



# Marriage Dissolution

## WELLINGTON JUSTICES OF THE PEACE

### Professional Development

Ann Clark & Audrey Fell-Smith





# Setting the scene

---

- A Marriage Dissolution comprises a series of documents:
  - **Application (FP11)**
  - **Affidavit (FP12)**
  - **G7 form**
  - **Marriage Certificate**
  - **Separation Document (optional)**
- **FP11, FP12 and G7** are mandatory and **must be completed**
- In many cases you are going to have to assist the client in completing their Application and Affidavit
- **Be patient!** There is a lot of repetition of information with the two documents. Set expectations with your client that it takes time.



# Setting the scene

---

1

Two people, at a past time in their lives decided to form a bond together and went through the process of marriage or civil union

2

Time passes and the marriage/civil union breaks down

3

Be aware of how the client presents both physically and emotionally



# Setting the scene

**Michelle is your client and comes to you to manage her marriage dissolution**



**Michelle Andrea Green**



# Setting the scene

Using your One party dissolution pack please complete the documentation

- Use the **Marriage Certificate** and the **scenario** provided
- You will need to complete the **One party dissolution pack**



Michelle Andrea Green



# Setting the scene

Using your One party dissolution pack please complete the documentation

- You are the **Justice of the Peace**
- Use your stamps or manually write where stamps might be used





# Scenario: details provided by the client

- Michelle Andrea Green lives at 89 Tavern Road, North Shore Auckland 1431
- Michele's occupation is a cook
- The parties ceased living together on 28 December 2020
- There is one child of the marriage aged 14 at today's date her name is Rebecca Black
- There is no separation agreement but there is a Protection Order dated 19 July 2021 concerning Michelle and Rebecca
- The parties agreed orally to separate on 25 December 2020
- Damian Tobias Black lives at 27 Hornblower Road, Auckland 0945
- Damian's occupation is a chef
- Michelle has already said that she will affirm her affidavit



Michelle Andrea Green



# Being empathetic

## Acknowledge the situation, be empathetic and understanding

- This process could be traumatic for **one or both parties**
- Dissolution is an admission that a decision the couple made in the past has failed
- This is a **full stop** to an emotional part of their lives
- There **may be others** to consider who will be affected by this decision e.g. children





# The form

The are two packs for marriage dissolution

## One party



## Joint





---

# Showstoppers



# Show stoppers (1)

---

**Important note:** Your client can complete affidavit in advance, but at the time of filing with the Court you must have lived apart for this length of time.

Check with the client that they will have lived apart for a period of at least 2 years & 1 day when they intend to file the application with the Court.



# Show stoppers (2)

Your client must have an **original Marriage Certificate** issued by the DIA or overseas Official Department and a photocopy of it for you to certify.

**New Zealand Marriage Certificate**

**Particulars of Parties to Marriage**

BRIDE	GROOM
First given name(s) Surname/family name Michelle Anne Green.	Damian Tobias Black.
Age 20	23
Place of birth Eketahuna	Ngaruwhaka.
Usual occupation, profession or job Chef Assistant	Hotel Manager
Relationship status Not/never married.	Not/never married.
Usual residential address 30 Blenheim Avenue Eketahuna.	Duke of Gloucester Maui Rd Ngaruwhaka
MOTHER: First or given name(s) Surname or family name Green Smith	Hilene Marie Black Mahe
FATHER: First or given name(s) Surname or family name Green Green	Benjamin Te Tauri Black.

Date of marriage: 16 January 1995  
Place of marriage: St Andrew's Anglican Church, Blenheim.

Certified true copy of particulars recorded by a Registrar  
Issued under the seal of the Registrar on 4 February 1995

**Acceptable  
Marriage Certificate  
(white)**

**Copy of Particulars of Marriage**

THE DEPARTMENT OF INTERNAL AFFAIRS

Particulars of parties to marriage

MOTHER: First or given name(s)  
Surname or family name

FATHER: First or given name(s)  
Surname or family name

Date of marriage

This marriage was solemnized on

Full description of where marriage was solemnized and full address

Between us

In the presence of us

I certify that the marriage of the parties named above was solemnized in my presence

**THIS COPY TO BE HANDED TO PARTIES TO MARRIAGE**

**Not acceptable  
Copy of Particulars of  
Marriage (yellow)**



# Civil Union Certificate

604 313

## New Zealand Civil Union Certificate

Particulars of Parties to Civil Union

<b>First given name(s)</b>	Tina	Dore
<b>Surname/family name</b>	Tina	Tina
<b>Given name(s) at birth</b>	-	-
<b>Surname/family name at birth</b>	-	-
<b>Sex</b>	Female	Female
<b>Date and year of birth</b>	1 January 1970	1 January 1970
<b>Place of birth</b>	Wellington	Wellington
<b>Usual occupation, profession or job</b>	Childing Instructor	Accountant
<b>Relationship status</b>	Never Married or in a Civil Union	Never Married or in a Civil Union
	-	-
	-	-
<b>Usual residential address</b>	120 Taitumu Street Taitumu City	120 Taitumu Street Taitumu City
<b>MOTHER</b>		
<b>First or given name(s)</b>	Tina	Tina
<b>Surname or family name</b>	Tina	Tina
<b>Surname or family name at birth</b>	Tina	Tina
<b>Given name(s) at birth</b>	-	-
<b>FATHER</b>		
<b>First or given name(s)</b>	Tina	Tina
<b>Surname or family name</b>	Tina	Tina
<b>Surname or family name at birth</b>	-	-
<b>Given name(s) at birth</b>	-	-

---

**Date of civil union** 18 August 2011

**Place of civil union** Registrar's Office  
120 Taitumu Street  
Wellington



**Other information pursuant to sections 620, 621, 622 and 623 of the Births, Deaths, Marriages, and Relationships Registration Act 1995**

-

---

**Certified true copy of particulars recorded by a Registrar**


Issued under the seal of the Registrar on: 18 August 2011

© 2011 Registrar-General of Births, Deaths, Marriages, and Relationships Registration. All rights reserved.



# Show stoppers (3)

  
MAIRIE  
de

COPIE INTEGRALE D'ACTE DE MARIAGE

Tél./Fax : \_\_\_\_\_ Registre des mariages  
Année 2010  
Acte n° \_\_\_\_\_

Le dix-huit septembre deux mil dix  
a été célébré le mariage entre :


né à : BRADFORD (Angleterre)  
le \_\_\_\_\_  
domicilié à \_\_\_\_\_  
Fils de \_\_\_\_\_  
et de \_\_\_\_\_  
et \_\_\_\_\_

née à BRADFORD (Angleterre)  
le \_\_\_\_\_  
domiciliée à \_\_\_\_\_  
fille de : \_\_\_\_\_  
et de : \_\_\_\_\_

Contrat de mariage : Il n'a pas été fait de contrat de mariage.

Certifie le présent extrait conforme aux indications portées au registre, par Nous,  
Maire de \_\_\_\_\_

Le 18 Septembre 2010  
Le Maire



Je soussigné, André SEMBETIK, Traducteur Expert près le Cour d'Appel de Nouméa, certifie que le traducteur de cet acte est conforme à l'original libellé en langue anglaise, sous le n° 14820108 sous le n° ACSPIES5040102264 pour l'Agence ACS-Traduction, le 22 avril 2015.

- If a marriage or civil union certificate is from another country and not in English, then a **certified translation** will also need to be obtained
- The marriage or civil union certificate must be an **original**
- A certified copy of the original marriage certificate and a certified English translation will need to be submitted with the application. Each as Exhibit 'A'



## Show stoppers (4)

---

- Confirm with the client that **one or both parties are domiciled (permanent home) in New Zealand**





# The Application & Affidavit – One party

The pack is split into two sections - an **Application** and an **Affidavit**

## Application FP11

Form FP 11 r 334  
**Application by one party for order dissolving marriage or civil union**  
*Section 37, Family Proceedings Act 1980*

In the Family Court FAM No: .....  
at .....  
*[place]*

.....  
*[full name]*

.....  
*[address]*

.....  
*[occupation]*  
**Applicant**

.....  
*[full name]*

.....  
*[address]*

.....  
*[occupation]*  
**Respondent(s)**

[Set out full description of document (including whether it is made with or without notice), its date, the Act under which the document is filed, and, in the case of an affidavit or affirmation, the name of the deponent in whose support it is filed.]

Application by One Party for Order Dissolving Marriage or Civil Union  
(Family Proceedings Act 1980) made by

..... *[name]*

dated.....

This document is filed by  
[name and address for service, and, if filed by lawyers, the name and telephone number of the acting lawyer.]

.....

1

## Affidavit FP12

Form FP 12 r 337(2)(a), 355(1)(b)(ii)  
**Affidavit to accompany application by one party  
for order dissolving marriage or civil union**  
*Section 38(2)(d), Family Proceedings Act 1980*

In the Family Court FAM No: .....  
at .....  
*[place]*

.....  
*[full name]*

.....  
*[address]*

.....  
*[occupation]*  
**Applicant**

.....  
*[full name]*

.....  
*[address]*

.....  
*[occupation]*  
**Respondent(s)**

[Set out full description of document (including whether it is made with or without notice), its date, the Act under which the document is filed, and, in the case of an affidavit or affirmation, the name of the deponent in whose support it is filed.]

**Affidavit of**  
..... *[name]*  
in support of Application by One Party for Order Dissolving Marriage or Civil Union  
(Family Proceedings Act 1980)

dated.....

This document is filed by  
[name and address for service, and, if filed by lawyers, the name and telephone number of the acting lawyer.]

.....

1





---

# The Application - FP11





# The Application - FP11

[occupation]  
Respondent(s)

*[Set out full description of document (including whether it is made with or without notice), its date, the Act under which the document is filed, and, in the case of an affidavit or affirmation, the name of the deponent in whose support it is filed.]*

Application by One Party for Order Dissolving Marriage or Civil Union  
(Family Proceedings Act 1980) made by

Michelle Andrea Green ..... [name]

dated..... [redacted]

This document is filed by

*[name and address for service, and, if filed by lawyers, the name and telephone number of the acting lawyer.]*

Michelle Andrea Green  
89 Tavern Road North Shore  
Auckland 1431

1

Don't complete this until the client is ready to take this to the Court.

This date is the day the client goes to Court desk and files the document.



# The Application - FP11

If you tick 1 (a) move straight on to the signing page of the Application (FP11).

I, Michelle Andrea Green  
*{full name}*

apply for an order dissolving the marriage *or* civil union between my spouse (or partner) and me.

This application is made on the ground that the marriage *or* civil union has broken down irreconcilably.

I say:

*{select the option that applies}*

1. (a) I consent to the order dissolving the marriage *or* civil union being made in my absence.

*{If you choose option (a), you do not have to complete paragraphs 2 to 7 of this application, but you must file an affidavit in form FP 12 with this application.}*

*or*

1. (b) I do not consent to the order dissolving the marriage *or* civil union being made in my absence.

*{select the option that applies}*

2. I am domiciled in New Zealand.

*or*

2. My spouse (or partner) is domiciled in New Zealand.

*or*

2. My spouse (or partner) and I are both domiciled in New Zealand.



# The Application - FP11

Nothing is required to be completed on this section.

However if the client has completed this is OK.

3. My spouse (*or* partner) and I are living apart.
4. We will, at the filing of this application, have been living apart for the period of 2 years immediately preceding the filing of this application.
5. We ceased living together on ..... [date]

*[select and complete the option that applies]*

- 6. A separation order was made on ..... [date]  
*or*
- 6. A written separation agreement was made on ..... [date]  
*or*
- 6. We made an oral agreement to separate on ..... [date]  
*or*
- 6. No separation order was made and we did not agree to separate.



# The Application - FP11

*[select and complete the option that applies]*

7. There are no children of the marriage *or* civil union.

*or*

7. If an order dissolving the marriage *or* civil union is made, I propose to make the following arrangements for the Day-to-day care and contact, maintenance, and welfare of the children of the marriage *or* civil union:

Day-to-day care and contact:  
*[give details]*

Maintenance:  
*[give details]*

Other aspects of welfare, such as schooling or any special needs:  
*[give details]*

*or*

3

7. It is impracticable for me to make any arrangements for the day-to-day care, maintenance, and welfare of the children of the marriage *or* civil union because

*[give reasons]*

Michelle Andrea Green  
.....  
Signature of applicant

.....  
Date

**Client signs and dates the same date as for the Affidavit (FP12) coming up next**



# The Application - FP11

## Date of hearing

I appoint ..... [date] at ..... [time]  
at the Family Court at ..... [place]  
for the hearing of this application.

## Registrar's list of section 37 applications

I have entered this application on the Registrar's list of section 37 applications. I  
will make an order dissolving the marriage or civil union  
on ..... [date] if the requirements of the Family Proceedings  
Act 1980 and these rules are satisfied on that date.

.....  
Registrar

.....  
Date

Leave this section blank as the Court will deal with this.



---

# The Affidavit - FP12





# The Affidavit - FP12

This is completed by the Registrar at the Family Court – leave blank.

The client will need to complete all sections – explain that there is a lot of repetition, but this is because there are two documents – Application and Affidavit

rr 337(2)(a), 355(1)(b)(ii)

Form FP 12  
**Affidavit to accompany application by one party  
for order dissolving marriage or civil union**  
*Section 38(2)(d), Family Proceedings Act 1980*

In the Family Court  
at .....  
*(place)*

FAM No: .....

Michelle Andrea Green  
*(full name)*

89 Tavern Road North Shore Auckland 1431  
*(address)*

Cook  
*(occupation)*

Applicant

Damian Tobias Black  
*(full name)*

27 Hornblower Road Auckland 0945  
*(address)*

Chef  
*(occupation)*

Respondent(s)

*(Set out full description of document (including whether it is made with or without notice), its date, the Act under which the document is filed, and, in the case of an affidavit or affirmation, the name of the deponent in whose support it is filed.)*



# The Affidavit - FP12

Affidavit of  
Michelle Andrea Green ..... [name]  
in support of Application by One Party for Order Dissolving Marriage or Civil Union  
(Family Proceedings Act 1980)  
dated.....

This date is the date the Affidavit is sworn or affirmed by the JP

This document is filed by  
*[name and address for service, and, if filed by lawyers, the name and telephone number of the acting lawyer.]*

Michelle Andrea Green  
89 Tavern Road North Shore  
Auckland 1431

MG  
SM

JP and client initial each page

Alternative page numbering

JP to add page numbers



# The Affidavit - FP12

I, Michelle Andrea Green  
[full name]

of 89 Tavern Road North Shore Auckland 1431  
[address]

Cook  
[occupation]

**swear (or solemnly and sincerely affirm) that:**

1. I am the applicant for an order dissolving a marriage *or* civil union.  
[select the option that applies]

2. I am domiciled in New Zealand.  
*or*

2. My spouse (*or* partner) is domiciled in New Zealand.  
*or*

2. My spouse (*or* partner) and I are both domiciled in New Zealand.

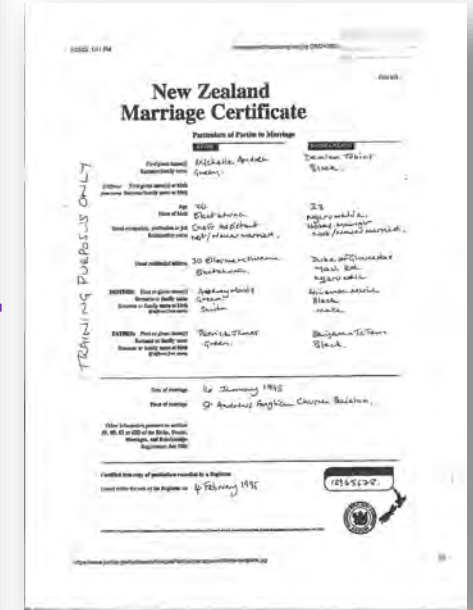
Tick only one box  
in Question 2



# The Affidavit - FP12

The details in paragraph 3 must match the details in the marriage certificate

3. My spouse (or partner) and I were married or entered into a civil union on  
16<sup>th</sup> January 1995  
[date]  
St Andrew's Anglican Church  
[place]  
Pahiatua  
[name of city or town, etc]
4. A copy of our marriage or civil union certificate is annexed to this affidavit and marked with the letter A.
5. We are living apart.
6. We will, at the filing of the application, have been living apart for the period of 2 years immediately preceding the filing of this application.
7. We ceased living together on 28 December 2020 [date]



Mark as Exhibit 'A'

Page numbering

MG  
SM

Client and JP initial each page

Alternative page numbering method



# The Affidavit - FP12

Tick only one box  
in Question 8

*(Tick and complete the option that applies)*

8. (a) A separation order was made on ..... [date]  
(b) A copy of the separation order is annexed to this affidavit and marked with the letter B.

*or*

8. (a) A written separation agreement was made on  
..... [date]  
(b) A copy of the written separation agreement is annexed to this affidavit and marked with the letter B.

*or*

8. We made an oral agreement to separate on 25 December 2020 [date]

*or*

8. No separation order was made and we did not agree to separate.

9. Our marriage *or* civil union has broken down irreconcilably.



# The Affidavit - FP12

[Note: Select and complete paragraphs 10 and 11 below if there are children of the marriage or civil union]

10. Satisfactory arrangements, or arrangements that are the best that can be devised in the circumstances, have been made for the Day-to-day care and contact, maintenance, and other aspects of the welfare of every child of the marriage or civil union. The arrangements relate to every child who is under 16 years. They also relate to every child who is 16 years or over and, because of special circumstances, requires arrangements to be made.

11. The arrangements referred to in paragraph 10 of this affidavit are as follows:

Day-to-day care and contact:  
[give details]

Protection Order: dated 19 July 2021  
No contact reserved for father.  
Auckland CIV 342521

MG  
SM  
3 /4

Maintenance:  
[give details]

Father pays through IRD calculation

Other aspects of welfare, such as schooling or any special needs  
[give details]

Page 3 of 4

3 /4

Page numbering

Client and JP initial each page

Alternative page numbering method

No information recorded – leave blank



# The Affidavit - FP12

Client signs



Michelle Andrea Green

Signature of deponent

Sworn (or Affirmed)

at Wellington [place] [date]  
before me:

Cross out these which do not apply

No need to cross out this

Stampie McStampster, JP  
#12345  
WELLINGTON  
Justice of the Peace for New Zealand

Your signature

~~Deputy Registrar~~  
(or Justice of the Peace  
or Solicitor of the High Court)

You signature, stamp and complete location and date



# Swear or Affirm

Are you going to Swear or Affirm this Affidavit?

## Swear

Do you swear by Almighty God that the contents of this your Affidavit are true, so help you God?



## Affirm

Do you solemnly and sincerely declare and affirm that the contents of this your Affidavit are true?







# Exhibit notes

All dates must match :  
Date of Affirmation and  
Certification

You can add pre-printed  
labels if available -  
Overseas certificates may  
present less room - turn  
over sheet and place  
exhibit note statement  
on the reverse

Alternatively, you can  
write out the exhibit note  
statement as per the  
stamp

83122, 1-11 PM

managerevents@justice.govt.nz (050-9304)

1234 567

**'A'**

## New Zealand Marriage Certificate

Particulars of Parties to Marriage

BRIDE	GROOM
Full given name(s) Michelle Andrea Green.	Demian Tobias Black.
Place of birth Wellington	Wellington
Age 20	23
Place of birth Eketahuna	Ngauruhia.
Usual occupation, profession or job Chef Assistant	Hotel Manager
Relationship status not/never married.	not/never married.
Usual residential address 30 Blenheim Avenue Eketahuna.	Teke o Pihouketeke Maua Rd. Ngauruhia
MOTHER: Full or given name(s) Surname or family name Susan or family name at birth Smith	Hanora Marie Black Maori
FATHER: Full or given name(s) Surname or family name Susan or family name at birth Smith	Benjamin Te Tauri Black.

Date of marriage: 16 January 1995  
Place of marriage: St Andrew's Anglican Church, Blenheim.

Other information pursuant to sections  
99, 101, 102 or 103 of the Public, District,  
Marriage, and Relationship  
Registration Act 1995

Certified true copy of particulars recorded by a Registrar  
Issued under the seal of the Registrar on: 4 February 1995

1234 567 8

https://www.justice.govt.nz/eas/registries/ParticularsMarriageCertificateTemplate.pdf

CERTIFIED TRUE COPY OF A DOCUMENT  
PRESENTED TO ME AS AN ORIGINAL

Signed..... *Your signature* .....

Date.....

Stampie McStamp, JP12345  
WELLINGTON  
Justice of the Peace for New Zealand

Exhibit note can go on the back - bottom right  
corner. Fold in page to show exhibit note.

**EXHIBIT NOTE**

This is the attachment marked " ...A " referred to in the  
Affidavit/Declaration of Michelle Andrea Green Green  
Sworn/Affirmed/Declared at Wellington

This ..... day of ..... 20 ..... Before me

Signature ..... *Your signature* .....

Stampie McStamp, JP12345  
WELLINGTON  
Justice of the Peace for New Zealand



# Form G7

This form needs to be completed with information about both parties and included with the Application and Affidavit

This form identifies whether there are children under 16 or with special needs.

r20(1)(b) Form G7

**Information Sheet to accompany certain applications**  
(including certain applications made without notice)

In the Family Court At  FAM-

This information sheet accompanies applications for the following order(s):

1.  2.

Applicant's Full Name

\* Home Address  Post Code:

\* Work Address  \*Email Address

\* Contact Phone No Home:  Work:  Mobile:

Date of Birth  Age  Gender  Occupation

Ethnic Origin New Zealand European  Maori  Samoan  Cook Island Maori  Tongan  Niuean   
Chinese  Indian  Other  (Dutch, Japanese, Tokelauan, etc) Please state:

\* Country of Residence  Interpreter required Yes/No  Language

\* The applicant may delete these items from copies to be served

Full name of other party

Relationship to Applicant

Home Address  Post Code:

Work Address  Email Address

Contact Phone No Home:  Work:  Mobile:

Date of Birth  Age  Gender  Occupation

Ethnic Origin New Zealand European  Maori  Samoan  Cook Island Maori  Tongan  Niuean   
Chinese  Indian  Other  (Dutch, Japanese, Tokelauan, etc) Please state:

Country of Residence  Interpreter required Yes/No  Language

Date of marriage or civil union  Place of marriage or civil union

Date by which de facto relationship had begun

Children Affected by the Application:

Full name of each child	Age	Date of Birth	M/F	Name of person with whom each child is living at the time of application, and the relationship (if any) of that person to the child	Relationship of Applicant to child	Relationship of Respondent to child	Ethnic Origin (please choose one from list above)
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Previous applications:  DATE STAMP

(Give the file number of any previous applications between the parties, and the Court where they were filed)

The accompanying applications are filed by  Whose address for service is at

Email Address



# Summary : things to remember!

---

- ✓ Ask - the **Show stoppers** as this will save you time in the long run.
- ✓ It is important that **all aspects of this Affidavit are completed with no exceptions.**
- ✓ **Do not hurry this process.** Take your time and ensure it is completed accurately. Set expectations with the client in advance.
- ✓ **Do not start administering the Affidavit until you have all the information.**
- ✓ Remember to be **empathetic** and **understanding** as you do not know how your clients may react.



# Filing the document



- Once filed with the Court the Court will provide a set of documents which will need to be served on the other party.
- Once the documents have been served on the other party, the person serving these documents will need to complete an 'Affidavit of Service' which when completed will need to be returned to the Court.



## Affidavit of Service

- Once the documents have been served on the other party, the person serving these documents will need to complete an **'Affidavit of Service'** which, when completed, will need to be returned to the Court.



# Service by someone known to the respondent

Form G 8  
**AFFIDAVIT OF SERVICE**  
rr 127(1) b, 298 (1) b, 358(d), 416 (1)(b)

In the Family Court at Wellington Case Number:

APPLICANT

..... MICHELLE ANDREA GREEN ..... [full name]

..... 32 SLOW ST NELSON ..... [address]

..... COOK ..... [occupation]

RESPONDENT

..... DAMIAN TOBIAS BLACK ..... [full name]

..... RUSSELL LODGE TE KUITI ..... [address]

..... COOK ..... [occupation]

Affidavit of ..... LINDA ROABIE ..... [name of server] for  
 service of application for order dissolving marriage or civil union  
 dated ..... [date affidavit sworn]  
 (Rule 127, Family Courts Rules 2002)

This document is filed by:  
 [name and address, and, if filed by lawyers, the name and telephone number of the acting lawyer.]

FA1238\_DisAffService

Page 1



# Service by someone known to the respondent

Case\_Number

I, LINDA ROADIE .....[full name],  
of 32 CEMETARY ROAD, PARIHATUA .....[address],  
UNEMPLOYED .....[occupation],

swear (or affirm):

1. On 15 September 2018 .....[date], I duly served on the respondent to these proceedings, a copy of the below named documents by delivering them to him/her personally at: R.V.S.S. McLEODS, T.G. K.H.I.T.I .....[address]

- Notice to Respondent dated 31 August 2018
- One Party Application for Order Dissolving Marriage/Civil Union dated
- Affidavit dated 1 April 2018
- Information Sheet

2. The party is personally known to me by reasons of the following facts:  
In a Facebook post, the respondent was seen on a public page  
and had been seen to be talking to me in person on several occasions  
.....  
*(state the facts establishing personal knowledge)*

OR

2. The respondent is not personally known to me, but I believed that the person served by me is that party by reason of the following facts:

The respondent is the person in the photograph which is annexed to this affidavit and marked with the letter "A"

OR

The respondent has signed the acknowledgement of service which is annexed to this affidavit and marked with the letter "A"

AND/OR

.....  
.....  
.....  
*(state the facts on which the deponent relies)*

Linda Roadie  
.....  
Signature of deponent

Sworn (Or Affirmed) at Wellington .....[place], 30 September .....[date]  
2018

before me:

FRED BLOOM  
12345  
Justice of the  
Peace for  
New Zealand

Fred Bloom  
.....  
Deputy Registrar  
(or Justice of the Peace  
or Solicitor of the High Court)

/ A1188\_PivAffService

Page 2



# Alternative Affidavit of Service by an unidentified individual to the Respondent

---







# Alternative Affidavit of Service by an unidentified individual to the Respondent

Form G 8  
**AFFIDAVIT OF SERVICE**  
rr 127(1) b, 298(1) b, 358(d), 416(1)(b)

In the Family Court  
at Wellington

Case\_Number

APPLICANT

MICHELLE ANDEEA GREEN ..... [full name]

32 SLAW ST NELSON ..... [address]

COOK ..... [occupation]

RESPONDENT

DAMIAN TOBIAS BLACK ..... [full name]

RUSSELL LODGE TE KUITI ..... [address]

COOK ..... [occupation]

Affidavit of LINDA BOADIE ..... [name of server] for  
service of application for order dissolving marriage or civil union  
dated ..... [date affidavit sworn]  
(Rule 127, Family Courts Rules 2002)

This document is filed by:  
[name and address, and, if filed by lawyers, the name and telephone number of the acting lawyer.]

FA1288\_DGMServe Page 1



# Alternative Affidavit of Service by an unidentified individual to the Respondent

Case\_Number

I, LINDA ROASIE [full name],  
of 32 CENETALM ROAD PAHIATUA [address],  
UNEMPLOYED [occupation],

swear (or affirm):

1. On 15 September 2018 [date], I duly served on the respondent to these proceedings, a copy of the below named documents by delivering them to him/her personally at Russell Lodge, Te Kaiti [address]

- Notice to Respondent dated 31 August 2018
- One Party Application for Order Dissolving Marriage/Civil Union dated 1 April 2018
- Affidavit dated 1 April 2018
- Information Sheet

2. The party is personally known to me by reasons of the following facts:  
.....  
.....  
(state the facts establishing personal knowledge)

OR

2. The respondent is not personally known to me, but I believed that the person served by me is that party by reason of the following facts:  
  
The respondent is the person in the photograph which is annexed to this affidavit and marked with the letter "A"

OR

The respondent has signed the acknowledgement of service which is annexed to this affidavit and marked with the letter "A"

AND/OR  
.....  
.....  
(state the facts on which the deponent relies)

.....  
Signature of deponent

Sworn (or Affirmed) at Wellington [place], 30 September 2018 [date]  
before me:

Filey Balfors  
Deputy Registrar  
(or Justice of the Peace or Solicitor of the High Court)

Page 2

FA1288\_01aAIService



# Alternative Affidavit of Service by an unidentified individual to the Respondent

A

**PHOTOGRAPH OF RESPONDENT**  
Family Proceedings Act 1980  
Rule 127 Family Courts Rules 2002

Case\_Number

PHOTO OF  
AFFIX PHOTOGRAPH HERE

DAMIEN  
TOBIAS  
BLACK

This is the annexure marked "A" referred to in the within affidavit of  
LINDA ROBBIE

Sworn/affirmed Wellington at  
30 September 2018 [date] before me: [place],

F. Bloggs  
Deputy Registrar/Justice of the Peace/Solicitor of the High Court.

FRED BLOGGS  
12345  
Justice of the Peace  
New Zealand

FA1286\_DivMServic



# Affidavit of Identification by the Applicant

---



- The Court will request the applicant complete an **Affidavit of Identification** to verify the photograph used is a true likeness of the Respondent.



# Affidavit of Identification by the Applicant

**AFFIDAVIT OF IDENTIFICATION**

In the Family Court at Wellington Case\_Number

**APPLICANT**

..... MICHELLE ANDER GREEN ..... [full name]

..... 32 CLAW ST NELSON ..... [address]

..... COOK ..... [occupation]

**RESPONDENT**

..... DAMIAN TERESA BLACK ..... [full name]

..... RUSSELL LADSE TE KUMI ..... [address]

..... COOK ..... [occupation]

Affidavit of identification of *Michelle Anders Green* (applicant) in respect of service of application for order dissolving marriage or civil union

dated ..... [date affidavit sworn] .....

(Rule 127(3), Family Courts Rules 2002)

This document is filed by:

*(name and address, and, if filed by lawyers, the name and telephone number of the acting lawyer.)*

FA1268\_DistAffService

**Page 1**



# Affidavit of Identification by the Applicant

Case Number

I, Michele Andrea Green [full name],  
of 32, Shaw St, Nelson [address],  
COOK [occupation]  
being an applicant for a dissolution order swear (or affirm):

1. The person served with a copy of,  
Notice to Respondent dated 31 August 2018  
Single application for dissolution of marriage or civil union dated 1 April 2018  
Affidavit in support of application for dissolution of marriage or civil union dated 1 April 2018  
Information sheet

Was my spouse or partner, the respondent to this application

**AND**

I know this because:

2. The sample of ~~handwriting~~ gained on the Acknowledgement of Service from the person served is the handwriting of the respondent.

**OR**

2. The photograph of the person served is a photograph of the respondent.

(Please delete one of the section 2 options)

Sworn (or Affirmed) at Wellington [place], 5 October 2018 [date]  
before me:

[Signature]  
Signature of deponent

[Signature]  
Deputy Registrar  
(or Justice of the Peace  
or Solicitor of the High Court)

FRED BLUMHART  
12765  
Justice of the  
Peace for  
Now Zeland

IA1208\_DAM/Service Page 2



# Affidavit of Identification: Exhibit note

A

**PHOTOGRAPH OF RESPONDENT**  
Family Proceedings Act 1980  
Rule 127 Family Courts Rules 2002

Case\_Number

PHOTO OF

AFFIX PHOTOGRAPH HERE

DAMIAN  
TOBIAS  
BLACK

This is the annexure marked "A" referred to in the within affidavit of  
LINDA ROBERTS

Sworn/Affirmed Wellington at [place],  
30 September 2018 [date] before me:

Fred Bloggs  
Deputy Registrar/Justice of the Peace/Solicitor of the High Court.

FRED BLOGGS  
12345  
Justice of the Peace  
for New Zealand

FA1288\_DyMS/Service

As you are adding a **second exhibit** note to this document there may not be enough room on the front. Put it on the back in the right hand bottom corner and fold the corner in to show the exhibit note is on the back.

**EXHIBIT NOTE**

This is the attachment marked "A" referred to in the Affidavit/Declaration of Michelle Andrea Green

Sworn/Affirmed/Declared at Wellington

This ..... day of ..... 20 ..... Before me  
Signature Your signature

Stampie McStamp, JP12345  
**WELLINGTON**  
Justice of the Peace for New Zealand