

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 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 they think 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**.

Stage 2 is called **placement**.

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

This fact sheet was made by IDRS

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