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

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

|  |  |
| --- | --- |
|  | **Extended 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: not automatically included. if included, the order must be personally served unless the court dispenses with that requirement: fpr 2010, r 37(4))**

**Penal notice**

**IMPORTANT WARNING TO [*NAME*]**

**If you [*NAME*] of [*ADDRESS*] disobey [this order] / [paragraph[s] [*insert paragraph number(s)*] of 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]] / [The court has considered, of its own initiative] after hearing [*name the advocate(s) who appeared*];
2. And has found that [*name of person against whom the order is made*] has persistently issued claims or made applications which are totally without merit.

# IT IS ORDERED THAT

1. It is ordered that [*name of person against whom the order is made*] be restrained from making applications in any court specified below concerning any matter involving or relating to or touching upon or leading to the proceedings in which this order is made without first obtaining the permission of [*name of judge*] or, if unavailable [*name of judge*]. The specified court[s] [is] / [are] [the Court of Appeal] the High Court] / [the Family Court] [*insert*] County Court[s]] / [any Family Court] [any county court] / [any court].
2. It is further ordered [*specify*].
3. This order will remain in effect until [*date*].
4. If [*name of person against whom the order is made*] wishes to apply for permission:
	1. to make an application in these proceedings; OR
	2. to make an application to amend or discharge this order,

[he] / [she] must first serve notice of [his] / [her] 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. [*Name of person against whom the order is made*] must then apply for permission of the judge identified in the order. The application for permission must be made in writing and must include the other party’s written response, if any, to the notice served. The application will be determined without a hearing.

1. If [*name of person against whom the order is made*] repeatedly makes applications for permission under the paragraph above which are totally without merit, the court may direct that if [*name of person against whom the order is made*] makes any further application for permission which is totally without merit, the decision to dismiss the application will be final and there will be no right of appeal, unless the judge who refused permission grants permission to appeal.
2. Any application for permission to appeal a refusal of an application under paragraph [9] / [*para number*] above must be made in writing and will be determined without a hearing.

**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 attempt to make a further application in these proceedings 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 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. You do not require permission of the court to make such an application.

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