

Preparing for Court

Going to court often causes feelings of anxiety and fear. The tips below will help you ease your nerves if you need to attend court.

Visit the courthouse before your first court date

Ask a trusted family member, friend or support worker to visit the local courthouse with you before your first court date. This can help ease your anxiety about logistical matters such as where to park, where to enter, how security works (if your courthouse has a secure entrance), how to find the courthouse directory, where the washrooms are located, etc. You may also find it helpful to sit in a courtroom and watch other hearings before your court date. You can ask the courthouse information desk which courtrooms are dealing with family matters. Most court hearings are open to the public.

Plan to arrive early

On your court date, leave your home with lots of time to spare. Take into account transportation time, parking, going through courthouse security (if your courthouse has a secure entrance) and finding your courtroom. If you want to talk to a family court counselor or duty counsel lawyer before your court appearance, leave extra time as the wait time can be long if there are lots of other people who also need help.



Every courthouse will have either an electronic or paper directory listing the names and locations of all of the cases scheduled for the day. Look for your last name to find your courtroom. You can also ask at your courthouse information desk.

Familiarize yourself with courtroom etiquette

There are special rules that you need to follow when you are in a courtroom:

- Do not eat or drink in the courtroom. You will be asked to throw away any food or drink you bring into the courtroom with you.
- Turn off your cell phone and any other electronic devices (tablets, laptops, etc.).
- Remove your hat or sunglasses. Dress appropriately - try to wear clothes similar to what you would wear to a job interview.
- Stand when the judge enters or leaves the courtroom. Do not interrupt the proceedings or speak to the judge until your matter is called.

For more information about courtroom etiquette:

- Watch a short video produced by Pro Bono Law Alberta: pbla.ca/get-legal-help/courtroom-videos/
- If your matter is in **Provincial Court**, visit: albertacourts.ca/pc/resources/going-to-court

Talk to a family court counsellor or duty counsel

Family court counsellors are available throughout Alberta if your matter is being heard in Provincial Court. They can provide you with information about the court process and talk to the judge on your behalf.



Be aware that family court counsellors may offer to help you and your partner or spouse reach a resolution outside of court. If you have left an abusive relationship, it is not recommended that you use this method of resolution. **Tell the family court counsellor right away if you experienced any form of abuse in your relationship.**

For more information about family court counselling services, call the Government of Alberta's **Resolution and Court Administration Services**. For more information, call 1.855.738.4747 or visit alberta.ca/family-court-assistance.aspx

Duty counsel are lawyers provided by Legal Aid Alberta in many courthouses throughout Alberta. If you need legal advice before you appear in court, duty counsel can help. However, they cannot provide you with full legal representation - if you require more help than they can give, they may advise you to apply for legal aid or hire a lawyer. To see if duty counsel services are available in your area, call Legal Aid Alberta at 1.866.845.3425.

Check in with the court clerk when you arrive

Before court starts, enter your courtroom and tell the court clerk who you are. The court clerk sits at the front of the courtroom and has a list of all the cases being heard that day. If you are going to seek help from a family court counsellor or duty counsel lawyer, tell the clerk where you are going.



If you arrive late and court has already started, do not check in with the court clerk until your name is called or there is a break in the court proceedings.

Arrange for child care

It is a good idea to arrange for child care the day of your court appearance. It will be less distracting for you and will help you focus on your case. If you have experienced domestic violence, you may not want your children to hear details of what happened.

Bring a support person

Ask a trusted family member, friend or support worker to attend court with you. This is particularly important if you have any anxiety or fear over seeing your abusive partner or spouse in court. If you feel unsafe at any point, talk to any courthouse security member.

Be prepared to tell your story

Before your court appearance, think about what you want to say. Be clear and concise and try to remain strong emotionally. Make sure you have all of your documents with you, as well as a pen and paper. If you are unsure of what to say, it is important to talk to a lawyer before you appear in court.

When your case is called, go to the front of the courtroom. Stand when you speak to the judge. Introduce yourself by your first and last name. Tell the judge briefly what you have applied to court for help with - for example, child support, parenting order, protection order, etc. If you have a lawyer or family court counsellor helping you, they will usually speak on your behalf.



Speaking to the Judge: If your case is in Provincial Court, call the judge “Sir” or “Ma’am”. If your case is in Court of Queen’s Bench, call the judge “My Lord”, “My Lady”, “Mr. Justice”, or “Madam Justice”. Always remain standing when speaking to the judge.

Be prepared to hear another side of the story

If you have experienced domestic violence, it will likely be very difficult for you to be in court with your abusive spouse or partner. Prepare yourself for the story that they will tell the court, as it will likely be entirely different from yours. Do not interrupt, make faces, or roll your eyes. Try not to be confrontational or sarcastic. Remain seated while the other side is speaking. You may have a chance to talk to the judge again to challenge the evidence that you disagree with.

Be prepared if the judge decides against you

Do not argue with the judge, even if the decision they make is not what you had hoped for. If you are unsure what the judge decided, you can ask for clarification. If the judge made any orders, they will be typed up and mailed to the address you provided the court. In some cases, you may be able to get the order in court that day - ask the judge and court clerk if you urgently need the order.

Further information

If you are planning to represent yourself in court, read our booklet **Families and the Law: Resolving Family Law Disputes**, available for free online: www.cplea.ca/publications

Government of Alberta - Resolution and Court Administration Services may be able to help you with your family law matters by connecting you with appropriate assessment services. For more information on services available, call 1.855.738.4747 or visit alberta.ca/rcas/asp

Legal Aid Alberta - Family Court Duty Counsel can provide you with brief legal advice and information about the court process on the day of your first court appearance. For more information about duty counsel services in your area, call Legal Aid Alberta at 1-866-845-3425 or visit www.legalaid.ab.ca/help/Pages/Duty-Counsel-Legal-Assistance-at-Court.aspx

Lawyer Referral Service is operated through the Law Society of Alberta. You will be provided with the names and telephone numbers of up to three lawyers practicing in the area of law that best suit your needs. The first 30 minutes of conversation is free but lawyers are not expected to give legal advice for free. Call 1-800.661.1095 or visit lawsociety.ab.ca/public/lawyer-referral

Community and Student Legal Clinics may be able to provide you with brief legal advice including answering any questions or concerns you have about the court process. Visit lawcentralalberta.ca/clinics for a list of clinics across Alberta.



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You should not rely on this information sheet for legal advice.