Newplymouth.FC@justice.govt.nz
North Shore Family Court	AKmetro-withoutnotice@justice.govt.nz
Oamaru Family Court	withoutnotice.oamaru@justice.govt.nz
Opotiki Family Court	whakatane.dc@justice.govt.nz
Palmerston North Family Court	palmerstonnorth.fc@justice.govt.nz
Papakura Family Court	AKmetro-withoutnotice@justice.govt.nz
Porirua Family Court	withoutnotice.porirua@justice.govt.nz
Pukekohe Family Court	AKmetro-withoutnotice@justice.govt.nz
Queenstown Family Court	Queenstown.dc@justice.govt.nz
Rotorua Family Court	rotorua.fc@justice.govt.nz
Taihape Family Court	Taihape.family@justice.govt.nz
Taumarunui Family Court	taumarunui.dc@justice.govt.nz
Taupo Family Court	taupo.dc@justice.govt.nz
Tauranga Family Court	Tauranga.fc@justice.govt.nz
Te Awamutu Family Court	Hamilton.FC@justice.govt.nz
Te Kuiti Family Court	Hamilton.FC@justice.govt.nz
Thames Family Court	thames.dc@justice.govt.nz
Timaru Family Court	withoutnotice.timaru@justice.govt.nz
Tokoroa Family Court	tokoroa.dc@justice.govt.nz

Waihi Family Court	thames.dc@justice.govt.nz
Waipukurau Family Court	withoutnotice.hastings@justice.govt.nz
Wairoa Family Court	withoutnotice.gisborne@justice.govt.nz
Waitakere Family Court	AKmetro-withoutnotice@justice.govt.nz
Wellington Family Court	wellington.fc@justice.govt.nz
Westport Family Court	withoutnotice.westport@justice.govt.nz
Whakatane Family Court	whakatane.dc@justice.govt.nz
Whanganui Family Court	whanganui.family@justice.govt.nz
Whangarei Family Court	Northland.fc@justice.govt.nz

Appendix two – Lawyer’s Certificate

I certify that the following documents are identical to the scanned PDF copies that have been emailed to the court for filing pursuant to rule 76(2)(b) of the Family Courts Rules 2002:

- the original without notice application dated _____
- the original affidavit filed in support of the without notice application dated _____
- the original memorandum filed in support of the without notice application dated _____

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 Lawyer for applicant

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 Date