

# How do I prepare for court?



FAMILY VIOLENCE LAW HELP

[www.familyviolencelaw.gov.au](http://www.familyviolencelaw.gov.au)

## Before court

### Get legal advice



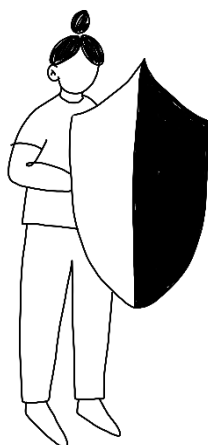
Try to get legal advice as soon as you can before you go to court.

You can get free legal advice from your local Legal Aid office, Family Advocacy and Support Service or community legal centre. Some private lawyers offer you a free first appointment if you ask.

You may be able to get a lawyer who either works for Legal Aid or is paid by Legal Aid to represent you in your case. Legal Aid will look at what type of case you have, how much you earn and what you own, like property or money, when it decides if they will pay a lawyer to handle your case. This is called getting legal aid.

You can get legal aid even if the other side, like your ex-partner, is getting legal aid too.

To find out if you are eligible for legal aid, contact your local Legal Aid office.

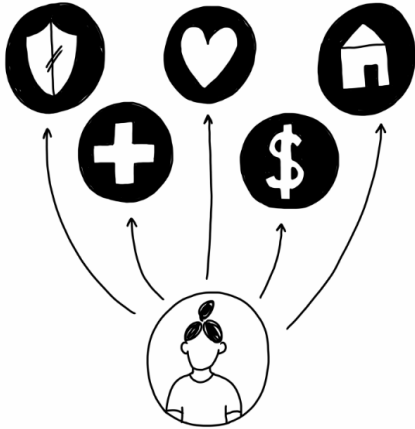


### Get a safety plan

If you are worried about your safety at court, the court can make safety arrangements for you. Before your court date, you can discuss your concerns with the court, your lawyer or your Family Advocacy and Support Service.

See [www.familyviolencelaw.gov.au](http://www.familyviolencelaw.gov.au) for more information.

## Get support



If it's your first time at court for a family law case and you aren't sure what to expect, contact your Family Advocacy and Support Service.

They have social and legal support to help you feel more prepared for court. They also have lawyers and support workers at some of the courts to help you on the day. Some courts also have other support services.

If you have experienced domestic and family violence you may also be able to apply for compensation or support through a victim's compensation scheme.

Each State and Territory have their own scheme, they each have different names and different laws about what support they offer, time-limits and who is eligible. You can get legal advice about this, or contact the victim's compensation scheme where the domestic and family violence happened.

## Make child care arrangements



The Family Courts generally don't have child care. Try to organise for someone to look after your children when you have to go to court.

If you are in Western Australia, there are some child minding services at the Family Court in Perth.

For more information, see the [Family Court of Western Australia website](#).

## On the day

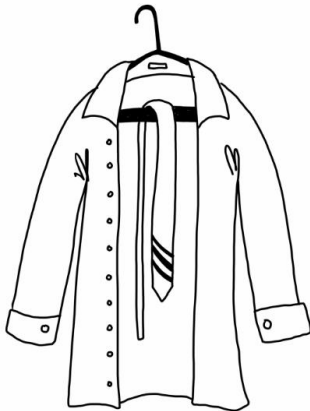


### What to bring?

Make sure you have all your documents organised and ready.

Bring a friend or family member as a support person if you want.

Take pens and a notebook so you can write notes.



### What should I wear?

You should dress neatly and tidily, like you are going to a job interview.

Don't wear a hat or sunglasses in the courtroom.

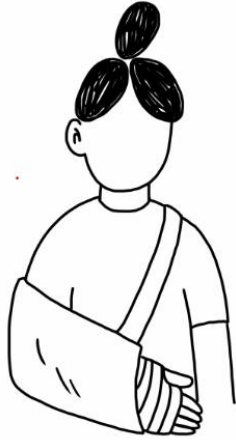


### When should I get there? How long will court take?

Try to get to court early so you can speak with your lawyer.

Be at least 15 minutes early and check which courtroom you are meant to be in.

Be prepared to be at court for most of the day. You may have to wait a while before your case is called. There may be other cases ahead of you.



## What if I can't make it to court?

It is very important to go to court. If you can't go for a good reason you must call your lawyer or the court and let them know.

If you are very sick and can't go, make sure you get a doctor's certificate to prove this.

If you don't go to court, they can go ahead with your case without you.



## What should I do when I arrive?

Let your lawyer know you have arrived so you can talk to them. If you don't have a lawyer, you can ask court staff if there's a 'duty lawyer' you can speak to.

Otherwise go to the courtroom and let the Court Officer know you are there. The Court Officer is usually near the courtroom before court starts to make sure people have arrived.

## What if I don't have a lawyer on the day?

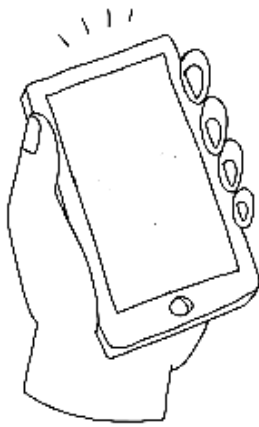
Some Family Courts have lawyers who can give you free assistance on the day about your case. They are sometimes called 'duty lawyers'.

They will not take on your case as your lawyer every time you go to court. They can help with legal advice and some urgent applications.

You don't need an appointment, but if you need legal help, you should arrive early on your court date.

For more information, contact your Family Advocacy and Support Service.





## What should I do when I go into the courtroom?

Turn your mobile phone off before you go into the courtroom.

If you want to, you can bow to the Judge as you enter and leave the courtroom. This is a custom that some people do to show respect for the court's role and powers

## How do I talk to the Judge?

If you need to talk to the Judge, call them 'Your Honour' and be polite.

If you have a lawyer, you will sit behind them in court and they will do the talking for you.

If you are representing yourself, stand up when the Judge talks to you, and stand up when you talk to the Judge. Stay seated when someone else is talking (like the other person or their lawyer).

Do not talk over the top of other people.



## My case has been adjourned – what does this mean?

Often when your case first goes to court, it will be adjourned. This means it will be postponed so a final decision can be made later. If this happens, the court may make interim (temporary) orders which usually last until a final decision is made or a new interim order is made.

You may have to go to court several times before your case is finished.

