



# ALS

Aboriginal Legal Service (NSW/ACT) Limited

## GETTING TO COURT

- Tips for getting the best outcome -

**IF YOU HAVE A COURT DATE  
YOU MUST GO TO COURT**



### PHONE ALS

**CRIME 1800 765 767**

**CARE & PROTECTION**

**1800 733 233**

**[www.alsnswact.org.au](http://www.alsnswact.org.au)**

## CHECKLIST

### One week before your court date

- RING THE ALS AND UPDATE YOUR CONTACT DETAILS
- CONFIRM THE DATE AND TIME OF YOUR COURT CASE
- GET YOUR PAPERS TOGETHER THAT YOUR SOLICITOR HAS ASKED FOR
- ORGANISE TRANSPORT FOR YOUR COURT DAY
- ORGANISE LEAVE FROM YOUR WORK FOR YOUR COURT DAY
- ORGANISE BABYSITTING OR A CARER FOR YOUR COURT DAY
- DO ANYTHING ELSE THAT NEEDS TO BE DONE SO YOU CAN GET TO COURT, ON TIME, ON YOUR COURT DAY

## IF YOU CAN'T GO TO COURT ON YOUR COURT DATE, YOU MUST HAVE A VERY GOOD REASON.

A very good reason usually means something happened to you that would not normally happen, that stopped you getting to court. The court decides if your reason is a good enough reason.

### EXAMPLES OF 'VERY GOOD REASONS'

- I have to attend a close family members funeral on the day of court
- Someone close to me passed away on the day of court
- I have a Medical Certificate showing I am too sick to travel
- I am a Carer for someone who is seriously ill and has been taken to hospital on the day of court
- I live in a remote area that was flooded and it blocked all transport



### If you can't get to court AND you have a very good reason,

#### DO THE FOLLOWING 1-2-3 STEPS:

1. Ring the court and tell them you can't come.
2. Ring your Solicitor and tell them why you can't come. Your Solicitor will explain your situation to the court.
3. Get evidence to prove to the court you really could not attend court that day. Like, get a Medical Certificate, or a funeral document.



### EXAMPLES OF 'NOT Very Good Reasons'

I woke up too late • I am sick with a cold • I don't feel like going to court • I forgot court was on • I don't want to take a day off work • I ran out of money • There's a funeral on



### IF YOU DON'T GO TO COURT and you don't have a Very Good Reason for not going to court, THERE ARE SERIOUS CONSEQUENCES:

#### For Criminal Cases:

- The court can issue a warrant for your arrest. The Police can pick you up any time and take you to court.
- The court can find you guilty of the offence you've been charged with, even if you're not there, and you can be sentenced for that offence, even if you are not guilty.
- You could be charged with a new offence of 'Failing to Appear' in court.
- Failing to Appear in court will be added to your criminal record. If you get a warrant for your arrest, or a 'Fail to Appear' charge, it will make it more difficult to apply for bail in the future.

#### For Care and Protection Cases:

- your children may be removed for your care without you having a say
- orders may be made about your children that you do not agree with
- your children may be placed in foster care without you having a say
- your contact to your children may be reduced without you having a say