# Taking instructions from children in the Family Division of the Children’s Court – checklist

When taking instructions from a child in the Family Division of the Children’s Court remember to:

* avoid leading questions
* tell them who you are
* explain your role
* explain confidentiality
* ask them who are the important people in their life
* ask if they identify as Aboriginal or Torres Strait Islander
	+ if yes, explain they have a right to enjoy their culture and ascertain how or if the child is maintaining that culture
* assess capacity and general comprehension level (see capacity checklist)
* ask who they want to live with and why
* explain and get instructions about proof and disposition (if the reports are available)
* explain and get instructions about any conditions
* confirm the instructions, including any confidentiality issues
* apply for aid (no financial details required for children in the Children’s Court)
* ask if they have any questions before they leave
* make sure they understand how to get in touch with you.