

### **Advocates**

If you ask an Advocate to come with you to the first or subsequent hearings, he or she will help you understand what is happening and, if necessary, will explain your point of view to the Court. Your Advocate will not usually be with you during the interview with the Family Proceedings Adviser. Your Advocate can also prepare the necessary paperwork to assist the Court in coming to a decision.

If you have legal aid, it will probably pay for your Advocate's attendance. It is not essential to be represented by an Advocate. You can, if you wish, represent yourself.

### **Safety at Court**

If you have concerns about your safety from any person who may be in attendance at any Court hearing please let the Court or your Advocate know in advance. Arrangements can be made for you to sit separately and apart from that person (possibly in another part of the building).

If something happens while you are in the Court building and as a consequence you feel threatened or intimidated by the action of another person in the Court building, please tell any member of the Court staff as soon as possible.



## States of Guernsey Family Proceedings Advisory Service

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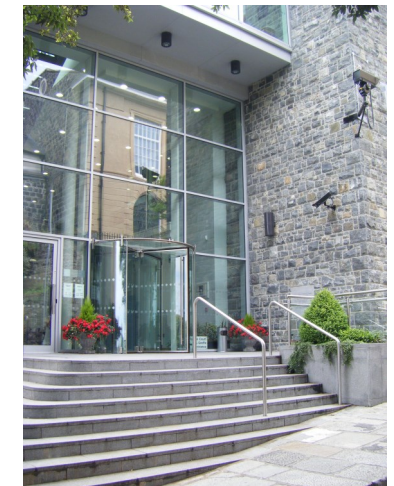


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## States of Guernsey Family Proceedings Advisory Service

## What happens in Hearings in the Family Court?



# Family Court

**YOU HAVE BEEN ASKED TO ATTEND A HEARING BEFORE THE FAMILY COURT AND THE PURPOSE OF THIS LEAFLET IS TO HELP YOU UNDERSTAND WHAT HAPPENS AT THAT HEARING.**



## **What is a hearing?**

A Court hearing, called a first hearing, or a review, directions or final hearing, has been arranged in connection with your application (or an application made by another person), regarding either yourself or your child. It is important that you attend this hearing, and any hearings the Court arranges thereafter, even if it was not you who made the application to the Court. This is because it is in the welfare of the child that you should be available to take part in decisions about that child's future.

This hearing will begin the preparation for final decisions about your child's future.

## **What is it for?**

The relevant Guernsey legislation says that the most important factor in deciding about arrangements for children is their welfare. The interests of the adults involved may have to take second place.

The Family Court will not make orders about children unless it believes the Order will benefit the children. The Court will first of all try and find a way to help the adults in the children's lives to agree the decisions for themselves by mediation. The Court expects the parties to have considered and tried mediation if appropriate, before making an application to the Court.



Many people do. The Court may be able to assist you to get that help.

Agreed arrangements are likely to be better for the children than arrangements imposed by Court Order. The Court expects you to try hard to reach agreement, however difficult that seems at the moment. You may need help to do this.

## **What will happen?**

At the first and any subsequent hearing, the Court will consider whether to appoint a representative of the Family Proceedings Advisory Service to assess the application before the Court. This means that the Family Proceedings Adviser will interview you and the other party or parties.

The Family Proceedings Adviser's job is to make recommendations to the Court on the application to help the Court make a decision about the children.

Sometimes, after talking to the Family Proceedings Adviser, parties are able to reach agreement and the application(s) need go no further.

In other cases, the Court may request that a formal written Family Proceedings Adviser's report be prepared, and will adjourn to a further timetabling and review hearing when it can be considered. Often, the report helps the parties to understand each other's point of view, and helps them to agree what is best for the children.

When agreement seems unlikely, the Court may decide that a full hearing is required. Even in these cases the parties can still come to an agreement by the time the hearing date arrives. At any final hearing you will be able to call witnesses who you think will assist the Court in coming to a decision on the application(s) before the Court.