

# **CHILDREN'S COURT OF NEW SOUTH WALES**

## **Standard Operating Procedures during Christmas/New Year period for the listing of Urgent Care and Protection applications at Parramatta Children's Court**

### **INTRODUCTION**

The purpose of this procedure is to outline the process and responsibilities of all agencies for the listing of urgent Care and Protection applications during Christmas period from 25 December 2020 until 8 January 2021.

The aim of these procedures is to ensure consistency in decision making and access to legal practitioners with experience in Children's Court care proceedings.

Where an application for an emergency care and protection order under s46 of the *Children and Young Person's (Care and Protection) Act 1998* (the Care Act) or a care application is made following the removal or assumption into care of a child or young person under s45 of the Care Act the application is to be listed at Parramatta Children's Court on a weekday that is not a public holiday during the Christmas/New Year period.

Legal practitioners may appear by video conference provided they have obtained adequate instructions from their client.

### **REGISTRY PROCEDURES**

1. Parramatta registry will receive the application and list the application at Parramatta Children's Court at 10.00am
2. If the application is filed with the Parramatta registry by 3pm, the matter will be listed the next day. If the application is filed after 3pm it will be listed the day after next.
3. On Wednesday 30 December the Parramatta registry will list all applications filed up until 4.30pm the next day to minimise the delay in the application being heard before the Court
4. The Parramatta registry will create the matter on JusticeLink.
5. The Parramatta registry will provide a sealed copy of the application back to the CSC for them to serve the other parties
6. Once the matter is heard, the Parramatta registry will outcome the matter and forward any orders to parties and upload the papers to JusticeLink if necessary.

### **COMMUNITY SERVICE CENTRES PROCEDURES**

The following procedures need to be followed by Department of Communities and Justice Community Service Centres (CSCs) that file applications.

1. Attach the signed application and email it to the Parramatta Children's Court registry [childrens.court@justice.nsw.gov.au](mailto:childrens.court@justice.nsw.gov.au)
2. The Parramatta registry will process and seal your application and return a copy to your mailbox. The Parramatta registry will create the matter on JusticeLink.
3. Once the CSC receives a sealed copy of the application they will email a copy of the application and bundle to the DCJ Litigation team that is responsible for allocation for their area.
4. The DCJ litigation team will email the caseworker and the manager casework the details of the lawyer that will look after the matter.
5. Email a copy of the **application only** to Legal Aid and Aboriginal Legal Service. Also include contact details for the parents and the child if the child is over 12 years of age.
6. Legal Aid and Aboriginal Legal Service will arrange legal representation for the parents and the children. However DCJ must still serve the parents with the application

## **OTHER ARRANGEMENTS**

Children's Courts may seek to amend these procedures or adopt local practices only after consultation with DCJ – Child Protection, Legal Aid, Aboriginal Legal Service and local panel practitioners, all of whom may be impacted by any change.