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| --- | --- |
| **Our Ref:** | Phone:  Fax: |

**By Email:**

Dear

**Your Children's Court matter**

|  |  |
| --- | --- |
|  | **Born on:** |

Your matter is back in on at ]. **You must attend Court on this date.**

This letter is about your attendance at on .

**What Happened in Court**

Your matter was listed before Magistrate . appeared for Community Services, appeared for , and

appeared as the Independent Legal Representative “ILR” for

(the ILR represents the children’s best interests).

As you know Community Services filed a Care Plan for on

.

I gave you a copy of the Care Plan/s at Court. I asked the Court for some more time so that we could go through the Care Plan together.

Magistrate made the following directions/orders:

1.

**The Care Plan**

The next step is for the Court to decide the following:

1. Whether the children should come back into your care or not. This is called ‘restoration’;
2. Whether Community Services have made the right arrangements for the children. For example, who they will live with, how much contact they will have with you and other family members, how they will learn about their culture. This is called ‘permanency planning’.

Community Services have said in their Care Plan/s that they think they should keep making decisions for until turn 18.

This will mean that all decisions about long term care, welfare and development are be made by Community Services until turn 18. This includes decisions about where , what time spends with you and with other persons, as well as decisions about education and medical treatment.

The Care Plan proposes that you have supervised contact with times each year, for hours.

**Realistic Possibility of Restoration**

When the Court considers returning the children to your care, it must think about

’s circumstances. The Court must also think about the evidence that you can provide to show that you will be able to address the issues that led to

being placed into care, within a reasonable period of time.

If the Court thinks that returning to live with you would place them at an unacceptable risk, then the Court will decide that they cannot return to live with you. The safety, welfare and wellbeing of the children is most important to the Court.

I told you that you have started to do some positive things to work on the issues that led the children to being removed. You still need to do the following:



I told you that based on the things you have done so far, it is that that the Court will think it is safe for to come home.

**Contact**

If you want to ask the Court for more contact, then you will need to be able to show that you having more contact is in best interests. Usually when making decisions about contact the Court will look at things like:

* Why it is important for to have contact with you;
* If your contact visits are positive or negative;
* Whether you and live close or far away and whether it would be hard for you or the kids to visit each other;
* What other things will have on e.g. seeing their other family members;
* What the purpose of contact is, for example to prepare to come home;
* age;
* wishes.

**Changing Orders in the Future**

You can make an application to change the Orders at any time in the future. There is no guarantee that the Court will let you change the Orders.

You need to show the Court that there has been a *"significant change in your circumstances*" since the Orders were made. You can ask for changes to be made about living arrangements, contact and other things like cultural planning.

The Court also looks at these things when deciding whether to change the Orders:

*Most Important Things:*

* 1. What would be the least intrusive intervention in the life of the children and whether that would be in their best interests;
  2. The length of time that the children have been with their carer and whether these arrangements are stable;
  3. The wishes of the child or young person and how much weight these views should be given.

*Additional Things:*

* 1. Ages of the children;
  2. What you are asking for;
  3. Your plans for the children;
  4. Whether you have a good case;
  5. What the Court reports have said about how things are going.

**What Happens Next**

Please contact me on when you receive this letter to make an appointment to draft your response to the Care Plan.

On we will need to tell the Court whether you agree with the Care Plan or not.

If you have any questions please feel free to contact me on .

Yours sincerely

**Solicitor**

Encl. Care Plan/s