**Rule 51**

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| **Form 3 – SUMMONS TO WITNESS** |
| *Children, Young Persons and Their Families Act 1997**Magistrates Court (Children’s Division) Rules 2012* |
|  |
|  | FILE NUMBER:  |
|  | REGISTRY:  |

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| TO:  |
| Of  |
| By virtue of the powers vested in me under the *Magistrates Court (Children’s Division) Act* 1998I summons you to appear/produce\* (delete whichever is not required) before the Court at:  |
| (place)  |
| on (date) at (time am/pm) as a witness to give evidence. |

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| **AND FURTHER** I require you to bring and produce, for the purposes of evidence, all documents and writings or articles in your possession or power which may be relevant to the case, including those listed in the Schedule to this summons. |
| **AND FURTHER** I require you to bring:  |
|  (child’s name)  |
| \* Delete paragraphs not required |
|  |
| If you are required to attend court, you must continue to attend from day to day unless excused by the Court or a registrar or until the hearing of this case is completed. |
| If you fail to comply with this summons a warrant may issue for your arrest and you may be liable to pay any costs resulting from your failure to comply.  |
| If you seek to set aside the summons or object to the production of any of the documents sought or seek any other orders, see Rule 52. |
| If you object to the inspection or copying of any of the documents sought see Rule 52 and 53. |
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| **DATED:**  |
| Justice of the Peace:  |

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| **ABOUT THE CASE** |
| **APPLICANT DETAILS** | **RESPONDENT DETAILS** |
| **Applicant 1:** | **Respondent 1:** |
| Name:  | Name:  |
| Address:  | Address:  |
| Contact phone no:  | Contact phone no:  |
|  |  |
| **Applicant 2:** | **Respondent 2:** |
| Name:  | Name:  |
| Address:  | Address:  |
| Contact phone no:  | Contact phone no:  |

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| NOTES: |
| 1. If you are required to produce documents you may post or deliver the documents listed in the attached Schedule to the district registrar at the address specified for the Court at least 2 days before the date specified at the front of the summons (see Rule 53(1)(b)).
 |
| 1. The parties to the case and any separate legal representative of the child may be entitled to inspect and copy the documents you have posted or delivered (see Rules 43 and 49).
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| 1. If you do not require the return of the documents produced, you should authorise the district registrar to destroy them. You do this by completing the notice at the end of this document and attaching it to the documents you produce.
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| **SCHEDULE TO SUMMONS** |
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| ITEM NO: | DATE: | DESCRIPTION |
| 1. |  |  |
| 2. |  |  |
| 3. |  |  |
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| 14. |  |  |
| 15. |  |  |

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| This summons was prepared by:  |
| The person filing the summons: |  |
| Lawyer: |  |

\* Delete whichever is not required

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| Filed on behalf of:  |
| Whose address for the service of documents is:  |
| Phone:  | Fax:  | DX:  |
| Contact:  |

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| **NOTICE TO DESTROY / RETURN PROPERTY** |
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| **This notice is to be completed and attached to any documents produced pursuant to a witness summons. Please also attach a copy of the summons.** |
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| **File Number:**  |
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| **To the District Registrar** |
| Registry Address:  |
|  |
| I am producing the attached documents in response to a witness summons which is also attached. |
| \*I do not require these documents to be returned to me when they are no longer required by the Court. I authorise the district registrar to destroy the documents at the appropriate time in a secure way. |
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| \*These documents are to be returned to me at: |
|  |

\* Delete the paragraphs not required

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| Signed:  |
| Print your name:  |
|  |
| Date:  |