

If your parents are going to Court

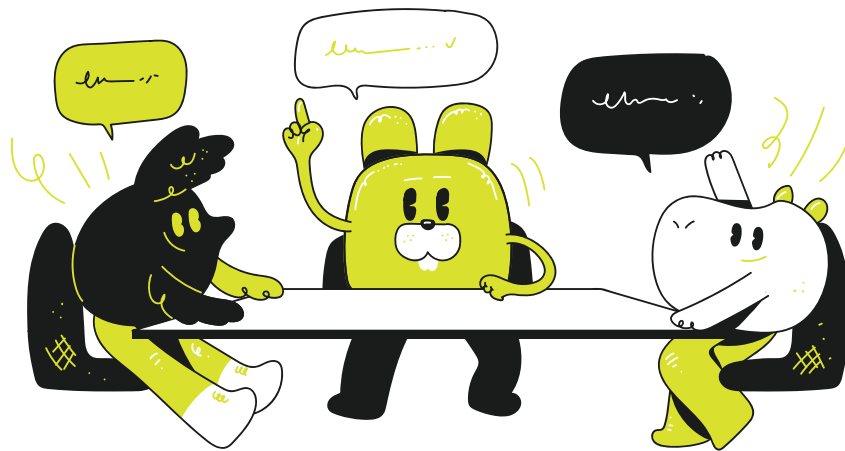
It can be hard for parents to work out how they will share your time with them. They might need to get some help from the Family Court.

And sometimes the Family Court can be a helpful place for parents to solve disagreements.

“My parents said they had lawyers who were helping them sort things out at Family Court. It was all a little confusing at first, but after they explained things a few times, and after someone from court spoke to me, I understood that other adults were involved to help them.”

11 YEAR OLD

Below, we'll share a little information on the Family Court: what it is, who you'll find there, and how they can help.



What is Family Court?

The Court is a space where everyone can be heard, and decisions can be made.

Most importantly, it has a judge who wants to hear how things have been going for **you**.

A judge is an adult with the power to decide how these disagreements should be worked out. They want to know how **you** are going and whether anything needs to change to make things better for you.

You might see a Child Expert or Independent Children's Lawyer who will talk to you about **how you are feeling** and **what you might like to see happen**.



What is a Child Expert?

Child Experts are people who work in the Court to help judges understand about families. They'll talk to you and your parents, then write a report for the judge.

If your parents can't agree, the judge will make a decision. And judges are often helped by the report from the Child Expert.

What is an Independent Children's Lawyer (ICL)?

An independent children's lawyer, often just called an ICL, is a specialist lawyer who speaks to the judge about a kid's best interests. It's their job to make sure your needs are most important when decisions are made about how you spend your time.

What do I do in court?

Court is a space where your ideas can be heard. Kids don't speak to the judge directly, but your Child Expert or the ICL will represent you and your ideas and needs to the best of their ability.

It's important that you feel comfortable to **say how you feel** during the Court process. **Your feelings matter.**

It's okay to let the lawyer or Child Expert know if you are finding it really difficult. Because it's their job to support you!

Do I have to be a certain age to decide?

Some families think that when a child turns 12 years old, they get to decide who they want to live with.

It's important to know this doesn't always happen.

It can depend on things like your family's situation or the ideas of the judge who's helping with the case.



What are Court Orders?

Court Orders (or parenting orders) are for your parents. They make it clear – for each parent – what they need to do after the separation, including:

- When to take you to see your other parent
- How much time you should spend at each home
- How to divide up special days, like Christmas and Birthdays
- And more.

Sometimes, parents don't always agree with the Court Orders. In fact, they may talk to you about what they don't like or what's wrong with them. But Court Orders are for parents, not kids – if there are any problems, parents can go back to court and ask for changes. It's not your responsibility and you don't need to get involved.

Top tips for the Court process

The Court process can be stressful. Here are some useful things to keep in mind while your parents are going through it.

<p>1. Remember your parents love you</p> <p>It might not always feel that way, but your parents are probably trying their best to make the right decisions for you.</p>	<p>2. It's ok to share openly</p> <p>The ICL or Child Expert is there to hear and tell the judge about your needs. It's ok to be honest about how you're feeling. Your parents won't be in the room and they don't have to hear the exact words you use to describe what you're feeling. It's important that the right people know what's going on so they can help your parents make the best decisions for you.</p>
<p>3. The Court is here to help</p> <p>Remember it's their job to represent your best interests. This might not always be exactly what you want to happen, but they will take what you share into account.</p>	<p>4. This isn't the final decision</p> <p>As you get older and your needs change, decisions about where and how you spend your time between homes can be altered.</p>



Learn more

The Family Court website has lots of great information and videos that can help you understand the process.

Information for kids:

- bit.ly/47dN9kc
- bit.ly/3QAZFDo
- bit.ly/3QXarVM

Click the links above or scan QR codes below:



If you want to talk about what has happened in your family – or about courts and lawyers – it can be helpful to chat with a trusted adult, a school counsellor or even one of our Anchor counsellors. **Find people who listen.**

You can call this free kids helpline any time day or night:
Kids Helpline 24/7 1800 55 1800

