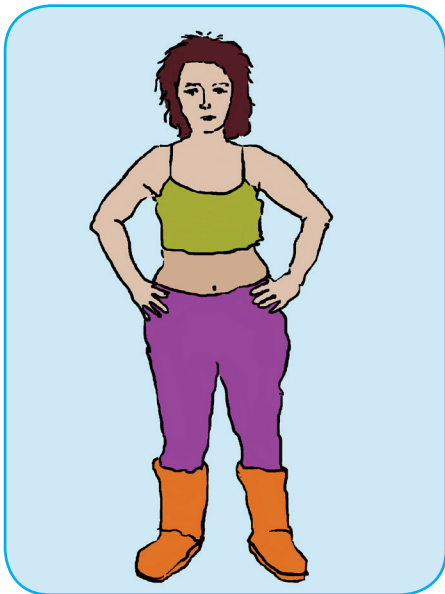


Factsheet 8

Your first day at court

Getting ready to go to court

- Bring your paper work
- Take something to eat and drink
- Take 3 months of bank statements and a centerlink income statement to show legal aid
- Dress smart - wear clean tidy clothing



When you get to court sit in the waiting area

A duty solicitor will call your name and speak to you before you go into court

Each court is different

The duty solicitor will tell you what you need to do at court

If you do not have a lawyer on the first day at court, the court will give you one.

This lawyer is called the **duty solicitor**

To read more about how to get a lawyer look at fact sheet 5

You will have to wait in the waiting area of the (Children's) court until you are asked to go into the courtroom.

You might have to wait a long time, it could take all day.

What will happen when I go into the court room?

When you go into the court room it is important to bow your head at the magistrate and then sit behind your lawyer

The magistrate is sitting at the high desk at the front of the court

The magistrate is the boss of the court

The magistrate's job is to decide what happened with your child at the end of the court case

Lawyers will be sitting at the middle table

There will also be court officers

One court officer will be recording what is being said

Another court officer will be looking after everyone in the court



The magistrate will ask who everyone is

If you have a support person, your lawyer will ask permission for them to be in the court

The magistrate will start by asking the Community Services lawyer what Community Services wants to happen

The magistrate will then ask the other lawyers what they want to happen

The magistrate will ask your lawyer what you want to happen

You **do not** have to speak in court

Your lawyer speaks for you in court

But if the magistrate asks you a question you can answer

What will the magistrate decide on the first court day?

On the first court day the magistrate will

- Say who will make decisions for your child until the court case is finished. This will usually be Community Services.
- Tell you how often you can see your child while the court case is happening. The court case could take 6 – 12 months to be finished. Seeing your child is called **contact**. To learn more about seeing your child read fact sheet 12
- Tell you what date Community Services has to give more information to the court
- Tell you when you have to reply to what Community Services says
- Tell you what date you will come back to court

What if I don't understand?

You might not understand everything that is being said in the court

That is ok

A lot of legal words are used

When you leave the courtroom your lawyer should explain everything to you

It is good to ask your lawyer to explain things that you do not understand

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

Telephone **02 9318 0144** or visit our website www.idrs.org.au/makingsense