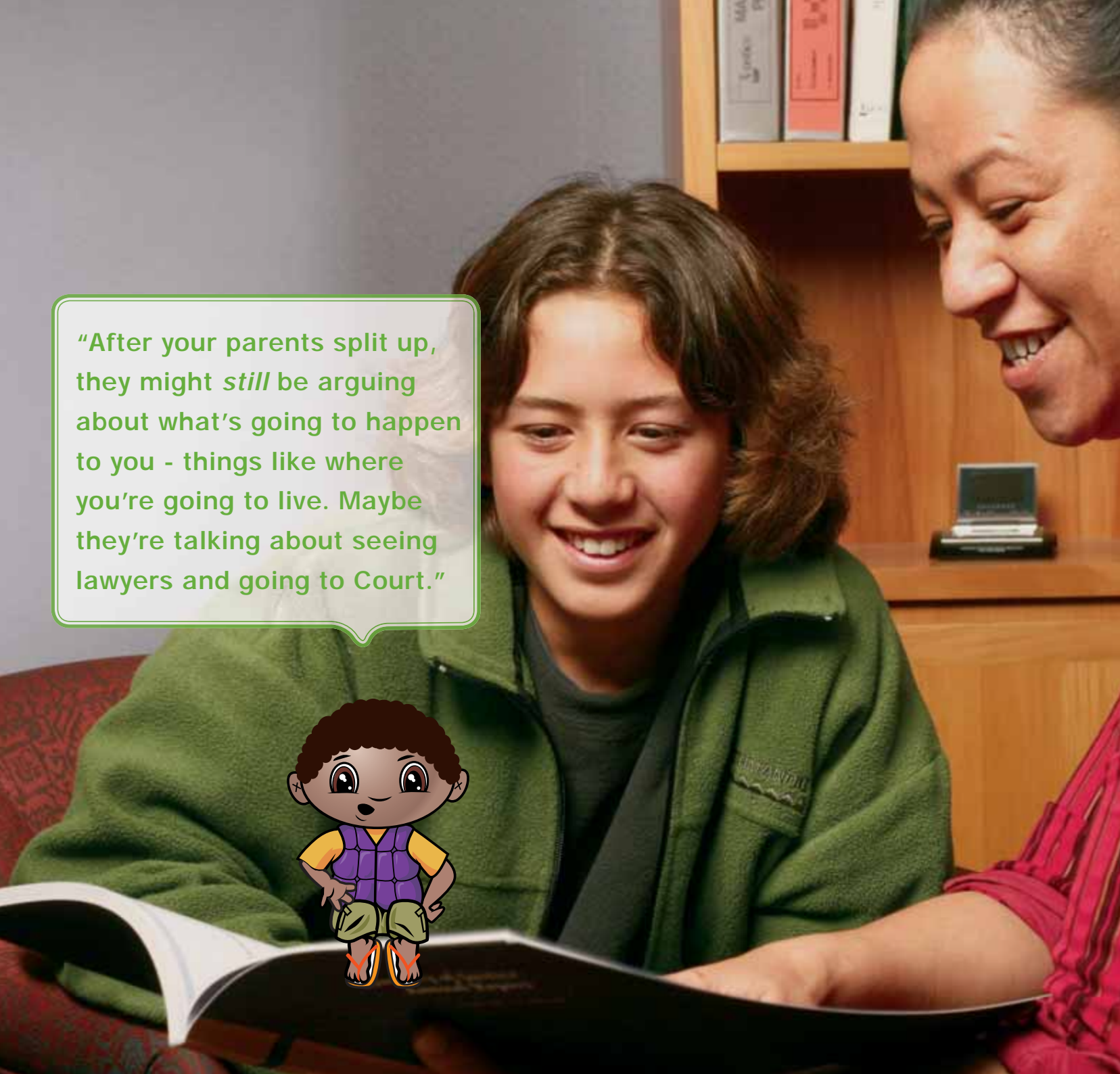


Children's Guide to
the Family Court

New Zealand Family Courts

How the Family Court works for you





“After your parents split up, they might *still* be arguing about what’s going to happen to you - things like where you’re going to live. Maybe they’re talking about seeing lawyers and going to Court.”



What goes on at Court



You won't have to go to Court, but what goes on at Court is **about you**. So, it's going to help if you understand what's going on.

This booklet tells you things like how the Family Court works, and why some people you haven't met before will ask you questions.

THE FAMILY COURT

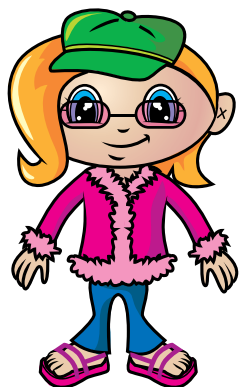
The Family Court is there to help if your parents can't agree on the best way of caring for you.

First the Court has some people to help your parents have another go at sorting out what should happen (they're called 'counsellors' and 'mediators').

If that doesn't work, a Family Court Judge will listen to what everyone thinks and then they'll decide what's best for you.

"You'll have your own lawyer to talk for you. This lawyer is called the Lawyer for the Child."

"Their job is to make sure that things work out for you in the best way possible."



LAWYER FOR THE CHILD

Your lawyer will talk to you and find out what **you** want to happen. Then they'll let the Judge know.

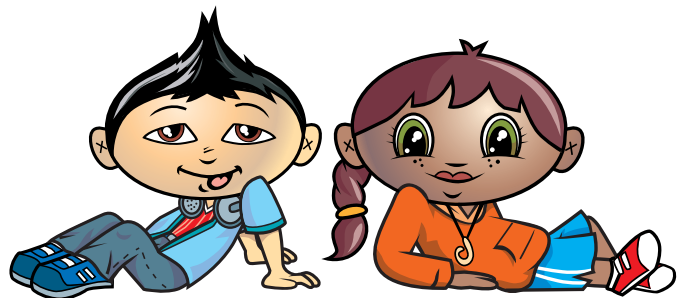
They may also talk to other people to find out things the Judge needs to know, people like:

- your whānau and family members
- your teacher
- your doctor
- a school counsellor
- a social worker



"It's been really neat having Stephen as my own lawyer"





MEETING YOUR LAWYER

Your lawyer will always meet with you. Some places you might meet are:

- home
- school
- your lawyer's office
- a public place like a playground

Your lawyer will probably set up the first meeting place. If you don't like where they've chosen, ask to choose the next place.

When you meet your lawyer they'll explain what's happening, **ask** you questions and **answer** your questions.

ANSWERING YOUR LAWYER'S QUESTIONS

Sometimes its hard to answer their questions and you don't have to if you dont want to. But the more you talk to your lawyer, the easier it will be for them to get it right for you. If you don't want to answer their questions, tell them why – maybe they can help.



"Tell them your thoughts and don't be scared to speak up. Because if you don't, they might not see things the way you want them to. Just tell them what you feel."

Your lawyer is there for you. Tell them what's going on and they'll be able to help you.



CHOOSING WHO TO LIVE WITH

You definitely don't have to choose who to live with. You have the right not to choose.

Don't say things just because you think your parents want to hear them.



HAVING A SAY ABOUT WHO YOU LIVE WITH

You have the right to say what you want to happen. Your views are important, but you don't have the final say.

WHAT IF YOU DON'T WANT TO SEE ONE OR BOTH OF YOUR PARENTS?

If you don't want to see one or both of your parents, tell your lawyer and explain why. The Judge might still think it's best for you to see both of your parents, and might say someone else has to be there with you.

You can talk about these things with your lawyer.

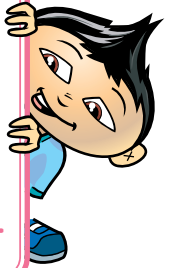


SEEING AN EXPERT

The Judge might want you to talk to one of the experts who helps the Judge make decisions. The expert will write a report for the Judge to help them understand what's important for you.

The expert could be a psychologist. Psychologists know about how children feel when their parents break up.

Don't be afraid to tell the expert how you feel and to ask them questions.



IF YOU WANT TO GO TO COURT

It would be unusual for you to go to Court.

Sometimes the Judge who is going to make the decisions about you will ask to meet you.

If the Judge doesn't ask for a meeting, but you'd really like to meet them, you can get your lawyer to ask.

Also, you can ask to go to Court to hear the Judge give their decision.



WHAT IF I'M NOT HAPPY WITH WHAT THE COURT DECIDES ?

You may be able to ask another Judge in a higher Court to look at your case. Talk to your lawyer.



IT IF GOES TO COURT HOW LONG WILL IT TAKE ?

It's different for each family, so ask your lawyer to let you know. If you think it's taking too long, tell your lawyer.

CAN THE ARRANGEMENTS CHANGE LATER ON ?

Yes, changes can be made later – talk to your lawyer about it.

CONTACTING THE FAMILY COURT

- they are listed under Justice Ministry – District Court in the Blue Pages of the phone book.
- ask to speak to the Family Court Co-ordinator.
- www.courts.govt.nz/family



www.justice.govt.nz/family