

## **INSTRUCTIONS**

### **Please Read First**

1. Complete Addendum form first. It is not compulsory to answer all questions, although it is important to check any of box(es) that will explain to the Court your reason(s) in support your Divorce Application and any Ex Parte Application for emergency protections or stop orders to request the Court grant you an injunction to restrain defendant from contact with you.
2. If your economic status is poor, please complete the appropriate Form (O.8, R.1). Blank copies are provided in this form packet.
3. Copy, seal with two stamps (one of the 'Family Court' and the other of the 'True Copy') and keep for your record the completed, signed, dated and filed forms. You will also need to give a baliff a copy of all your completed forms to be delivered, or serve on the defendant, and also attach any Order the Court may issue to you after your hearing, such as a No Contact Order or Emergency Injunction Order.
4. The original copies of all your documents, completed signed and dated must be filed by you in the District Court for your local area that serves your residency Village or City.
5. Generally, if your income does not qualify as a "Poor Person" then you may be required to pay a Court Filing Fee for the Ex Parte Application. The Court Clerk will tell you how much you owe the Court to file at the time you hand in your forms to file.
6. If your Ex Parte Application(s) for protection is denied, you may wish to file an appeal. The Court Appeal forms are provided, with Service forms. You may wish to ask the Court when your time to appeal will expire which may be within a few days, so do not delay filing for an Appeal all the forms necessary for this process to not be prevented later.

**What is an *EX PARTE* APPLICATION EMERGENCY PROTECTION ORDER INJUNCTION?**

Ex Parte means defendant or his/her attorney is not present at the time of a hearing, or served notice of the hearing because of the emergent circumstances of the claim(s).

Emergency means immediately.

Protection Order means plaintiff is protected from defendant.

Injunctions are equitable remedies created by Courts of justice where plaintiff does not seek money damages but the remedy requested is an order defendant be prohibited from or to perform some act.

**Disclaimer:**

If you wish to represent yourself to start a District Court proceeding in Cyprus for an Ex Parte Emergency Protection Order to restrain defendant(s) from making unwanted contact with you, the following forms and instructions are provided as a guide only for you to self-help, and ***are not to provide as legal advice or to be interpreted as legal representation.***

In the Family Court District of.....  Nicosia  Limassol  Larnaca  
 Famagusta  Kerynia  Paphos

.....of 20...

Between .....A.B, .....Plaintiff,

And

.....C.D, .....Defendant.

**I. Divorce Application:**

Marriage Type:  Civil  Religious (Church letter – see attached)

A) Judgment of the Court in which to terminate the marriage of the parties which took place on ..... at the Church of....., or Civil Hall where signed and filed by the Civil Registry, Number \_\_\_\_\_(see attached) on the ground that the applicant noted below:

**Grounds:**

Irretrievably Broken – Irreconcilable Differences <input type="radio"/>
Adultery <input type="radio"/>
Inexcusable conduct <input type="radio"/>
Attempt on life <input type="radio"/>
Madness <input type="radio"/>
Prison Conviction <input type="radio"/>
Obscurity <input type="radio"/>
Impotence <input type="radio"/>
Unjustified Abandonment <input type="radio"/>
Change of Religion <input type="radio"/>
Inhibition of Giving Birth to Children <input type="radio"/>
Other Reasons: <input type="radio"/>

**Divorce Details Required Treatment:**

- A. Divorce  Contested   Uncontested
- B. With Children  (see attached)  Without Children
- C. With Assets  (See attached)  Without Asset

**Party Information:**

**Plaintiff:**

Name:	
Surname:	
Phone	
Date of Birth	
Street Address/ City:	
Postal Code	
Months or Years At Present Residence, Home	

**Defendant:**

Name:	
Surname:	
Phone	
Date of Birth	
Street Address/City: Postal Code	
Months or Years At Present Residence, Home	

**II. Spouse Support Application:**

Contested                       Uncontested  (See Attached Agreement)

A) Order of the Court which ordered the defendant to pay to the applicant on the registration of the application , the amount of € ..... .. as alimony and maintenance of the minor children of the parties or such other amount as the Court shall deem fair and reasonable .

B) Any other remedy which the Court will consider fair and reasonable in the circumstances.

C) The costs of the application, (plus VAT) plus delivery costs.

D) Assets and Expenses. (See Attached Verified Financial Statement)

E). Freeze Asset Request: Yes  (See attached)    No

**III. Stop Order Application:** Ex parte  (See attached)    Hearing Request

Application for banning the minor children to exit from Cyprus:

A .Order of the Court which prohibits the minor children of the parties ..... to leave Cyprus without the written consent of the applicant to do so or without the permission of the Court

B .Order in which to include the name of a minor child of the parties ..... in the list of persons whose exit from Cyprus (stop list) is prohibited

C.     Any other remedy considered fair and equitable by the Court

D.     Costs of application

**IV. Civil Protection Order Application:**    Yes  (See attached)

Ex parte  (See attached)            Hearing

**V. Child Custody**

Contested                     Uncontested  (See Attached Agreement)

A) Order of the Court which grants to Applicant exclusive custody of the minor child of the parties

B) Request Court Decree To grant to Applicant the duty to provide safety, care and maintenance of the minor child

C) Any other order or further treatment which the Court shall deem fair and / or reasonable under the circumstances.

D) Expenses (plus VAT) (See attached Addendum)

Filed on the .....day..... of

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Plaintiff

(Signed)

Registrar.

**AFFIDAVIT**

I,.....

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from ..... and holder of the  
Passport/Aliens Card/ Identification Card with no.....

I swear and say the following are true and correct to the best of my knowledge:

See attached:

- Verified Application for Divorce
- Verified Financial Statement and related documentations
- Poor Persons Application
- Application For Ex Parte Protection Order Self \_\_\_\_ Children \_\_\_\_
- Application For Ex Parte Stop Order

**THE SWORN AFFIANT**

.....

Swore and signed in my presence  
to the District court of .....  
today.....

**REGISTRARS**

**PLAINTIFF'S VERIFIED FINANCIAL STATEMENT**

**I. Financial Statement**

1. Assets: Freeze  Hearing

A. House: Number : \_\_\_\_\_

Residence Contested

Other Real Property

Addresses:

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**B. Bank Accounts:**

- 1.
- 2.
- 3.

**C. Stocks:**

- 1.
- 2.
- 3.

**D. Bonds:**

- 1.
- 2.
- 3.

**E. Pension Funds:**

- 1.
- 2.

**F. Other Monetary Funds:**

- 1.
- 2.

**G. Personalty Property**

1. Jewelry:
2. Art:
3. Furniture:
4. Antiques:
5. Inherited Property:
6. Other Personal Property:

**2. Income**

Plaintiff:

- A. Monthly Salary Employment:
- B. Monthly Salary Self Employment:
- C. Other Income/ All Other Sources:
- D. Trust Income:
- E. Annuities:
- F. Interest on Investments:
- G. Other Sources and Sums of Income:



**3. Monthly Expenses**

1. House Mortgage:\_\_\_\_\_

2. Utilities:\_\_\_\_\_

WATER                       ELECTRIC

3. Food:\_\_\_\_\_

4. Clothing: Self                       Children

5. Medicine:\_\_\_\_\_

6. Educational:\_\_\_\_\_

7. Phone:\_\_\_\_\_

8. Transportation:\_\_\_\_\_

9. Secured loans

10. Other Secured Loans

9. Other Reasons:

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**3. Alimony:** 3+1 children

a. Applicant with Disability

b. Applicant Children with Disability

**4. Child Custody and Support Information**

Minor Children: No. \_\_\_\_\_

List Children Age(s)

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Adult Children enrolled in a School – Over Age 18: \_\_\_\_\_

**5. Children Custody: Agreement (See attached)**

- No agreement
- Hearing Request Full Custody/Decision Making

**6. Stop Order Application**

Reasons:  Foreign Spouse / Fear of abduction  Violence

No Violence Unwanted, Non-physical Contact Abuse

Other

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Filed on the.....day..... of.....

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Plaintiff

(Signed)

**Registrar.**

**WRIT OF SUMMONS (O. 2, R. 1)**

In the Family Court of.....

No.....of 20...

Between

And

Plaintiff

Defendant

To C.D. of (a).....(b).....

This is to command you that within ten days after the service of this writ you enter an appearance in an action against you by A.B. of

(a).....(c).....

The Plaintiff's claim in the action is set out in the indorsement overleaf.

The Plaintiff's address for service is (d).....

And take notice that in default of your entering an appearance in the manner specified below, the Plaintiff may proceed in the action and judgment may be given in your absence.

Filed on the (e).....day..... of....

(Signed)

Registrar.

(Signature)

Attorney for plaintiff

N.B.—An appearance may be entered either personally or by advocate by delivering to the Registrar at (f)..... a memorandum of appearance, and on the same day by delivering at the Plaintiff's address for service a duplicate of such memorandum dated, signed and sealed by the Registrar.

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- (a) Give full address, including street and number of premises, if any.
  - (b) State Defendant's occupation. If known.
  - (c) State Plaintiff's occupation.
  - (d) Give the full name, occupation, and address of a person within the municipal limits of the town or village in which is situated the Registry in which the action is filed, with whom documents intended for Plaintiff may be left.
  - (e) The date should be filled in by the Registrar.
  - (f) State the town or village in which is situated the Registry described in (d) above.

N.B.—In drawing up a writ regard should be had to the provision of Order 2 and the provisions governing indorsements of claim.

Note for Defendant—A Defendant who wishes to employ an advocate should bear in mind that, except with the leave of the judge, an advocate cannot enter appearance for him unless he has a retainer in writing in Form 12A given to him by the Defendant. Indorsement of Claim

*Indorsement of Claim*

The Plaintiff's claim is:

**True Copy**

Registrars

(a) Advocate for Plaintiff

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(a) Strike out the words "Advocate for" if suing in person.

**Application for Proceeding for Poor Persons (O.8, R.1)**

**In District Court of .....**

**No.**

\_\_\_\_\_ Plaintiff

AND

\_\_\_\_\_ Defendant

Applicant has filed Application 45 ex parte for injunctive relief  
on \_\_\_\_\_. (date)

Applicant states she/he has filed as a poor person for the following reasons under  
Order 8, Rule 1 of the Civil Procedure Rules:

- (i) that she/he is not worth €171 (excluding wearing apparel, bed and bedding, and the subject matter of the action);
- (ii) that her/his usual income from all sources does not exceed €9 a week;  
and
- (iii) that she/he has reasonable grounds for suing or defending.

Applicant submits her/his Affidavit in support of the above statements for this  
application.

Name:

Submitted on \_\_\_\_\_

Signature:

**REGISTRARS**