

South Australia

Youth Court (Care and Protection) Rules 2018

under the *Youth Court Act 1993*

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Part 1—Preliminary

1—Short title

These rules may be cited as the *Youth Court (Care and Protection) Rules 2018*.

2—Commencement

These rules will come into operation on 22 October 2018.

3—Interpretation

- (1) In these rules, unless the contrary intention appears—

care and protection jurisdiction of the Court means the jurisdiction of the Court under the *Children and Young People (Safety) Act 2017*;

care and protection order means an order made by the court under section 53 of the *Children and Young People (Safety) Act 2017*;

Court means the Youth Court;

direction of the Court means a practice direction or specific direction or order of the Court; and *direct* has a corresponding meaning;

interlocutory application means an application for a direction of the Court relating to—

- (a) the course or conduct of proceedings for a final order of the Court; or
- (b) matters preliminary or ancillary to such proceedings;

the term includes an application for an order that the Court is empowered to make on an adjournment of proceedings for a final order of the Court and any application that the Court directs to be treated as interlocutory for the purposes of these rules;

prescribed child or young person has the same meaning as in section 28 of the *Children and Young People (Safety) Act 2017*.

- (2) A term used in these rules that is defined in the *Children and Young People (Safety) Act 2017* has the same meaning in these rules as it has in that Act (unless the contrary intention appears).

4—Application of rules

These rules apply to the care and protection jurisdiction of the Court. The care and protection jurisdiction of the Court is also governed by the *Youth Court (General) Rules 2016*.

5—Object of rules

The object of these rules is the fair, effective, expeditious and efficient conduct of the proceedings of the Court.

6—Forms

- (1) It is sufficient compliance with these rules, as to the form of any document, if the document is substantially in accordance with the form specified by these rules.
- (2) Forms not provided by these rules may be prepared at the direction of the Court or by the Registrar on behalf of the Court.
- (3) All forms for use specifically in the care and protection jurisdiction must use numbering with the prefix *CP*.
- (4) The forms set out in Schedule 1 must be used for the purposes specified in that Schedule or these rules.

Part 2—Notification of urgent removals

7—Notification of urgent removals

- (1) If a child protection officer removes a child or young person in the exercise of a power under section 41 of the *Children and Young People (Safety) Act 2017*, the Chief Executive must ensure that notice of the removal is given to the Court on the day on which the child or young person is removed or, if that is not reasonably practicable, by the end of the next business day.
- (2) The notice must be given by email addressed to the Court and sent to an email address provided by the Registrar to the Chief Executive for the purposes of this rule, or in such other manner as the Registrar may allow.
- (3) A notice does not need to be given under this rule if—
 - (a) the child or young person is, at the time of the removal, already under the guardianship, or in the custody, of the Chief Executive; and
 - (b) it is not anticipated by the Chief Executive that an application is to be made to the Court in connection with the removal.

Part 3—Applications, supporting material and responses

8—Applications—general provision

- (1) This rule applies to any application to the Court other than an interlocutory application.
- (2) An application must—
 - (a) be in writing in an appropriate form; and
 - (b) state the orders that are sought; and
 - (c) state the statutory provision under which each order might be made; and
 - (d) state the grounds of the application; and
 - (e) include particulars of the factual allegations or circumstances relied on to make out the grounds of the application; and
 - (f) be signed by the applicant, or on the applicant's behalf by the applicant's legal representative.
- (3) All statements and particulars in an application must be in plain language, and be set out and expressed clearly, specifically and succinctly.
- (4) If multiple or alternative orders are sought in an application, the application must indicate this clearly and, for each order, link the grounds and supporting statements and particulars relevant to that order clearly and specifically to that order.

8A—Application for Care and Protection Order or for Variation, Revocation or Discharge

- (1) An application for a care and protection order is to be made in the prescribed form set out in Schedule 1.

Prescribed form—

Form CP1 Application for Care and Protection Order or to Vary, Extend or Revoke Instrument of Guardianship

- (2) An application to vary, revoke or discharge a Care and Protection Order is to be made in the prescribed form set out in Schedule 1.

Prescribed form—

Form CP2 Application to Vary, Revoke or Discharge Care and Protection Orders

8B—Interested Persons

If an interested person wishes to appear at trial and make submissions in respect of a child or young person pursuant to section 66 of the *Children and Young People (Safety) Act 2017*, an application must be made in the prescribed form set out in Schedule 1.

Prescribed form—

Form CP5 Application for Interested Person(s) to be Heard

8C—Undertakings

An undertaking entered into by a party in relation to an Application under this Part must be made in the prescribed form set out in Schedule 1 and signed by the person entering into the undertaking.

Prescribed form—

Form CP8 Undertaking

9—Case plans

- (1) If an application relates to a prescribed child or young person, the application to the Court with respect to that child or young person must be accompanied by (or include)—
- (a) a case plan prepared under section 28 of the *Children and Young People (Safety) Act 2017* or, if a case plan has been varied or substituted, the latest version of the case plan; or
 - (b) if a case plan has not been completed—information about what is proposed for the case plan in accordance with the requirements under subrule (2).
- (2) The information required under this subrule will be the following (insofar as is reasonably known to the applicant):
- (a) an outline of the proposed content of the case plan, taking into account the requirements of section 28(2) of the *Children and Young People (Safety) Act 2017* and any relevant regulations under that Act;

- (b) without limiting paragraph (a), specific information about the approach intended to be adopted in relation to the care and protection of the child or young person, the steps to be taken in connection with the preparation of the case plan, and how the various parts of the case plan are to be achieved;
 - (c) information about when the first version of case plan is expected to have been completed.
- (3) A party must also provide to the Court such information about the case plan (including information about steps that are being taken to further review or develop the case plan, and to give effect to the case plan) as the Court may from time to time require as part of the proceedings.
- (4) If a child or young person becomes a prescribed child or young person during the course of any proceedings, the applicant in the proceedings must provide—
 - (a) as soon as is reasonably practicable—information about what is proposed for the case plan in accordance with the requirements of subrule (2); and
 - (b) as soon as it has been prepared—a copy of the case plan.

10—Material supporting applications—other requirements

- (1) An application to the Court as referred to in rule 9 must also be supported by material that sufficiently sets out the evidence on which the application is based.
- (2) In the case of an application seeking a care and protection order in respect of a child or young person in respect of whom there has been a previous care and protection order, the material in support of the order must include—
 - (a) a document reporting on the outcomes of any review meetings conducted during the operation of the previous order; and
 - (b) in the case of a prescribed child or young person—an up-to-date copy of the case plan required under section 28 of the *Children and Young People (Safety) Act 2017*; and
 - (c) a document reporting the extent to which each party has complied with requirements or undertakings applicable to the party under the previous order.
- (3) Material in support of an application provided under this rule must be filed in the Court and, unless the Court directs otherwise, served on the other parties, at least 10 business days before the pre-trial conference in relation to the application.
- (4) After the expiration of the period that applies under subrule (3), material in support of an application may only be filed in the Court with leave and on such terms or conditions as the Court directs.
- (5) Leave to file further material may be sought orally and at any stage of the proceedings and, unless the Court allows or directs otherwise, served on the other parties at least 2 business days before the next date for the hearing of the proceedings.

11—Responses

- (1) This rule applies to any application to the Court other than—
 - (a) an interlocutory application; or

- (b) an application of a kind excluded from the application of this rule by the Court by practice direction.
- (2) A party to an application who opposes the application in whole or part must file a response in the Court, and serve the response on the other parties, at least 5 business days before the pre-trial conference in relation to the application.
- (3) A response to an application must—
 - (a) be in the prescribed form set out in Schedule 1; and
 - (b) state clearly the order or orders sought in the application that are opposed and any order that is not opposed; and
 - (c) if an order is proposed as an alternative to an order sought in the application, indicate that clearly, and specify the proposed order and which order it would replace; and
 - (d) in relation to each ground of the application, state whether the ground is—
 - (i) admitted; or
 - (ii) disputed; or
 - (iii) not admitted, but not disputed for the purposes of the determination of the application; and
 - (e) in relation to each separate particular of a factual allegation in the application, state whether the particular is—
 - (i) admitted; or
 - (ii) disputed; or
 - (iii) not admitted, but not disputed for the purposes of the determination of the application; and
 - (f) if a ground or particular is disputed, state briefly the manner in which the ground or particular is disputed.

Prescribed form—

Form CP7 Response

- (4) A response should be supported by material that provides evidence of the respondent's version of events or of any matter relevant to the determination of the application.
- (5) Material in support of a response may be in the form of—
 - (a) affidavits (including annexures); or
 - (b) expert reports; or
 - (c) chronologies of significant events; or
 - (d) subject to a direction of the Court, other documentary evidence.
- (6) Material in support of a response provided under this rule must be filed in the Court and, unless the Court directs otherwise, served on the other parties, at least 5 business days before the pre-trial conference in relation to the application.

- (7) After the expiration of the period that applies under subrule (6), material in support of a response may only be filed in the Court with leave and on such terms or conditions as the Court directs.
- (8) Leave to file further material may be sought orally and at any stage of the proceedings and, unless the Court allows or directs otherwise, served on the other parties at least 2 business days before the next date for the hearing of the proceedings.
- (9) The Court will make such determinations based on the contents of a response, or the failure to file a response, as the Court considers appropriate, and proceed accordingly, subject to the provisions of the *Children and Young People (Safety) Act 2017*.

12—Interlocutory applications

- (1) This rule does not apply to an application of a kind excluded from the application of the rule by the Court by practice direction.
- (2) An interlocutory application is to be in the prescribed form set out in Schedule 1, accompanied by an affidavit in the prescribed form evidencing the grounds on which the application is being made.

Prescribed forms—

Form CP6 Interlocutory Application

Form CP4 Affidavit

- (3) Nothing prevents an interlocutory application from being combined with an application for a final order of the Court.
- (4) The applicant must serve a copy of the application (and accompanying documents) on the other parties as soon as practicable after it is filed in the Court, but not later than 2 business days before the next date for the hearing of the proceedings.
- (5) However, service on another party is not required if the application does not affect the interests of the other party.
- (6) The Court may, on conditions the Court considers appropriate, dispense with a requirement of this rule—
 - (a) if the urgency of the case requires; or
 - (b) by consent of the parties; or
 - (c) if for any other reason the Court considers it appropriate to do so.
- (7) The Court may determine an interlocutory application without hearing oral submissions from the parties if—
 - (a) the application is not contentious; or
 - (b) the Court decides on the application of a party to determine the application on the basis of written submissions.
- (8) On an interlocutory application, the Court may give directions relating to the proceedings irrespective of whether the applicant has asked for such directions in the application.

Part 4—Conferences and the facilitation of trials

13—Pre-trial conferences

- (1) This rule applies to any application to the Court other than—
 - (a) an interlocutory application; or
 - (b) an application of a kind excluded from the application of this rule by the Court by practice direction.
- (2) Defended applications will be listed for pre-trial conference with the goal that, so far as is practicable, each conference will be held within 8 weeks from the filing of the application.
- (3) If matters remain in dispute at the end of a pre-trial conference, the application concerned will be allocated a trial date and, if a status conference is to be held, a date for that conference.
- (4) The judicial officer presiding over a pre-trial conference may, subject to section 65 of the *Children and Young People (Safety) Act 2017*, determine what matters are in dispute for the purposes of the trial and direct that the trial be limited to such matters.

14—Documents required for pre-trial conferences

A party to an application listed for a pre-trial conference must, at least 2 business days before the date fixed for the pre-trial conference, file in the Court, and serve on the other parties—

- (a) a list of all witnesses to be called by a party at the trial; and
- (b) copies of reports of any proposed expert witness; and
- (c) a synopsis of the evidence of any other proposed witnesses.

15—Status conferences and facilitation of trials

- (1) A status conference may be held before the trial of a defended application.
- (2) A status conference will, if practicable, be presided over by the judicial officer who is to hear the trial.
- (3) At a status conference, the Court may give 1 or more of the following directions:
 - (a) limiting the issues to be determined at the trial;
 - (b) appointing a party dux litis in relation to issues to be determined at the trial;
 - (c) requiring or relating to the discovery, inspection and copying of evidentiary material;
 - (d) enabling non-parties to be present or participate at the trial;
 - (e) arranging for the interviewing of a child or young person by the trial judicial officer;
 - (f) requiring the concurrent calling of expert witnesses;
 - (g) arranging for the taking of views;

- (h) requiring any party to prepare a chronology of events relating to any matter or circumstances to be considered at the trial;
 - (i) arranging for the taking of evidence by telephone link, video link or other medium;
 - (j) any other direction that may facilitate the conduct of the trial.
- (4) Any such direction may, in any event, be given before or at the trial.

16—Trial books

- (1) Unless the Court directs otherwise, the Minister or the Chief Executive must prepare a trial book for the purposes of a trial.
- (2) A trial book—
 - (a) must contain the application and all material filed by the parties in the proceedings; and
 - (b) must be provided to the Court and other parties at least 2 business days before the trial.

Part 5—Trials and orders

17—Listing of trials

Defended applications (including on an amendment of an application) will be listed for trial with the goal that, so far as is practicable, the trial will be commenced within 12 weeks from the filing of the application.

18—Trials

A trial will be conducted, as far as practicable, on the basis that—

- (a) each party's case is substantially contained in documentary material filed in accordance with these rules, and incorporated in the trial book; and
- (b) examination-in-chief of witnesses avoids undue repetition of matters contained in the filed material and is limited to necessary and reasonable explanation, correction or supplementation of the filed material and to eliciting responses to, or comments on, another party's case.

19—Minutes of orders

- (1) This rule applies to any interim or final order made by the Court on an application, but does not apply to a purely procedural direction.
- (2) Unless the Court otherwise directs, the Minister or the Chief Executive must prepare minutes of the order.
- (3) The minutes of an order—
 - (a) must be provided to the Court at the hearing at which the order is made; or
 - (b) must be filed in the Court within 2 business days of the making of the order.

Part 6—Miscellaneous

20—Temporary instruments of guardianship and restraining notices

- (1) For the purposes of sections 45(4)(b) and 46(4)(b) of the [Children and Young People \(Safety\) Act 2017](#), an instrument of guardianship or restraining notice (as the case may be) must be lodged with the Court in the prescribed form in Schedule 1.

Prescribed form—

Form CP3 Notice of Lodgement of Instrument

- (2) An application to the Court to vary arrangements for the care of a child or young person under section 45(6) of the [Children and Young People \(Safety\) Act 2017](#) must be made in the prescribed form in Schedule 1.

Prescribed form—

Form CP1 Application for Care and Protection Order or to Vary,
Extend or Revoke Instrument of Guardianship

- (3) An application to the Court to extend the guardianship period or a restraining notice period under section 47 of the [Children and Young People \(Safety\) Act 2017](#) must be made using the prescribed form in Schedule 1.

Prescribed form—

Form CP1 Application for Care and Protection Order or to Vary,
Extend or Revoke Instrument of Guardianship

21—Video and other links

- (1) In appropriate cases, the Court will facilitate the appearance of parties or counsel via an audio visual link, or by a telephone link or other medium.
- (2) A party wishing to appear via a link or other medium must provide adequate notice and adequate information to the Court to enable the Court, if it considers it appropriate to do so, to arrange the link or to agree to the use of a particular medium.
- (3) In the ordinary course—
 - (a) an audio visual link will be from a courthouse, State Government office, or other appropriate facility; and
 - (b) a telephone link will be via a landline (not a mobile telephone).

22—Proof of service

- (1) If an application or other document is required to be served on another party, the Court may decline to consider the application or document until proof of service of the application has been filed in, or produced to, the Court.
 - (2) Proof of service of an application or document may consist of an affidavit in the prescribed form made by the person who served the application or document setting out—
 - (a) the date, time and place of service; and
-

- (b) how the person to be served was identified; and
- (c) how service was effected.

Prescribed form—

Form CP9 Affidavit of Service

- (3) The Court may, however, require or permit oral evidence of service.

23—Litigation guardians

- (1) If the Court is satisfied that a party, other than a child the subject of proceedings, is incapable by reason of disability of adequately conducting any proceedings, the Court may—
 - (a) seek to have a legal guardian or appropriate advocate appointed to conduct the proceedings on behalf of the party; or
 - (b) if necessary, appoint a litigation guardian under this rule to conduct the proceedings on behalf of the party.
- (2) A litigation guardian appointed under this rule is responsible for the conduct of the proceedings on behalf of the relevant party and may take any step in the proceedings that such party might have done if of full capacity.
- (3) The Court may appoint a person as a litigation guardian if the person—
 - (a) is an adult; and
 - (b) has no interest in the proceedings adverse to the interest of the party needing the litigation guardian, or has some lawful authority to manage or administer the party's affairs; and
 - (c) can fairly and competently conduct the proceedings on behalf of the party; and
 - (d) has consented to act as the litigation guardian.
- (4) The Court may require a litigation guardian seeking a consent order on behalf of the party needing the litigation guardian to satisfy the Court that the order is in the party's best interests.
- (5) A party who becomes aware that another party is a person to whom this rule may apply, and is not adequately represented, must inform the Court of that fact.
- (6) The Court may remove a litigation guardian on any reasonable ground, and may permit or appoint another person to be the litigation guardian.

24—Revocation

The *Youth Court (Children's Protection) Rules 2012* are revoked.

Schedule 1—Forms

Schedule 1—Forms

Form CP1 Application for Care and Protection Order or to Vary, Extend or Revoke Instrument of Guardianship

Form CP1

<p>To be inserted by Court</p> <p>Case Number:</p> <p>Date Filed:</p> <p>FDN:</p>
<p>Hearing Date and Time:</p> <p>Hearing Location: 75 Wright Street Adelaide</p>

APPLICATION [FOR CARE AND PROTECTION ORDERS/TO VARY AN INSTRUMENT OF GUARDIANSHIP/TO EXTEND AN INSTRUMENT OF GUARDIANSHIP OR RESTRAINING NOTICE/TO REVOKE AN INSTRUMENT OF GUARDIANSHIP OR RESTRAINING NOTICE]

YOUTH COURT OF SOUTH AUSTRALIA
CARE AND PROTECTION JURISDICTION

IN THE MATTER OF *[name[s] of child[ren]]*

Please specify the Full Name for each party. Each party should include a party number if more than one party of the same type.

Add additional applicants as required
Applicant

Guardian/Mother

Guardian/Father

Other Party

Chief Executive

Only displayed on Application for Care and Protection Orders

Pre-Action Steps

Mark appropriate sections below with an 'x'

Has a Family Group Conference taken place? Yes [] No []

Does section 59(2) apply? Yes [] No []

Has an Instrument of Guardianship or Restraining Notice been lodged? Yes [] No []

Child[ren] the subject of this application	
Child	Full Name
Date of birth	Date of birth
Ethnicity	Ethnicity

Duplicate panel if multiple children

Filed by the Applicant				
Applicant	The Chief Executive of the Department for Child Protection			
Name of law firm / solicitor <small>If any</small>	Crown Solicitor's Office, Public Law Section <small>Law Firm</small>	Solicitor		
Address for service	10 Franklin Street <small>Street Address (including unit or level number and name of property if required)</small>			
	Adelaide <small>City/town/suburb</small>	SA <small>State</small>	5000 <small>Postcode</small>	Country
	Email address			
Phone Details	8207 1510 <small>Type - Number</small>			

Guardian/Mother				
Full Name	Full Name			
Address	Street Address (including unit or level number and name of property if required)			
	City/town/suburb	State	Postcode	Country
	Email address			
Phone Details	Type - Number			

Guardian/Father			
Full Name	Full Name		
Address	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode
	Country		
Email address			
Phone Details	Type - Number		

Other Party			
Full Name	Full Name		
Address	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode
	Country		
Email address			
Phone Details	Type - Number		

Duplicate panel if multiple other parties

<p>Application Details Mark appropriate sections below with an 'x'</p> <p>Matter Type:</p> <p>This Application is for Nature of application in one sentence</p> <p>This Application is made under section <input type="checkbox"/> 45(6) <input type="checkbox"/> 47 <input type="checkbox"/> 53(1) of the Children and Young People (Safety) Act 2017.</p> <p>The Applicant seeks the following orders: Orders sought in separately numbered paragraphs. 1.</p> <p>The following are to display on an Application for Care and Protection Orders only <input type="checkbox"/> Examination and assessment of the child[ren] [name(s)] is authorised (section 53(1)(b))</p> <p><input type="checkbox"/> [name] is directed to undergo a [assessment type] assessment by a psychiatrist nominated by the Chief Executive who is authorised to conduct such assessment, and to release the results of that assessment to the Chief Executive (section 53(1)(c))</p>

[] The child[ren] [name] be placed under the custody of [name(s)] for a period of [specified period not exceeding 12 months] (section 53(1)(i))

[] The child[ren] [name] be placed under the custody of the Chief Executive for a period of [specified period] (section 53(1)(j))

[] The child[ren] [name] [is/are] not to be removed from the State for any purpose and the child[ren's] passport[s] are to be held by the Court for a period of [specified period] (section 53(1)(d))

[] [name] is required to enter into a written undertaking for a period of [specified period] in the following terms: [conditions of the undertaking]

[] The child[ren] [name] be placed under the guardianship of the Chief Executive for a period of [specified period not exceeding 12 months] (section 53(1)(e))

[] The child[ren] [name] be placed under the guardianship of [name(s)] for a period of [specified period not exceeding 12 months] (section 53(1)(f))

[] The child[ren] [name(s)] be placed under the guardianship of the Chief Executive until the child[ren] attains 18 years of age (section 53(1)(g))

[] The child[ren] [name] be placed under the guardianship of [name/s] until the child[ren] attains 18 years of age (section 53(1)(h))

[] [name] is directed to [action to be taken or not taken] (section 53(1)(k))

The following are to display on an Application to Revoke an Instrument of Guardianship or Restraining Notice only

[] The instrument of guardianship dated [date] is revoked (section 53(1)(l))

[] The restraining notice dated [date] is revoked (section 53(1)(l))

The following to be automatically selected on an Application to Vary an Instrument of Guardianship

[] The instrument of guardianship dated [date] be varied as follows: [variation] (section 45(6))

The following are to display on an Application to Extend an Instrument of Guardianship or Restraining Notice only

[] The instrument of guardianship dated [date] be extended until [date] (section 47)

[] The restraining notice dated [date] be extended until [date] (section 47)

The following is to be displayed on all Application types

[] [any other orders sought]

This Application is made on the grounds

[] set out in the accompanying affidavit sworn by [full name]
on the day of 20 .

[] set out in the accompanying report by [name]
dated [date]

[] set out in the accompanying document being [document description]

To the other parties: WARNING

The Applicant has applied for orders set out in this Application.

The facts that support this application are set out in the accompanying documentation.

This Application will be considered at the hearing at the date and time set out at the top of this document.

If you wish to oppose the Application or make submissions about it:

- you must attend the hearing and
- you may be required to file a Response at a later stage.

If you do not attend the Court hearing, orders may be made without further warning.

Service

Mark appropriate section below with an 'x'

[] It is intended to serve this application on all other parties.

[] It is not intended to serve this application on the following parties: [list names]

because [reasons]

Accompanying Documents

Mark appropriate sections below with an 'x'

Accompanying service of this Application is a:

[] Supporting Affidavit (mandatory)

[] If other additional document(s) please list them below:

Form CP2 Application to Vary, Revoke or Discharge Care and Protection Orders

Form CP2

<p>To be inserted by Court</p> <p>Case Number:</p> <p>Date Filed:</p> <p>FDN:</p>
<p>Hearing Date and Time:</p> <p>Hearing Location: 75 Wright Street Adelaide</p>

APPLICATION TO [VARY/REVOKE/DISCHARGE] CARE AND PROTECTION ORDERS

YOUTH COURT OF SOUTH AUSTRALIA
CARE AND PROTECTION JURISDICTION

IN THE MATTER OF [*name[s] of child[ren]*]

Please specify the Full Name for each party. Each party should include a party number if more than one party of the same type.

Add additional applicants as required
Applicant

Guardian/Mother

Guardian/Father

Other Party

Chief Executive

Child[ren] the subject of this application	
Child	Full Name
Date of birth	Date of Birth
Ethnicity	Ethnicity

Duplicate panel if multiple children

Filed by the Applicant					
Applicant	Full Name				
Party Title	<input type="checkbox"/> Chief Executive/Minister <small>Mandatory for Application to Discharge</small> <input type="checkbox"/> Parent <input type="checkbox"/> Guardian <input type="checkbox"/> Step-Parent <input type="checkbox"/> Grandparent <input type="checkbox"/> Interested Party <input type="checkbox"/> Other Mark appropriate section with an 'x'				
Name of law firm / solicitor <small>If any</small>	<table border="1"> <tr> <td>Law Firm</td> <td>Solicitor</td> </tr> </table>	Law Firm	Solicitor		
Law Firm	Solicitor				
Address for service	Street Address (including unit or level number and name of property if required)				
	<table border="1"> <tr> <td>City/town/suburb</td> <td>State</td> <td>Postcode</td> <td>Country</td> </tr> </table>	City/town/suburb	State	Postcode	Country
	City/town/suburb	State	Postcode	Country	
Email address					
Phone Details	Type - Number				

Guardian/Mother					
Full Name	Full Name				
Address	Street Address (including unit or level number and name of property if required)				
	<table border="1"> <tr> <td>City/town/suburb</td> <td>State</td> <td>Postcode</td> <td>Country</td> </tr> </table>	City/town/suburb	State	Postcode	Country
	City/town/suburb	State	Postcode	Country	
Email address					
Phone Details	Type - Number				

Guardian/Father			
Full Name	Full Name		
Address	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode
	Country		
	Email address		
Phone Details	Type - Number		

Other Party			
Full Name	Full Name		
Address	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode
	Country		
	Email address		
Phone Details	Type - Number		

Duplicate panel if multiple other parties

<p>Application Details Mark appropriate sections below with an 'x'</p> <p>This Application is for Nature of application in one sentence</p> <p>The original order was made on [date] .</p> <p>This Application is made under section <input type="checkbox"/> 55(1) <input type="checkbox"/> 55(2) of the Children and Young People (Safety) Act 2017.</p> <p>The Applicant seeks the following orders: Orders sought in separately numbered paragraphs. 1.</p> <p>[] Only applicable if the Applicant is the Chief Executive/Minister The Care and Protection order dated [date] be discharged.</p> <p>[] The Care and Protection order dated [date] be revoked in its entirety.</p>

[] The Care and Protection order dated [*date*] be varied to
[*variations sought*]

[] [*other orders sought in separately numbered paragraphs*]

This Application is made on the grounds set out in the accompanying affidavit sworn by
[*full name*]
on the day of 20 .

To the other parties: WARNING

The Applicant has applied for orders set out in this Application.

The facts that support this application are set out in the accompanying documentation.

This Application will be considered at the hearing at the date and time set out at the top of this document.

If you wish to oppose the Application or make submissions about it you:

- you **must attend the hearing** and
- **you may be required to file a Response** at a later stage.
- If you do not attend the Court hearing, orders may be made without further warning.

Service

Mark appropriate section below with an 'x'

[] It is intended to serve this application on all other parties.

[] It is not intended to serve this application on the following parties: [*list names*]

because [*reasons*]

Accompanying Documents

Mark appropriate sections below with an 'x'

Accompanying service of this Application is a:

Supporting Affidavit (mandatory)

If other additional document(s) please list them below:

Form CP3 Notice of Lodgement of Instrument

Form CP3

To be inserted by Court Case Number: Date Filed: FDN:
Hearing Date and Time: Hearing Location: 75 Wright Street Adelaide

NOTICE OF LODGEMENT OF INSTRUMENT OF GUARDIANSHIP/RESTRAINING NOTICE WITH THE COURT

YOUTH COURT OF SOUTH AUSTRALIA
CARE AND PROTECTION JURISDICTION

IN THE MATTER OF [*name[s] of child[ren]*]

Please specify the Full Name including capacity for each party. Each party should include a party number if more than one party of the same type.

Add additional applicants as required
Applicant

Guardian/Mother

Guardian/Father

Other Party

Chief Executive

Child[ren] the subject of this application	
Name	Full Name
Date of birth	Date of birth
Ethnicity	Ethnicity

Duplicate panel if multiple children

Filed by the Applicant	
Full Name	The Chief Executive of the Department for Child Protection
Name of law firm / office	Crown Solicitor's Office, Public Law Section
Address for service	10 Franklin Street Street Address (including unit or level number and name of property if required)
	Adelaide SA 5000 Australia City/town/suburb State Postcode Country
	Email address
Phone Details	8207 1510 Type - Number

Guardian/Mother	
Full Name	Full Name
Address	Street Address (including unit or level number and name of property if required)
	City/town/suburb State Postcode Country
	Email address
Phone Details	Type - Number

Guardian/Father	
Full Name	Full Name
Address	Street Address (including unit or level number and name of property if required)
	City/town/suburb State Postcode Country
	Email address
Phone Details	Type - Number

Other Party			
Full Name	Full Name		
Address	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode
	Country		
Phone Details	Email address		
	Type - Number		

Duplicate panel if multiple other parties

Proceeding Details

Mark appropriate sections below with an 'x'

Matter Type:

[] An Instrument of Guardianship is lodged with the Court under section 45(4)(b) of the Children and Young Person (Safety) Act 2017.

[] A Restraining Notice is lodged with the Court under section 46(4)(b) of the Children and Young Person (Safety) Act 2017.

Service

The party lodging this document is required to serve it on the offender.

Form CP4 Affidavit

Form CP4

To be inserted by Court

Case Number:

Date Filed:

FDN:

AFFIDAVIT

YOUTH COURT OF SOUTH AUSTRALIA
CARE AND PROTECTION JURISDICTION

IN THE MATTER OF *[name[s] of child[ren]]*

Please specify the Full Name for each party. Each party should include a party number if more than one party of the same type.

Add additional applicants as required

Applicant

Guardian/Mother

Guardian/Father

Other Party

Chief Executive

Filed by the [Party title]	
Party Role	Full Name
Name of law firm / solicitor if any	Law Firm Solicitor
Address for service	Street Address (including unit or level number and name of property if required)
	City/town/suburb State Postcode Country
	Email address
Phone Details	Type - Number

Deponent Details	
Deponent	Full Name
Address	Street Address (including unit or level number and name of property if required)
	City/town/suburb State Postcode Country
	Email address
Occupation	Occupation

Affidavit Mark appropriate section below with an 'x'
I [full name, address and occupation of deponent] [] SWEAR ON OATH / [] DO TRULY AND SOLEMNLY AFFIRM THAT: Set out text in separate numbered paragraphs If the affidavit relates to an application, identify the application and state the material facts relevant to the application. 1.
Sworn/Affirmed Delete whichever is inapplicable

By the abovenamed deponent

at [*place*]

on [*date*]

.....
Signature of deponent

before me
Signature and title of attesting witness

.....
Printed name and title of witness
Stamp here if applicable

.....
ID number of witness
If applicable

Instructions

- Each page of the affidavit, including any exhibit(s), must be consecutively numbered starting with page 2. Please attach additional pages to the affidavit as necessary.
- The affidavit should be confined to facts and should not include submissions.
- The affidavit should not reproduce material already contained in affidavits or other material already filed in the matter. It should not exhibit documents already exhibited to affidavits filed in the matter. In both cases it is sufficient to simply refer to such material or documents and the place where they may be found.
- An exhibit to an affidavit must be clearly marked to identify it as the exhibit referred to in the affidavit.
- A single 'front page' must be inserted in front of the exhibits in form 14.
- Each page of the affidavit (but not any exhibit) must be signed by both the deponent and the witness.
- An affidavit is to be sworn if it is made in this State in accordance with section 6 of the *Evidence Act 1929* or, if made elsewhere, in accordance with the law for the taking of oaths or the making of affirmations in that place.
- The deponent must swear or affirm the affidavit before a person authorised by law to witness the swearing or affirming of affidavits ('the witness'). Persons authorised to witness an affidavit are:
 - (a) a Registrar or Deputy Registrar
 - (b) any other officer of the Court whom the Registrar has assigned for this purpose;
 - (c) a public notary;
 - (d) a commissioner for taking affidavits;
 - (e) a justice of the peace for South Australia;
 - (f) any other person authorised by law to take affidavits.
- The contents of an affidavit cannot be altered after the affidavit has been sworn or affirmed.
- The party serving an affidavit must serve copies of all exhibits with the affidavit.

Service

The party filing this document is required to serve it on all other parties in accordance with the Rules of Court.

Form CP5 Application for Interested Person(s) to be Heard

Form CP5

<p>To be inserted by Court</p> <p>Case Number:</p> <p>Date Filed:</p> <p>FDN:</p>
<p>Hearing Date and Time:</p> <p>Hearing Location: 75 Wright Street Adelaide</p>

APPLICATION FOR INTERESTED PERSON TO BE HEARD

YOUTH COURT OF SOUTH AUSTRALIA
CARE AND PROTECTION JURISDICTION

IN THE MATTER OF [*name[s] of child[ren]*]

Please specify the Full for each party. Each party should include a party number if more than one party of the same type.

Add additional applicants as required
Applicant

Guardian/Mother

Guardian/Father

Other Party

Chief Executive

Filed by the Interested Person			
Interested Person	Full Name		
Name of law firm / solicitor if any	Law Firm	Solicitor	
Address for service	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode
	Country		
	Email address		
Phone Details	Type - Number		

Duplicate panel if multiple Interested Persons

Application Details
<p>Mark appropriate sections below with an 'x'</p> <p>This Application is for permission to make submissions at the trial on [date]</p> <p>This Application is made under section 66 of the Children and Young People (Safety) Act 2017.</p> <p>The Applicant seeks the following orders: Orders sought in separately numbered paragraphs.</p> <ol style="list-style-type: none"> 1. Permission to make submissions at the trial on [date] 2. [any other orders sought in separately numbered paragraphs] <p>This Application is made on the grounds set out in the accompanying affidavit sworn by [full name] on the day of 20 .</p>

<p>To the other parties: WARNING</p> <p>The abovenamed person, not being a party to the proceedings, applies to make submissions to the Court regarding the child/children.</p> <p>The Application will be considered at the trial at the date and time set out at the top of this document.</p> <p>If you wish to oppose the Application or make submissions about it:</p> <ul style="list-style-type: none"> • you must attend the hearing and • you may be required to file a Response at a later stage.
--

Service

Mark appropriate section below with an 'x'

It is intended to serve this application on all other parties.

It is not intended to serve this application on the following parties: *[list names]*

because *[reasons]*

Accompanying Documents

Mark appropriate sections below with an 'x'

Accompanying service of this Application is a:

Supporting Affidavit (mandatory)

If other additional document(s) please list them below:

Form CP6 Interlocutory Application

Form CP6

To be inserted by Court Case Number: Date Filed: FDN:
Hearing Date and Time: Hearing Location: 75 Wright Street Adelaide

INTERLOCUTORY APPLICATION

YOUTH COURT OF SOUTH AUSTRALIA
CARE AND PROTECTION JURISDICTION

IN THE MATTER OF [*name[s] of child[ren]*]

Please specify the Full Name for each party. Each party should include a party number if more than one party of the same type.

Add additional applicants as required
Applicant

Guardian/Mother

Guardian/Father

Other Party

Chief Executive

Filed by the [Party title]			
Party Role	Full Name		
Name of law firm / solicitor if any	Law Firm	Solicitor	
Address for service	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode
	Country		
	Email address		
Phone Details	Type - Number		

Application Details
Mark appropriate sections below with an 'x'

This Application is for
Nature of application in one sentence

If applicable
This Application is made under
Act and section or other particular provision

The above named party seeks the following orders:
Orders sought in separately numbered paragraphs.

-

This Application is made on the grounds set out in the accompanying affidavit sworn by
[full name]
on [date]

If applicable
This application is urgent on the grounds set out in the accompanying affidavit sworn by
[full name]
on [date]

If applicable
This application is by consent. The consent of the [party title] [name]
is evidenced by [set out evidence – eg letter or email from party's solicitor]

To the other parties: WARNING

The abovenamed party has applied for orders set out in this Application based on the facts set out in the accompanying Affidavit.

This Application will be considered at the hearing at the date and time set out at the top of this document.

If you wish to oppose the Application or make submissions about it:

- you **must attend the hearing** and
- **you may be required to file a Response** at a later stage.

If you do not attend the Court hearing, orders may be made without further warning.

Service

Mark appropriate section below with an 'x'

The party filing this document is required to serve it on all other parties at least 5 clear business days prior to the next hearing.

[] It is intended to serve this application on all other parties.

[] It is not intended to serve this application on the following parties: *[list names]*

because *[reasons]*

Accompanying Documents

Mark appropriate sections below with an 'x'

Accompanying this Application is a:

[] Supporting Affidavit (mandatory)

[] If other additional document(s) please list them below:

Form CP7 Response

Form CP7

To be inserted by Court

Case Number:

Date Filed:

FDN:

RESPONSE

YOUTH COURT OF SOUTH AUSTRALIA
CARE AND PROTECTION JURISDICTION

IN THE MATTER OF [*name[s] of child[ren]*]

Please specify the Full Name for each party. Each party should include a party number if more than one party of the same type.

Add additional applicants as required

Applicant

Guardian/Mother

Guardian/Father

Other Party

Chief Executive

Filed by the [Party title]					
Party Role	Full Name				
Party Title	<input type="checkbox"/> Chief Executive/Minister <input type="checkbox"/> Parent <input type="checkbox"/> Guardian <input type="checkbox"/> Step-Parent <input type="checkbox"/> Grandparent <input type="checkbox"/> Interested Party <input type="checkbox"/> Other Mark appropriate section with an 'x'				
Name of law firm / solicitor If any	<table border="1"> <tr> <td>Law Firm</td> <td>Solicitor</td> </tr> </table>	Law Firm	Solicitor		
Law Firm	Solicitor				
Address for service	Street Address (including unit or level number and name of property if required)				
	<table border="1"> <tr> <td>City/town/suburb</td> <td>State</td> <td>Postcode</td> <td>Country</td> </tr> </table>	City/town/suburb	State	Postcode	Country
	City/town/suburb	State	Postcode	Country	
Email address					
Phone Details	Type - Number				

Response Details

This Response is in relation to an Application for
 Nature of application in one sentence

The details of the Response are as follows:

The above named party seeks the following orders:
 Orders sought in separately numbered paragraphs.

1.

Service

Mark appropriate section below with an 'x'

The party filing this document is required to serve it on all other parties at least 5 clear business days before the next hearing.

[] It is intended to serve this application on all other parties.

[] It is not intended to serve this application on the following parties: [*list names*]

because [*reasons*]

Accompanying Documents

Mark appropriate sections below with an 'x'

Accompanying this Response is a:

[] Supporting Affidavit (mandatory)

[] If other additional document(s) please list them below:

Form CP8 Undertaking

Form CP8

To be inserted by Court

Case Number:

Date Filed:

FDN:

UNDERTAKING

YOUTH COURT OF SOUTH AUSTRALIA
CARE AND PROTECTION JURISDICTION

IN THE MATTER OF [*name[s] of child[ren]*]

Please specify the Full Name for each party. Each party should include a party number if more than one party of the same type.

Add additional applicants as required
Applicant

Guardian/Mother

Guardian/Father

Other Party

Chief Executive

Filed by the [Party title]					
Party Role	Full Name				
Party Title	<input type="checkbox"/> Chief Executive/Minister <input type="checkbox"/> Parent <input type="checkbox"/> Guardian <input type="checkbox"/> Step-Parent <input type="checkbox"/> Grandparent <input type="checkbox"/> Interested Party <input type="checkbox"/> Other Mark appropriate section with an 'x'				
Name of law firm / solicitor If any	<table border="1"> <tr> <td>Law Firm</td> <td>Solicitor</td> </tr> </table>	Law Firm	Solicitor		
Law Firm	Solicitor				
Address for service	Street Address (including unit or level number and name of property if required)				
	<table border="1"> <tr> <td>City/town/suburb</td> <td>State</td> <td>Postcode</td> <td>Country</td> </tr> </table>	City/town/suburb	State	Postcode	Country
	City/town/suburb	State	Postcode	Country	
Email address					
Phone Details	Type - Number				

Details of the Person Entering into the Undertaking					
Full Name	Full Name				
Address for service	Street Address (including unit or level number and name of property if required)				
	<table border="1"> <tr> <td>City/town/suburb</td> <td>State</td> <td>Postcode</td> <td>Country</td> </tr> </table>	City/town/suburb	State	Postcode	Country
	City/town/suburb	State	Postcode	Country	
Email address					
Occupation	Occupation				

<p>Undertaking</p> <p>This Undertaking is entered into in relation to an Application for Nature of application in one sentence</p> <p>on [date] .</p> <p>I undertake to the Court as follows: Set out text in separate numbered paragraphs</p> <p>1.</p>

I accept that I will be bound by the undertaking until [date] or excused
by order of the Court. I acknowledge that if I do not comply with the conditions of this undertaking,
that I will be guilty of an offence.

at [place]

on [date]

.....
Signature of person entering undertaking

.....
Name printed

before me
Signature of attesting witness

.....
Printed name and title of witness
Stamp here if applicable

.....
Date

Service

Mark appropriate section below with an 'x'

The party filing this document is required to serve it on all other parties at least 5 clear business days before the next hearing.

[] It is intended to serve this application on all other parties.

[] It is not intended to serve this application on the following parties: [*list names*]

because [*reasons*]

Note

The person entering into this undertaking must sign and date this undertaking in the presence of an authorised witness.

Persons authorised to witness this undertaking are:

- (a) a Registrar or Deputy Registrar (or any other officer of the Court whom the Registrar has assigned for this purpose);
- (b) a public notary;
- (c) a Commissioner for taking affidavits;
- (d) a justice of the peace for South Australia;
- (e) any other person authorised by law to witness undertakings.

Form CP9 Affidavit of Service

Form CP9

To be inserted by Court

Case Number:

Date Filed:

FDN:

AFFIDAVIT OF SERVICE

YOUTH COURT OF SOUTH AUSTRALIA
CARE AND PROTECTION JURISDICTION

IN THE MATTER OF [*name[s] of child[ren]*]

Please specify the Full Name for each party. Each party should include a party number if more than one party of the same type.

Add additional applicants as required
Applicant

Guardian/Mother

Guardian/Father

Other Party

Chief Executive

Filed by the [Party title]	
Party Role	Full Name
Name of law firm / solicitor if any	Law Firm Solicitor
Address for service	Street Address (including unit or level number and name of property if required)
	City/town/suburb State Postcode Country
	Email address
Phone Details	Type - Number

Deponent Process Server Details	
Deponent	Full Name
Address	Street Address (including unit or level number and name of property if required)
	City/town/suburb State Postcode Country
	Email address
Occupation	Occupation

<p>Affidavit Mark appropriate section below with an 'x'</p> <p>I [full name, address and occupation of deponent] [] SWEAR ON OATH / [] DO TRULY AND SOLEMNLY AFFIRM THAT:</p> <p>1. I served [insert name of person served] on [date] at [insert service location] with the following document(s): [describe document(s) served] by the following service method: [set out the method of service]</p> <p>If applicable At the time of service the person served stated [record what the person served said].</p> <p>Note: If the document served is already a document on the court file, it should not be attached to the Affidavit.</p> <p>Sworn/Affirmed Delete whichever is inapplicable By the abovenamed deponent</p> <p>at [place]</p>
--

on [date]

.....
Signature of deponent

before me
Signature and title of attesting witness

.....
Printed name and title of witness
Stamp here if applicable

.....
ID number of witness
If applicable

Instructions

- Each page of the affidavit, including any exhibit(s), must be consecutively numbered starting with page 2. Please attach additional pages to the Affidavit as necessary.
- The affidavit should be confined to facts and should not include submissions.
- The affidavit should not reproduce material already contained in affidavits or other material already filed in the matter. It should not exhibit documents already exhibited to affidavits filed in the matter. In both cases it is sufficient to simply refer to such material or documents and the place where they may be found.
- An exhibit to an affidavit must be clearly marked to identify it as the exhibit referred to in the affidavit.
- A single 'front page' must be inserted in front of the exhibits in form 14.
- Each page of the affidavit (but not any exhibit) must be signed by both the deponent and the witness.
- An affidavit is to be sworn if it is made in this State in accordance with section 6 of the *Evidence Act 1929* or, if made elsewhere, in accordance with the law for the taking of oaths or the making of affirmations in that place.
- The deponent must swear or affirm the affidavit before a person authorised by law to witness the swearing or affirming of affidavits ('the witness'). Persons authorised to witness an affidavit are:
 - (a) a Registrar or Deputy Registrar
 - (b) any other officer of the Court whom the Registrar has assigned for this purpose;
 - (c) a public notary;
 - (d) a commissioner for taking affidavits;
 - (e) a justice of the peace for South Australia;
 - (f) any other person authorised by law to take affidavits.
- The contents of an affidavit cannot be altered after the affidavit has been sworn or affirmed.

- The party serving an affidavit must serve copies of all exhibits with the affidavit.

Service

This Affidavit must be served on all parties unless the Rules of Court/Legislation state otherwise.

Form CP10 Order

Form CP10

To be inserted by Court

Case Number:

Date Filed:

FDN:

ORDER

YOUTH COURT OF SOUTH AUSTRALIA
CARE AND PROTECTION JURISDICTION

IN THE MATTER OF *[name[s] of child[ren]]*

Please specify the Full Name including capacity for each party. Each party should include a party number if more than one party of the same type.

Add additional applicants as required

Applicant

Guardian/Mother

Guardian/Father

Other Party

Chief Executive

Introduction

Hearing

[Hearing date]

[Presiding Officer]

Appearances

[Applicant/Appellant Appearance Information]

[Guardian/Mother Appearance Information]

[Guardian/Father Appearance Information]

Date of Order:

Next box only displayed if applicable

Recitals

Final Order

The Court is satisfied that the grounds of the application have been made out and that orders should be made.

The following checkbox not to display on Application to Vary, Revoke or Discharge a Care and Protection Order

Final consent order

This order is made with the consent of all parties and without the Court having considered all the matters that the Court must otherwise consider in the proceedings.

[any applicable matters including jurisdictional facts]

Orders

It is ordered that

the hearing of the application is adjourned to [date] [in the Reunification Court].

the period between service upon the [party role] [name] and the hearing of the application is reduced to [number of days] days

service of the application and accompanying document upon the [party role] [name] is dispensed with.

the [party role] [name] is to file and serve [document type] by close of business on [date].

It is further ordered that during the period of the adjournment and any subsequent adjournments, unless varied or revoked:

The following checkboxes to display on an Application for Care and Protection Orders only

Reproduce as often as necessary

Examination and assessment of the child[ren] [name] is authorised

[name] is directed to undergo a [assessment type] assessment by a psychiatrist nominated by the Chief Executive who is authorised to conduct such assessment, and to release the results of that assessment to the Chief Executive

The child[ren] [name] be placed under the custody of [name/s] for a period of [specified period not exceeding 12 months]

The child[ren] [name] be placed under the custody of the Chief Executive for a period of [specified period]

The child[ren] [name] [is/are] not to be removed from the State for any purpose and the child[ren's] passport[s] are to be held by the Court for a period of [specified period].

[name] is required to enter into a written undertaking for a period of [specified period] in the following terms: [conditions of the undertaking]

the child[ren] [name] be placed under the guardianship of the Chief Executive for a period of [specified period not exceeding 12 months]

the child[ren] [name] be placed under the guardianship of [name/s] for a period of [specified period not exceeding 12 months]

the child[ren] [name] be placed under the guardianship of the Chief Executive until the child[ren] attain[s] 18 years of age
 the child[ren] [name] be placed under the guardianship of [name/s] until the child[ren] attain[s] 18 years of age
 [name] is directed to [action to be taken or not taken]

The following checkboxes to display on an Application to Revoke an Instrument of Guardianship or Restraining Notice only

The instrument of guardianship dated [date] is revoked
 The restraining notice dated [date] is revoked

The following checkbox to be automatically selected on an Application to Vary an Instrument of Guardianship

The instrument of guardianship dated [date] is varied as follows: [variation]

The following checkboxes to display on an Application to Extend an Instrument of Guardianship or Restraining Notice only

The instrument of guardianship dated [date] be extended until [date]
 The restraining notice dated [date] be extended until [date]

The following displayed on all Application types

[any other orders sought]

And upon noting

[page number of] the Case Plan dated [date] is noted

[any other notations]

Administrative Note only displayed on Record

This order is made with the consent of the participating parties without consideration of the matters that the Court must otherwise consider in the proceedings

Registry to arrange [an AVL/a phone link] for [party role/s] on the next occasion

Registry to advise [party role] of the adjourned date and time [and that if they do not attend that orders may be made in their absence]

[any other administrative notes]

Next box displayed only if specified type of Order

WARNING

A person who, having been personally served with this order, contravenes or fails to comply with the order is guilty of an offence, the penalty for which is imprisonment not exceeding two (2) years.

Next box displayed only if applicable

Accompanying Documents

Accompanying this order is a

[identify documents]

Court use only

.....
Registrar

Form CP11 Lodgement of Instrument of Guardianship or Restraining Notice

Form CP11

To be inserted by Court

Case Number:

Date Filed:

FDN:

LODGEMENT OF [INSTRUMENT OF GUARDIANSHIP/RESTRAINING NOTICE]

YOUTH COURT OF SOUTH AUSTRALIA
CARE AND PROTECTION JURISDICTION

IN THE MATTER of [*name[s] of child[ren]*]

Please specify the Full Name including capacity (eg Administrator, Liquidator, Trustee) and Litigation Guardian Name (if applicable) for each party. Each party should include a party number if more than one party of the same type.

Add additional applicants as required

Applicant

Guardian/Mother

Guardian/Father

Other Party

Chief Executive

Lodgement

Provision for multiple numbered paragraphs

[*An instrument of guardianship/A restraining notice*] is hereby lodged in the Youth Court of South Australia.

[any additional notations]

Next box displayed only if Record

Authentication

.....
Electronic signature of judicial officer

Date signed:

Accompanying Documents

Mark appropriate section below with an 'x'

Accompanying this Order is a

[] [identify documents]

Next box displayed only if Order

Court use only

.....
Registrar

Form CP81 Record of Outcome

Form CP81

To be inserted by Court

Case Number:

Date Filed:

FDN:

RECORD OF OUTCOME

YOUTH COURT OF SOUTH AUSTRALIA
CARE AND PROTECTION JURISDICTION

IN THE MATTER OF [*name(s) of child[ren]*]

Please specify the Full Name including capacity for each party. Each party should include a party number if more than one party of the same type.

Add additional applicants as required

Applicant

Guardian/Mother

Guardian/Father

Other Party

Chief Executive

Introduction

Hearing

Hearing Location: [*suburb*]

[*Hearing date*]

Hearing type:

[*Presiding Officer*]

Appearances

[*Applicant/Appellant Appearance Information*]

[*Guardian/Mother Appearance Information*]

[*Guardian/Father Appearance Information*]

Date of Order:

Orders

It is ordered that:

Orders in separately numbered paragraphs.

1.

Next box only displayed if applicable

Recitals

Final Order

[] The Court is satisfied that the grounds of the application have been made out and that orders should be made.

The following checkbox not to display on Application to Vary, Revoke or Discharge a Care and Protection Order

Final consent order

[] This order is made with the consent of all parties and without the Court having considered all the matters that the Court must otherwise consider in the proceedings.

[] [*any applicable matters including jurisdictional facts*]

GIVEN under our hands and the Seal of the Youth Court of South Australia

this 1st day of December 2021.

_____ **Judge P. ELDRIDGE**

_____ **Magistrate A. ADAIR**

_____ **Magistrate O. KOEHN**

_____ **Magistrate K. HODDER**