

Tips on Family Court and How to Work with Your Lawyer

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What do I need to know about Family Court?

Come to court EARLY. The doors open at 8:30 a.m. Usually you will have to wait on line to get in. You may have to wait again when you get inside. Bring a pen and something to read or do while you wait.



Try not to bring your children to court. If you must bring them, you can leave them in the Children's Center, but only when you are in the courtroom.

If you are coming to court and will be appearing before a judge, DRESS NEATLY. Do not wear shorts, flip-flops, or tank tops.

Who will be in the courtroom?

Other people will be in the courtroom when you are there. Other lawyers may be waiting there for their cases. Court officers will be there wearing uniforms with white shirts. Law clerks will be there to assist the judge. There might be a court stenographer (sten-AH-gra-fer) there to type everything that anyone says during your case. Sometimes machines are used to record everything instead. People connected to your case may be there, including a caseworker, a lawyer for the Administration for Children's Services (ACS), a lawyer for New York City, a lawyer for your child called a law guardian or attorney for the child, and a lawyer for the other party to your case. The people who are there will depend on what kind of case you have.

Am I allowed to speak in court?

When you are in a courtroom, you must remove your hat, be quiet, and show respect for the judge and the other people involved in your case. DO NOT INTERRUPT the judge while he or she is speaking. You will be given a chance to speak. (Sometimes it helps to write down the things you want to make sure you tell the judge.)

Can I give papers to the judge?

Sometimes. Many times the judge will read what you want to show him or her, but not always. If you bring papers that you want the judge to see, make sure they are neat and, if possible, have them typed. Bring copies for the other people involved in the case. Be sure to keep copies for yourself. You can also bring certificates to show the judge that you have completed programs, such as a parenting skills class, that may be related to the case.

How do I work with my lawyer?

It is important to get the most out of your lawyer. Find out the best time and place to call your lawyer in case you need to talk before your court date. Ask your lawyer if there are other ways to contact him or her, like an email address or fax number. Make sure your lawyer has a way to contact you. If you move, make sure to give your lawyer your new contact information.

Your lawyer is there to represent YOU. Everything you tell him or her is confidential. This means that your lawyer is not allowed to tell anyone - the judge, another lawyer, a person from ACS, or anyone else - anything you say without your permission.

More on how to work with your lawyer

Discuss your situation with your lawyer before making any big decisions about your case. Make sure you are comfortable with the decisions before agreeing to them. Ask for more time if you need it. Remember, you can make all of the decisions in your case. Your lawyer is there to assist you by giving advice and information, not by making the decisions for you.

What if my lawyer does not return my calls?

If you have problems with the lawyer the court gave you, you can ask for another one or hire a different lawyer. The court will not always give you a new lawyer. If your lawyer works for a legal services organization, you can speak to his or her supervisor.

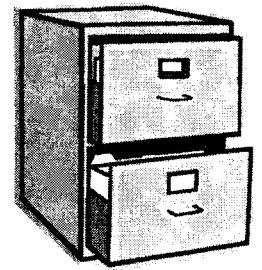


If your lawyer does not return your calls, and you need to give him or her information, you can try to use other methods, such as sending letters, emails, or faxes.

How do I work with other lawyers involved with the case?

There may be other lawyers in your case. A law guardian may represent your children. The other party to the case may have a lawyer. These lawyers are working for the parties they represent, just the way your lawyer is working for you. They do NOT have an obligation to you. The other lawyers are NOT allowed to speak with you about the case unless you and your lawyer agree that they can. Even your child's lawyer is not allowed to speak with you unless your lawyer is present.

Do I need to keep all of the papers involved in my case?



Yes. It is very important to keep copies of all of the papers you get from anyone involved in your case, especially the orders you get from the court.

If you have a **custody or visitation order**, or an **order of protection**, it is a good idea to make more than one copy. (An order of protection is a paper from a judge that makes rules about contact between people. For more information, see the LIFT guide, "Orders of Protection.") You may want to keep one copy of the order of protection in a safe place and carry one copy with you at all times.

It is also important that you keep copies of papers you give to your lawyer, to the court, to ACS, or to anyone else involved with the case.

Is there anything else I should keep?



For as long as you are involved in a Family Court case, it is a good idea to keep a record of all contact you have with ACS, agency caseworkers, or the other parent of your child. The best way to do this is to have one notebook where you write down what everyone involved said or did and the date when they said or did it. For example, if you are involved in a visitation case, you can use the notebook to write down the schedule for visits, as well as any agreements or problems you have with the other parent.

Also, you should keep copies of all letters you send. Write down the dates that you send anything by mail. You can also write down the dates you receive anything by mail.

Keep a record of all contacts you have with your lawyer in case there are any future problems.

How do I take responsibility for my case?

Make sure you understand exactly what every court order tells you to do, FOLLOW ALL COURT ORDERS. If you do not the court can make you pay a fine, send you to jail, or take other actions against you,

Never leave court without knowing what you need to do before the next court date, If ACS has removed your children, make sure you understand what you need to do to get them back,

Always call ahead of time if you have to cancel an appointment. Do this whether the appointment is with your lawyer, your caseworker, or someone else involved with your case, If you are going to be late or have not done what you were supposed to do for a court date, be sure your lawyer knows in advance,

Important things to remember:

- **Never sign any papers without reading them first.**
- **Talk with your lawyer before making important decisions.**
- **Ask someone to explain any information that you do not understand.**
- **Keep copies of everything you sign.**

This document should not take the place of a consultation with a lawyer: LIFTel/col/rage\ : all individuals, involved with the Criminal and Family Court Services, to consult with a lawyer.

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