# Child protection case strategy

This template may be used for cases in the Family Division of the Children’s Court, updating at each stage of the court process.

## Case information

To be updated as the case progresses

### Application before the court

| **Type of application / additional application** | **Applicant** | **Date** | **Grounds** |
| --- | --- | --- | --- |
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|  |  |  |  |

### Parties

| **Role (highlight client)** | **Name** | **DOB** | **Information** |
| --- | --- | --- | --- |
| Protective worker |  | n/a | [email address and phone number] |
| Child 1 |  |  | [who living with, lawyer & lawyer’s contact details] |
| Child 2 |  |  | [who living with, lawyer & lawyer’s contact details] |
| Child 3 |  |  | [who living with, lawyer & lawyer’s contact details] |
| Mother |  |  | [lawyer & lawyer’s contact details] |
| Father |  |  | [lawyer & lawyer’s contact details] |
| Other party |  |  | [role, lawyer & lawyer’s contact details (or their contact details if no lawyer] |
| [add extra person as relevant] |  |  |  |

### Agreed facts and issues

| **Agreed content source** | **Agreed content** |
| --- | --- |
| What facts in the application report dated [insert date] are agreed |  |
| What legal issues in the application report dated [insert date] are agreed |  |
| What facts in the recommendation report dated [insert date] are agreed |  |
| What legal issues in the recommendation report dated [insert date] are agreed |  |
| What facts in any other report are agreed [provide name and date of report] |  |
| What facts in any other report are agreed [provide name and date of report] |  |
|  |  |

### Issues in dispute – proof of the application

| **Factual issues source** | **What is disputed? On what basis?** |
| --- | --- |
| What allegations in the application/other report dated[insert date] are relevant to proving the grounds/protective concerns | [details of client's instructions, legal analysis of client's instructions vs evidence and allegations, and details of the advice you have provided]  [Re proof overall - how can the client’s instructions be framed to demonstrate that they are in the best interests of the child?] |
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### Issues in dispute – recommendations / disposition

| **Factual issues source** | **What is disputed? On what basis?** |
| --- | --- |
| What allegations in the application or recommendation report dated [insert date] are relevant to the appropriateness of the recommendation, including each condition | [details of client's instructions, legal analysis of client's instructions vs evidence and allegations, and details of the advice you have provided]  [Re opposing the order / conditions - how can the client’s instructions be framed to demonstrate that they are in the best interests of the child?] |
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### Grant of aid (including extensions)

| **Date application / extension processed / requested** | **Applicable guideline** | **(adult clients only) satisfaction of state reasonableness test** |
| --- | --- | --- |
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|  |  |  |
|  |  |  |

### Reports

| **Author** | **Date** | **Type of report** |
| --- | --- | --- |
| DFFH Application Report – [author's name] |  |  |
| DFFH Recommendation Report – [author's name] |  |  |
| DFFH Addendum Report – [author's name] |  |  |
| Children’s Court Clinic Report – [author's name] |  |  |
| Expert report – [author's name] |  |  |
| [add extra report as relevant] |  |  |
| [add extra report as relevant] |  |  |

### Other evidence (own witnesses)

| **Witness name** | **Relationship with client** | **Brief summary of evidence** |
| --- | --- | --- |
|  |  |  |
|  |  |  |
|  |  |  |

## Confirmation of reassessment of case strategy

Complete this section to confirm that the case strategy has been reconsidered or updated before each relevant stage

| **Type of hearing** | **Date** | **Changes to case strategy** |
| --- | --- | --- |
| Conciliation conference |  |  |
| Readiness hearing |  |  |
| Directions hearing |  |  |
| Final contest |  |  |

**Note:** This case strategy document should be included in any brief to counsel when counsel has been briefed.