

Factsheet 6

About the children's court – general information

This fact sheet will help you to understand some of the words you will hear at children's court

Care proceedings - court cases about children who have been removed by community services are called **care proceedings**

Children's court is the court where court cases about children take place

Care proceedings are always done as a **closed court**

Closed court means only people invited by the magistrate can go inside and listen to what is happening

If you want to have a support person in court you will need to ask the magistrate's permission. Your lawyer can do this for you.

Who has a say in care proceedings

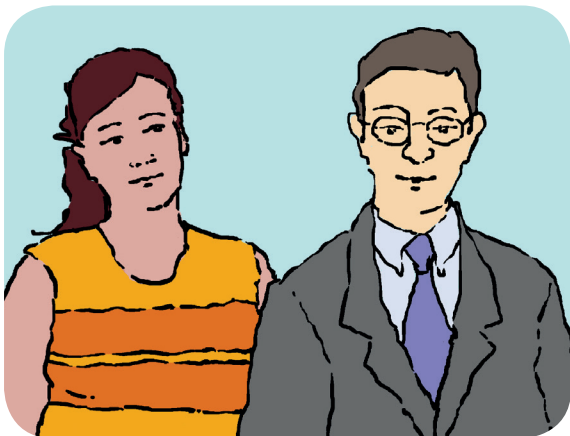
In care proceedings, the court gives certain people the right to have a say.

Each of these people is called a **party**

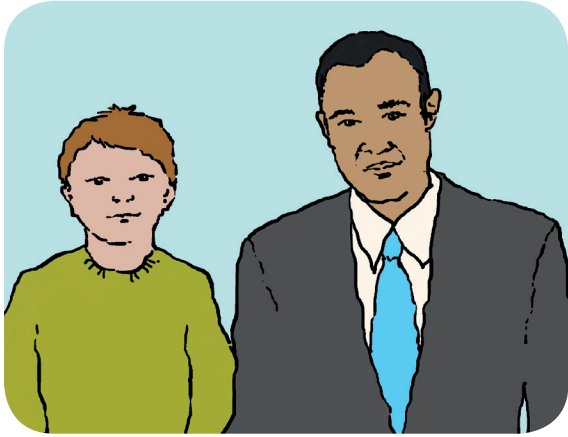
- Your child is a party
- You are a party
- Your child's other parent is a party
- Community services is a party

Each party has their own lawyer

Even if you and your child's other parent are on the same side, you will usually have your own lawyers



Your child will have their own lawyer



If your child is **younger than 12 years old**, their lawyer will tell the magistrate what the lawyer thinks is best for your child

This is called an **independent legal representative or ILR**

If your child is **12 years old or more**, their lawyer will tell the magistrate **what your child** wants to do

This is called a **direct legal representative**

Community services will also have a lawyer

Care proceedings are done in two stages

The first stage is called **establishment**

You can learn about establishment in **factsheet 9**

Stage 2 is called **placement**

You can learn about placement in **factsheet 10**

Your lawyer's job is to explain each stage and work out with you what you will do at each stage

This brochure was made by the **Intellectual Disability Rights Service**
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