

WHY DO I NEED A LAWYER?

A Resource for Parents written by Family Inclusion Strategies Hunter Peer Parent Expert

- Children's Court is a legal process, not a conversation.

Decisions are made using laws, rules, and evidence – not just what feels fair.

- Lawyers understand:

- Court rules and timeframes

- What evidence the court needs

- How to respond to what DCJ says

- What options are legally possible (and which aren't)

- Most of what happens in court is spoken through lawyers.

Without a lawyer, it can be hard to make sure your views are heard in the right way.

- DCJ will always have a lawyer.

Having your own lawyer helps balance the power in the room.

- A lawyer can:

- Explain court language in plain words

- Help you prepare affidavits and documents

- Speak for you in court

- Raise safety issues, including family violence concerns

- Help challenge information you believe is wrong

- Court can be overwhelming and emotional. A lawyer helps keep the focus on the legal issues so you don't have to carry everything alone.

- You are still in control. A lawyer gives advice, but you make the decisions. You can ask questions and take time to think.

Why It's Important to Communicate with Your Lawyer

- Your lawyer can only help with what they know. If you don't tell them something, they can't raise it with the court.

- Be honest, even about things that feel uncomfortable or hard to say.

Surprises in court can cause problems, it's better your lawyer hears it from you first.

- Tell your lawyer:

- What you agree with and what you don't

- What feels unsafe or unfair

- What matters most to you about your children

- Ask questions if you don't understand. Court language is confusing it's okay to ask for things to be explained more than once.

- If something DCJ says feels wrong or upsetting, tell your lawyer. They can help decide how and when to respond.

- If you are worried about your safety, family violence, or seeing someone at court, tell your lawyer before the court date.

- You don't have to agree with all advice straight away. You can ask for time to think and talk through your options.

- Ask your lawyer what the best way to communicate with them is

"I was embarrassed and scared of being judged, so I left things out. Later, when it came up in court, I wished I'd been honest from the start. Once I told my lawyer everything, they could actually help me."

"I nodded along because I didn't want to look stupid. When I finally said I didn't understand, my lawyer explained it properly. That's when I started to feel less lost."

“I thought my lawyer made the decisions. I didn’t realise I could disagree or ask for another option. Speaking up made me feel like part of my own case.”

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