



Preparing for a Family Report

What happens when the Court orders a Family Report?
FAMILY COURT OF WESTERN AUSTRALIA

This brochure will tell you

- How to prepare for a Family Report.
- What to expect during the interview process.
- How to prepare children for the report.
- What happens when the report is finished.

What is a Family Report?

When a person comes to the Court in relation to a parenting matter, the Court is asked to decide what is in the best interests of the children.

The Court may order a Family Report to help them make this decision if assessed as appropriate by the Family Consultant and the Judicial Officer (Judge or Magistrate).

Family Reports are usually prepared by your Family Consultant.

The Court will define the terms of the order to suit your situation. These terms form a set of instructions for your Family Consultant.

What happens?

The Judicial Officer will make an order for a Family Report to be prepared. The Family Consultant who conducted your Case Assessment Conference will arrange to conduct the interviews.

You will receive a letter from the Family Consultant advising of the dates and times that you and the children will be required to be interviewed.

The Family Consultant will usually see children together, to explain the process and then they will be interviewed individually. Following the interviews with the children, the Family Consultant may speak with you and in some cases, other carers about the interviews with the children.

What can I expect at my interview?

You will be interviewed separately from the other party. The Family Consultant will ask you questions about your family situation and the issues in dispute. You will get an opportunity to speak about the issues that you think are important to you and ask the Family Consultant any questions you may have.

Remember your interview with the Family Consultant is NOT CONFIDENTIAL

Any information you discuss with your Family Consultant may be reported to the Court

The interview is not structured, there are no set questions. The Family Consultant will ask questions about **your** family situation and the issues before the Court. You may also be given some feedback about the children and you may be invited to discuss this with the other parent.

The Family Consultant may ask questions about the relationship you have with the children, your former partner and your views about parenting.

You might find it helpful to:

- arrive at least 15 minutes before your interview time;
- put yourself in the children's shoes and try to think about what they need and want; and
- allow extra time to include possible discussions or negotiations with the other parent/carer.

How can I prepare my children for the interview?

Children often know there is a dispute between their parents. Coming to Court can be a stressful experience.

Explain to the children that they are coming to see a Family Consultant because the Court is interested in their views and wants to know what they think.

Encourage your child to speak freely. Children need to know that no matter what they tell the Family Consultant, you will support them and accept their input.

It is important that you do not pressure children to talk about what they said in their interview. However, they may wish to express how they are feeling and it is important you support them at this time.

DO NOT tell children that they will be allowed to choose how much time they spend with each parent. This decision is for the Court

What happens after the Family Consultant has written the report?

The Family Consultant may discuss the outcome of the interviews with you.

When the report is finished it will be sent to the Judicial Officer who ordered it:

- If you have a Lawyer, they will be sent a copy; they will give it to you.
- If you do not have a Lawyer, your report will be sent to you.

It is very important that you DO NOT discuss the contents of the report with children

Seek legal advice

You should get legal advice before deciding what to do. A lawyer can help you understand your legal rights and responsibilities, and explain how the law applies to your case. A lawyer can also help you reach an agreement with the other party without going to Court.

You can get legal advice from a:

- Legal Aid Office;
- Community Legal Centre, or
- Private law firm.

Court staff can help you with questions about Court forms and the Court process, but cannot give you legal advice

Personal safety

If you have any concerns about your safety while attending Court, please call 08 9224 8222 before your Court appointment or hearing. Options for your safety at Court will be discussed and arrangements put in place. By law, people must inform a Court if there is an existing or pending family violence order involving themselves or their children.

Need more information?

For more information about Family Dispute Resolution, or to find your nearest Family Relationship Centre:

- go to www.familyrelationships.gov.au ; or
- call the Family Relationship Advice Line on 1800 050 321, the line is open from 8:00am to 8:00pm Monday to Friday, and 10:00am to 4:00pm on Saturdays.

For more information about the Family Court of WA, including access to the legislation, forms or publications listed in this brochure:

- go to www.familycourt.wa.gov.au;
- call 08 9224 8222 or 1800 199 228; or
- visit the Family Court of WA registry.

Who else can help?

- **Legal Aid WA**
www.legalaid.wa.gov.au
1300 650 579
- **Community Legal Centres Association of WA**
www.communitylaw.net
08 9221 9322
- **Law Society of Western Australia**
www.lawsocietywa.asn.au
08 9322 7877
- **Aboriginal Legal Service of Western Australia Family Law Unit**
www.als.org.au
08 9265 6666 or 1800 019 900
- **Law Council of Australia – Family Law Section**
www.familylawsection.org.au
02 6246 3788

This brochure provides general information only and is not provided as legal advice. If you have a legal issue, you should contact a lawyer before making a decision about what to do or applying to the Court. The Family Court cannot provide legal advice.

The Family Court of WA respects your right to privacy and the security of your information.

V9 - 010610