**In the Family Court Case No: [*Case number*]**

**sitting at [*Court name*]**

|  |  |
| --- | --- |
|  | **General Civil Restraint Order** |
|  |  |  |  |
|  | The full name(s) of the children | Boy or Girl | Date(s) of Birth |
|  |  |  |  |
|  | [*insert*] | [*insert*] | [*insert*] |
|  | [*insert*] | [*insert*] | [*insert*] |
|  |  |  |  |

Order made by [*name of judge*] in private on [*date*].

**The parties:** The applicant is [*name*]

The 1st respondent is [*name*], the [*relationship to child*]

The 2nd respondent is [*name*], the [*relationship to child*]

# Family Procedure Rules 2010, Rule 4.8 and Practice Direction 4B

**Penal notice**

**IMPORTANT WARNING TO [*NAME OF PERSON AGAINST WHOM PENAL NOTICE IS BEING MADE*]**

**If you [*name of person against whom penal notice is being made*] of [*address*] disobey this order you may be held to be in contempt of court and may be imprisoned, fined or have your assets seized.**

**Recitals**

1. The judge has considered [an application by the [applicant] / [respondent]] / [on the court’s own initiative] after hearing [*name the advocate(s) who appeared*];

and has found that [*name of person against whom the order is made*] persists in issuing claims or making applications which are totally without merit, in circumstances where an extended civil restraint order would not be sufficient or appropriate.

# IT IS ORDERED THAT

1. It is ordered that [*name of person against whom the order is made*] be restrained from issuing any claim or making any application in [any court] / [the High Court] [the Family Court] [the County court] / [[*name*] Family County Court] without first obtaining the permission of [*name of judge*] or, if unavailable, [*name of judge*].
2. It is further ordered [*specify*]
3. This order will remain in effect until [*date*].

**Costs**

1. [There is no order for costs.] /

[It is ordered that [*name of person against whom the order is made*] pay costs. The sum to be paid is [*amount*]. [*Name of person against whom the order is made*] must pay on or before [date] and send payment to the [applicant] / [respondent].]

Dated [*date*]

**Note to [*name of person against whom the order is made*]**

If you wish to make an application to amend or discharge of the order, you must first serve notice of your application on the other party. The notice must set out the nature and grounds of the application and provide the other party with at least 7 days within which to respond. You must then apply for permission of the judge identified in the order. The application for permission must be made in writing, must include the other parties written response, if any, to the notice served. The application will be determined without a hearing.

You may not make an application for permission without first serving notice of the application on the other party. The notice must set out the nature and grounds of the application, and provide the other party with at least 7 days within which to respond.

If you apply for permission to amend or discharge the order and permission is refused, any application for permission to appeal must be made in writing, and will be determined without a hearing.

You may apply for permission to appeal the order and if permission is granted may appeal the order. You should ask the court for the leaflet EX340 - I want to appeal.

If this order was made in your absence, you may make an application to set aside, vary or stay the order. An application must be made within the period specified in the order or, where no period is specified, not more than 7 days after service of this order on you.

If you attempt to issue a claim or make an application in a court identified in this order without first obtaining permission of the judge named in the order above, your application will automatically be dismissed without the judge having to make any further order and without the need for the other party to respond to it.

If you do not understand anything in this order you should go to a Solicitor, Legal Advice Centre or a Citizens' Advice Bureau.