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

The Principal

**By Email:**

Dear Sir/Madam

**Independent Representation of:**

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

**Proceedings No.**

I am the Independent Children's Lawyer for in family law proceedings between parents.

I understand that is currently attending your school.

My role as an Independent Children’s Lawyer is to represent the interests of the child/ren in family law proceedings. I enclose a copy of my Notice of Address for Service.

One of the functions of an Independent Children’s Lawyer is to gather information to present to the Court. This information will be used to help the Court make decisions in the best interests of the child/ren.

I would like to discuss a number of things relating to the child/ren with you or the relevant year co-ordinator. If the child/ren has/have had contact with the school counsellor, I would also appreciate the opportunity to speak with them.

I have attached a list of things which would be relevant for you to have on hand for our conversation.

Please contact me at your earliest convenience or arrange for the year co-ordinator and school counsellor (if relevant) to do so.

I look forward to discussing these matters by telephone with you shortly.

Yours sincerely

**Solicitor**

Encl.

**RELEVANT POINTS FOR DISCUSSION**

1. Attendance and presentation at school.
2. Compliance with homework requirements.
3. Academic progress.
4. Participation in extra-curricular activities.
5. Socialisation skills.
6. General demeanour and behaviour.
7. Any change in the child’s behaviour or concerns about emotional or psychological well-being.
8. Dealings between the school and either or both of the parents, and the parents’ participation in the children’s schooling.
9. Any other matters which you or the year co-ordinator consider relevant.

**ADDITIONAL CONSIDERATIONS**

Depending on the progress of these proceedings and the outcome of enquiries in relation to the above issues, it may also be necessary to issue a subpoena(1) for certain records held by the school. In that event, you will be given ample time to comply with the subpoena.

In some circumstances, it may be necessary to obtain an affidavit(2) from a child’s teacher or counsellor if information provided by them would be important to the court in making a decision that is in the best interests of the child. A teacher or counsellor who provides information in an affidavit may be required to attend the final hearing for the purposes of cross-examination(3).

(1) Subpoena - a document that compels a person to give evidence and or to produce documents in their possession to the court.

(2) Affidavit - a written statement confirmed by oath or affirmation, for use as evidence in court.

(3) Cross examination - the opportunity for the lawyer (or an unrepresented party) to ask questions in court of a witness who has testified in a trial.