

Frequently asked questions

What questions will the other lawyer ask?

Cross examination can be wide ranging. It will be relevant to the case. Try not to be defensive. Don't take questions personally. Try to relax and only testify to what you know.

How much time will this take?

Ask the Social Worker how long you should expect to be at court. Be prepared that it may take longer than anticipated. It might even be delayed or adjourned.

Who pays for relief while I am at court?

Talk to your child's Social Worker. This should not come out of your relief money.

Can someone come with me for support?

Yes, but please, no children. It should not be someone who might be called as a witness. Discuss with Social Worker or lawyer ahead of time.

Must I appear if I am called to Court?

Yes. Foster Parents are agents of the Director and therefore must attend court as required.

Can I bring my notes to court to refer to?

Discuss this in advance with social worker and lawyer.

Other hints?

- Wear comfortable but professional clothing.
- Bring a snack or a book for while you are outside the courtroom. Put these away when inside courtroom.
- Bring something to write on. You may have questions to discuss later.
- Remember the children you are helping.
- Try to see the "big" picture. You are a small part of a larger case.

For more information

If you have any questions about your notice to appear in court, your testimony, or anything else to do with the case, talk with the child's social worker or Ministry lawyer.

Have You Been Called to Court?

What Every Foster Parent Should Know



This brochure was developed by the
Okanagan Foster Parents Association



**Okanagan
Foster Parents
Association**

Your role as a witness

- Being a witness is not difficult. You have some important information that will help the judge come to the right decision.
- A little preparation and the willingness to honestly answer questions is all you need.

Preparing for court

1. Think about the events you witnessed. Try to remember details like dates, times, descriptions, actions and exact words.
2. Log books and notes, if requested, should be submitted to the Social Worker at least 30 days prior to trial.
3. Ask your Social Worker to arrange for you to see the Ministry lawyer if this would be helpful.
4. You may find it helpful to go to the courthouse before your court date to watch what happens in family court. Most trials are open to the public.

The day of the trial

1. Check the list of trials in the lobby area of the courthouse to find your particular courtroom.
2. Remain outside the courtroom until you are called. *Do not discuss your evidence with other witnesses.
3. Be prepared to wait. Ask a friend or relative to wait with you, or have a book ready to help pass the time.
4. Leave children at home.
5. Turn off your cell phone, before entering the courtroom.
6. Don't park at a meter. Use a lot or parkade, so you won't have to be worrying about plugging the meter.

In the courtroom

1. When it is your turn to testify, you will be called and shown to the witness box at the front of the courtroom.
2. The court clerk will ask you to swear to tell the truth on a bible or you can request the option to affirm to tell the truth.
3. You will be asked to say your name and spell it. If you are asked to state your address and would prefer not to state it in public, simply tell this to the judge.
4. The Ministry lawyer will question you first. The lawyer for the other side will then "cross-examine" by asking you additional questions. The judge may also ask you questions to clarify your evidence.
5. Judges should be addressed by a polite "Your Honor" .

Giving evidence –Do's and Don'ts

Do:

- Ask for an interpreter if you find understanding or speaking English difficult. Speak to the lawyer well before the trial. He will arrange for an interpreter.
- Stick to the facts. Answer only what is asked. Keep your answers short.
- Say only what you know. Yes or no answers are fine. If you do not understand a question, ask that it be repeated or rephrased.
- Be comfortable with silence. You don't need to fill it by talking
- Speak clearly. The microphone in front of you only records your voice . It does not make it louder.
- Address the judge, not the lawyer, not the family.

Don't

- Don't rush! Consider each question before you respond. If you are feeling rushed, take a deep breath and try to slow things down by taking your time..
- Don't guess. If you are not sure about an answer, simply say so. Don't volunteer more information than what you are asked for.
- Don't give your opinion unless it is asked for.
- Don't repeat what someone else told you unless specifically asked.

Witnesses who are well prepared and truthfully tell the court what they know have little difficulty answering questions about their evidence. After you have given your evidence and are excused by the court, you are free to leave if you choose to do so.

Other Tips:

- Observe proper dress code. Dress as if you were going to a job interview.
- Come early to find where you are going.
- Take your time and try to relax.
- Be serious, polite and professional at all times.

For more information about your notice to appear in court, your testimony, or anything else to do with the case, talk with the child's Social Worker.