

Notice of proceeding for a restraining order

Sections 9, 22, and 23 of the Harassment Act 1997

Notes for Respondent

Notice of defence

If you wish to defend the application for a restraining order, you must file a notice of defence in this office of the court at least **5 working days** before the date of the hearing.

An affidavit must be filed with the notice of defence. A copy of the notice of defence must be served on the other party. That copy may be delivered to the address for service given by that person.

If you do nothing, the hearing may proceed and the court can make an order in your absence.

Address for service

If you do not wish to defend the application but you do wish to know what is happening, you should:

- (a) file in this office of the court a notice giving the address of a place in New Zealand at which documents can be left for you; and
- (b) serve a copy of the notice on the other party to the proceeding. That copy may be delivered to the address for service given by that person.

Advice

If you need help, consult a lawyer or contact your District Court office immediately.

Office hours

The office of the District Court is open from 9am to 5pm on Mondays to Fridays inclusive.

Notice of proceeding

In the District Court (*specify Court*) _____ CIV NO 20 ____ - ____ - ____
at (*specify place*) _____

BETWEEN

Applicant

(Give full name, address, and occupation)*

AND

Respondent

(Give full name, address, and occupation)

* Rule 461N of the District Courts Rules 1992 permits the residential address of an applicant for a restraining order or of a protected person to be omitted from this heading if he or she wants the address to be kept confidential from the other parties.

NOTICE OF PROCEEDING

Sections 9, 22, and 23 of the Harassment Act 1997

To _____ (*the respondent*)

Notification of application for restraining order

_____ (*full name of applicant*) has filed an application for a restraining order against you.

A copy of the application is attached. The nature of the order or orders sought is specified in the application, which also states the date of the hearing.

The applicant's address for service is: _____

Applicant/Applicant's Solicitor

Date