

Preliminary Conferences in Care Proceedings

Fact sheet

What is a Preliminary Conference?

A Preliminary Conference is an informal, court-ordered meeting between you and the other people involved in your Children's Court Care matter, and is an opportunity for everyone involved in the matter to talk about the matter and try to reach a solution that resolves all or some of the issues. In this meeting, you can have your say.

Who can attend the Preliminary Conference?

Attending the conference will be: DoCS caseworker and his or her supervisor; the parents and their lawyers; other people who have been made parties to the care matter and their lawyers; the child/ren's lawyer, and depending on the age and maturity of the child/ren and the type of things to be discussed, the child/ren; support people (but only if everyone agrees); people who are not parties to the matter, like other family members or workers from private agencies, (but only if everyone agrees); and the Children's Registrar.

Who is the Children's Registrar and what is their role?

The Children's Registrar is an officer of the Court who runs the Preliminary Conference. Children's Registrars are not Magistrates or Judges. They are not there to make decisions about you or the case. The Children's Registrar will help everyone to talk about the matter and to identify the issues that are important to each of the parties and the case.

The Children's Registrar will encourage everyone to talk about the issues and to sort out what issues are agreed on and which are not agreed on. If everyone reaches an agreement that resolves all or some of the issues in the case, the Children's Registrar will help everyone to write down the agreement.

Why should you attend the Preliminary Conference?

You should attend because it is an opportunity to have your say. It is also a less stressful way to resolve your case out of court.

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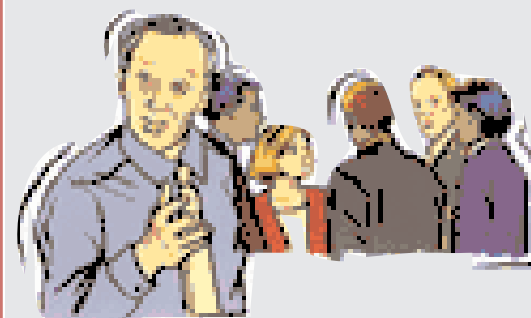
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How is a Preliminary Conference conducted?

Is a Preliminary Conference confidential?

What are some possible outcomes from a Preliminary Conference?



Preliminary Conferences

How is a Preliminary Conference conducted?

A Preliminary Conference is not like a court hearing. It is an informal meeting. It is a type of Alternative Dispute Resolution, designed to help everyone identify the important issues: issues that are in agreement and in those in disagreement.

You will be encouraged by the Children's Registrar to speak for yourself. However you are welcome to have your lawyer or support person speak for you if you feel uncomfortable speaking for yourself.

Everyone at the Preliminary Conference will have an opportunity have their say and to ask questions and to answer questions. If at any time during the Preliminary Conference you feel uncomfortable or would like a short break to speak with your lawyer, let the Children's Registrar know.

Is a Preliminary Conference confidential?

Yes. A Preliminary Conference is a type of Alternative Dispute Resolution, and things discussed therein are confidential.

This means that anything discussed cannot be used as evidence in court, unless everyone at the conference agrees. Preliminary

Conferences are confidential to encourage everyone to speak freely.

However, there are exceptions to the confidentiality, which the Children's Registrar will explain at the start of the conference.

What are some possible outcomes from a Preliminary Conference?

If everyone agrees on all the issues and settles the matter,

then the Children's Registrar will help you to write down the agreement. The agreement will be placed before a Children's Court Magistrate who can make

Final Orders based on the agreement if the Magistrate also agrees that the orders are in the best interests of the child or young person. **This will be the end of the case.**

If there is an agreement on only some issues, then the Children's Registrar will help you write down the agreement and the agreement will be placed before a Magistrate who can make Interim Orders based on the agreement if the Magistrate also agrees that the interim orders are in the best interests of the child or young person. **However, this will not be the end of the case.**

If there is no agreement at all or an agreement on only some issues, then the Children's Registrar will make a timetable for each party to file their evidence, and will give the matter a hearing date. The Hearing will be in front of a Children's Court Magistrate.

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