

FACT SHEET

Your first day at court

Getting ready to go to court.

- Bring your paperwork
- Take something to eat and drink
- Take 3 months bank statement and a Centrelink invoice statement to show legal aid
- Dress smart – wear clean and tidy clothes



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**.

You will have to wait in the waiting areas of the children's court until you are asked to go into the courtroom.

You might have to await 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 the boss of the court.

The magistrate's job is to decide what happens 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 this 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 day of court?

On the first day the magistrate will

- Say who will make the decisions for your child until the course case is finished. This will usually be Community Services.
- Tell you how often you can see your child while the course case is happening. The court case could take 6 to 12 months to be finalised. Seeing your child is called **contact**.
- 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 okay. 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 fact sheet was made by IDRS

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