

**MAGISTRATES COURT OF WESTERN AUSTRALIA  
CIVIL JURISDICTION  
FACT SHEET 22**

**PREPARING YOURSELF FOR COURT**

*This fact sheet sets out information on rules and etiquette of the Court.*

For the Court to operate in an effective and efficient way, it is essential that everyone appearing before the Court behave in a courteous and orderly manner. This fact sheet sets out information on rules and etiquette of the Court. The following guidelines are provided to assist you with the Court process.

**Attending Court**

Be punctual if you are a party or witness. The Court has a very busy schedule, so you must be on time for your case. If you are late, your case might be heard in your absence or a warrant may be issued for your arrest.

If you receive a notice to attend a hearing and you are aware of a risk to yourself or others in relation to the matter, you should contact the Court at which you are required to attend.

**What should I bring to Court?**

Bring all documents that you might need for your case.

Should you wish to tender exhibits other than paperwork/documentation, please ensure you comply with the requirements of Practice Direction 1 of 2012 that applies to all exhibits. This can be located at [www.magistratescourt.wa.gov.au/\\_files/practice\\_direction\\_1\\_2012.pdf](http://www.magistratescourt.wa.gov.au/_files/practice_direction_1_2012.pdf)

**Can the Magistrate or Court staff help me with my case?**

The Magistrate cannot speak to you about your case, except when your case is being heard and when the other party is there.

The Court staff will help you in any way they can, **but staff cannot give you legal advice or make recommendations about what you should do.**

Please assist Court staff by providing any information that they request, as this will ensure that the Court runs effectively and efficiently.

<b>How should I dress for Court?</b>	The Court does not require any particular style or standard of dress but it is expected that you dress in a way that is appropriate for the occasion.
<b>How should I address people in the Courtroom?</b>	<p>Address the Magistrate as “Your Honour”, or “Sir” or “Madam”.</p> <p>Address others only by their titles and surnames, including lawyers, witnesses and Court staff.</p> <p>Stand when the Magistrate speaks to you and when you speak to the Magistrate. Speak only to the Magistrate except when questioning witnesses.</p>
<b>How do I present my exhibits (documents) to the Court?</b>	All documents or items being tendered to the Court must be handed to the Magistrate’s judicial support officer who is located at the desk directly below the Magistrate.
<b>Do I need to stand when the Magistrate enters the Courtroom?</b>	Yes, you must stand when the Magistrate enters or leaves the Courtroom. Everyone who enters or leaves the Courtroom while the Court is in session is expected to bow to the Magistrate.
<b>Conducting the case</b>	<p>The Magistrate is impartial and therefore cannot advise you how to conduct your case. If you are in doubt as to the correct procedure, you may seek the Magistrate’s directions.</p> <p>Avoid unfavourable remarks and resentment towards anyone before the Court.</p>
<b>Court witnesses</b>	<p>Question witnesses while standing in your place. You must ask permission to approach a witness who is giving evidence.</p> <p>Witnesses may be directed to wait outside the Courtroom while the evidence of other witnesses in the case is being heard.</p> <p>The Court will always attempt to reduce inconvenience to parties and witnesses, but some delays are unavoidable.</p>
<b>Can I do a demonstration?</b>	Do not conduct an experiment or demonstration without permission.

<b>Weapons</b>	You may not bring any firearm, knife, or offensive weapon into a Court building without permission.
<b>Equipment</b>	If you need special equipment for your case, for example a TV monitor and video cassette player, you must advise the Court staff in advance.
<b>Smoking, eating and drinking</b>	Eating and drinking (other than the water provided) is not permitted in Courtrooms. Smoking is not permitted anywhere in Court buildings.
<b>Mobile telephones</b>	Mobile telephones must be switched off before entering a Courtroom.
<b>Cameras, videos or sound equipment</b>	No photography, video or sound recording equipment may be brought into Court buildings unless you have permission.
<b>Laptop computers</b>	There is no policy that prevents the use of laptop computers in Courtrooms. However, the presiding Magistrate's permission should be obtained before such equipment is used.

***This is a guide only. The content is subject to change. If you are unsure about any of the information in this fact sheet, contact your nearest registry or seek legal advice.***