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

Dear

**YOUR CHILDREN’S COURT MATTER**

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

I am writing to you about our attendance in the Children’s Court at on .

**What You Told Me**

Before we went into Court I was able to talk to you about what was going to happen and you told me the following:

* You wanted the children to come back into your care;

**What I Told You**

I explained to you that I thought the Court was going to list your matter for a Final Hearing. I explained to you that a Final Hearing is when the Court decides what the long term arrangements for the children will be.

I explained that normally at a hearing, your case worker, your manager, you and any other important witnesses will give evidence and are asked questions by the other parties and by the Magistrate.

I also explained that the Magistrate would be looking at whether there was an ‘unacceptable risk’ to the children if they were to come home to you. The Magistrate also has to look at whether you are likely to have sorted out the issues that led to the kids being removed within a reasonable period.

I also explained to you that if the Magistrate decided that the kids couldn’t come home, that would write a judgement that said why your kids couldn’t come home and that this might say negative things about you. I said this might make it harder for you to get the kids back in the future.

**What Happened In Court**

Your matter was listed before . appeared for Community Services, appeared for , and appeared as the Independent Legal Representative (“ILR”) for . (The ILR represents the children’s best interests). I appeared on your behalf.

I told the Court that you wanted your matter listed for a Final Hearing to decide whether should be restored to your care.

The following directions were made:

1. Community Services must file updating material by ;
2. You must file the rest of your evidence by ;
3. Your matter is listed for a Compliance Check on  **at 9:30am. You need to attend Court on this occasion;**
4. Your matter is listed on  **at 10:00am for Final Hearing**. **You need to attend Court on this occasion.**

**What Happens Now?**

The next steps of your matter are all about preparing your matter for a Final Hearing.

I will now apply for an extension for a grant of Legal Aid for the Final Hearing. For you to be eligible, I have to be satisfied that you are likely to get a better outcome than what is in the Care Plan.

I am that you are likely to get a better outcome than what is in the Care Plan.

I will send you a copy of Community Services affidavit when I get it and we can go through this together. Community Services issued some subpoenas. A subpoena is a Court Order that requires an organisation (eg NSW Police, a Hospital etc) to send to the Court all the documents they have about a person or a child. We can also issue subpoenas. I think we should issue subpoenas.

You have one more opportunity to file evidence with the Court. Your Affidavit must be filed by . I will contact you for an appointment once we have the updating material from Community Services. We will also talk more about what will happen at the Final Hearing.

**Your Next Court Dates**

There are two Court dates that are important:

1. Compliance Check –  **at 9:30am**

On this date, the Court will want to make sure that everything has been filed and your matter is ready for a Hearing.

1. Final Hearing –  **at 10:00am**

It is very important that you make sure that you are available to come to Court each of these days.

**What Should You Do in the Mean Time?**

* You should continue to go to your contact visits with and ensure that those visits are positive for .
* You should keep going to see your drug and alcohol counsellor and make sure you finish your parenting course.

If you have any questions about anything during this adjournment period, you are welcome to call me on (02) .

Yours sincerely

Solicitor