

# Family law – overview for kids

Anyone can talk to a lawyer for free at Tasmania Legal Aid.

To get free legal information call 1300 366 611, drop into our Hobart or Launceston office (no appointment necessary) or use the Legal Talk chat function on our website. We are open Monday to Friday, 9am to 5pm.

A lawyer can listen to your story and help identify the next steps you can take.

An explainer for children whose family is involved in a family law case.

## What is a lawyer?

A lawyer is someone who works for a person when they go to Court. Your lawyer is called an Independent Children's Lawyer. This means he or she helps the Judge and your parents to work out what is best for you.

## Why do they want to talk to me?

What you have to say is very important. The Judge will want to know what you think before he or she makes decisions about you.

## Do I have to talk to my lawyer?

No. It's your choice. You can say whatever you want to your lawyer (or nothing at all). Your lawyer will talk to you about what he or she will tell the Judge so that the Judge can make the best decision for you.

## When do I talk to my lawyer?

He or she will make sure you know how to keep in touch. Sometimes you may need to leave a message and your lawyer will call you back when they are free.

## What should I tell my lawyer?

Tell your lawyer as much as you can. This way they will get a really good idea of what you think. Everything you say will help your lawyer understand what is happening in your family.

## Will I have to talk to anybody else?

If the Judge can't decide what is best for you just from what the lawyer has told them, they may ask you to talk to a special person, like a social worker or psychologist, who will write a report to help them work out what is best for you. This report is called evidence.

## Who else will my lawyer talk to?

Your lawyer might need to talk to your teacher, to your counsellor if you have one, or anyone else who knows you and your family well.

This helps them collect information so the Judge can make the best decision for you.

## Do I have to tell my parents what I said?

No. You don't have to tell anybody else what you and your lawyer have talked about. Your parents will be told this too.

## Does my lawyer have to do what I tell them?

No. Your lawyer has to do what they think is best for you. But they tell the Judge what your views are even if your lawyer does not agree with them.

## Will the Judge do what I want?

The Judge will listen to what everybody in your family has to say. On the court day, your lawyer will be there to look after what is best for you.

The Judge will then carefully decide what is best for you. This does not always mean you will agree with his or her decision, but your lawyer can help you understand how the decision was made and why.

## Who will tell me what the Judge has decided?

The Judge will make a decision called a Court Order. Your lawyer will explain what this means for you. If you have any questions, make sure you ask them. They will then try to make sure things happen the way the order says they should.

## Can I keep in contact with my lawyer after a decision is made?

You can talk to your lawyer about whether you will be able to contact them after the case is over.

This is written for people who live in or who are affected by the laws of Tasmania, Australia. The law changes all the time – this information is not legal advice. If you have a legal problem, you should talk to a lawyer before making a decision about what to do.