

What will happen on my court day?

“What time do I arrive and how long will I be there for?”

Your Court Attendance Notice (CAN) usually tells everyone to be at court at **9.30am**.

It is difficult to know exactly what time you will be seen in court and you will need to wait until the Magistrate is ready to deal with your case.

You should be prepared to be at court until **4pm** if necessary. Don't make any other plans for that afternoon in case you are still at court.

“What happens when I arrive at the court building?”

You will go through the court security as soon as you enter the court building. This is similar to airport security.

The security point at the entrance to the court will have some or all of the following:

- A court sheriff and security officers
- Metal detectors that you walk through
- A scanning machine that you put your bags through

Make sure that you don't take anything into court that is not allowed, such as any **weapons, glass bottles, scissors, tools, syringes** or **drugs** for which you don't have a prescription. You may be charged with a criminal offence if you have accidentally left an item in your bag, such as a pocket knife.

If you have a medical reason that you cannot go through a scanner, tell the officer at the door and they can check you using a hand-held wand instead.

“What should I do when I first arrive?”

The process when you first arrive varies between courts. Some courts require everyone to register upon entry and then you will be told where to go.

Other courts have a list on the wall in the foyer with your name and which courtroom to go to.

If you have a lawyer, they will tell you where to meet them at court and where to wait.

If you don't have a lawyer, you should wait in the public gallery inside the courtroom.

If the courtroom is busy, the court officer might ask you to wait outside the courtroom. The court officer will call your name when the court is ready for you.

“Can I get legal advice on the day of court?”

Some courts have a Legal Aid NSW **duty lawyer** who can give you advice before you go into court.

Some courts do not have a duty lawyer and you will need to get legal advice before the day of court.

You can call LawAccess NSW on **1300 888 529** to find out what to do at the court you are going to.

Look for signs to the Legal Aid NSW office as soon as you arrive. The Legal Aid office sometimes has a piece of paper on the door for you to write your name on.

The lawyer speaks to people on the list, roughly in the order they have written their name down.

Ask the lawyer for legal advice and for an application form to find out if they can represent you in court.

If you can't get legal advice before your court appearance, you can ask for your case to be delayed.

You do this by going into the call-over court and asking for an **adjournment** until you can get legal advice.

“What should I do if I’m feeling stressed and anxious about going to court?”

It’s understandable to feel anxious, nervous, agitated or even angry about having to go to court.

However, you should behave in a polite and respectful manner at all times. You should call the Magistrate **‘Your Honour’** and stand when spoken to by a Magistrate.

If you are feeling nervous, you could try the following:

- Having a supportive friend, family member or other support person accompany you at court.
- Calling a support person on the phone while waiting to go into court.

Make sure you are still listening for your name in case the court officer calls you into court.

The court has a 20-minute break for morning tea and an hour’s break for lunch. This is when you can go outside for some fresh air or a brief walk around the block.

Some courts have support services such as chaplains or therapy dogs that you can access if you need to. You can ask at the Court Registry office if there are any support services at the court.

If you have never been to court and want to know how it all works, you could sit in the public gallery of the court on another day to watch what happens and see how the court works.

“What happens if I’m running late or don’t turn up?”

The court expects you to arrive by **9.30am**.

If you are running late, call your lawyer to let them know.

If you don't have a lawyer, call the NSW Courts Service Centre on **1300 679 272** to let them know and then get to the court as soon as possible. The NSW Courts Service Centre is open Monday to Friday, 8.30 a.m. to 4.30 p.m. (excluding public holidays).

When you arrive, check the court list on the wall to see which court you should be in, go into the courtroom and quietly tell the court officer you have arrived.

If you do not turn up to court at all, the Magistrate may make a decision about your case without you being there or they may put your case off (adjourn it) until another day. The Magistrate may also issue a bench warrant for your arrest, which means the police will look for you, arrest you and bring you to court.

If the Magistrate believes you may fail to attend again, they can send you to prison to wait for your court matter there. Any failure to attend goes on your court record, reducing any chances of receiving bail in the future.

If you missed your court date, call the NSW Courts Service Centre on **1300 679 272** to find out what happened and what you should do.

“What happens if I am too sick to go to court?”

If you are sick you will need to get a medical certificate from a doctor to prove that you were too sick to attend court. The court will require the doctor to email or fax the medical certificate to the court. You can find the email address of the court [here](#).

“What do I do after my court appearance?”

If it is your first time in court for this offence, you will have pleaded either 'guilty' or 'not guilty' or asked for an adjournment.

If you have pleaded 'guilty' the Magistrate may have sentenced you that day or you may have to come back on another day for sentencing.

If you have pleaded 'not guilty' or asked for an adjournment, you will need to come back to court on another date as advised by the Magistrate.

If you pleaded guilty, make sure you understand the sentence and the next steps. Talk to your lawyer if you have one. If you don't have one, you can talk to the court officer or the court registry to understand what happened in court.

You may have to collect papers or sign documents after your court appearance. These documents might be AVO documents, a fine, a Good Behaviour Bond or other Order imposed by the Magistrate. These documents will be explained to you when you sign into them at the Court Registry. If you are not sure if you have to collect or sign anything after court, you can check with staff at the Registry.

“What happens if I get a prison sentence?”

If you get a prison sentence you will usually be taken straight to prison from court.

Most people will initially go to a correctional centre (prison) that takes people straight after court. These are sometimes called reception correctional centres. The ones that people often go to in Sydney are:

[Metropolitan Remand and Reception Centre \(MRRC\) at Silverwater](#)

[Parklea Correctional Centre](#)

If there is no space at a correctional centre, you will be held temporarily in the court cells close to the court.

There are court cells at **Albury, Batemans Bay, Dubbo, Lismore, Moree, Newcastle, Port Macquarie, Queanbeyan, Surry Hills, Wagga Wagga and Wollongong.**

For information on preparing for prison see CRC website [here](#).

CRC's Court Support Scheme is funded by the Community Legal Centres Program administered by Legal Aid NSW