



# Ongoing intervention: Make an application for care and protection orders flowchart

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DCP case worker assesses in consultation with their supervisor that care and protection orders are required to protect the child or young person from harm or risk of harm and/or to enable examination or assessment  
Refer to the [DCP Assessment Framework](#).

FGC appropriate → DCP case worker considers referring all matters for a family group conference (FGC). Consider whether safety for the child or young person can be achieved through valid decisions made at a FGC.  
FGC not appropriate →

DCP case worker makes a referral for an FGC  
For further guidance, refer to [Refer for a family group conference](#) in the Ongoing intervention chapter of the Manual of Practice

DCP case worker conducts a reunification assessment  
Assess:  
• The likelihood of reunification occurring  
• If reunification is likely, the period within which reunification is likely to occur  
Document the outcome of the reunification assessment in the child or young person's case plan and in the report in support of the application for care and protection orders.

DCP case worker consults with a recognised organisation (for Aboriginal and Torres Strait Islander infants, children and young people)

DCP case worker prepares court documents and forwards to the Crown Solicitor's Office (CSO) for filing within required timeframes  
Complete:  
• CSO instruction letter  
• report in support of application  
• child or young person's [case plan](#) (inclusive of contact determinations and ACIST/CALDIST)  
• consultation with a recognised organisation (for Aboriginal children and young people) and/or DCP Multicultural services (for children and young people from CALD backgrounds)  
Include:  
• child or young person's birth certificate  
• reports, assessments and test results.

CSO solicitor files court documents within [required timeframes](#)

DCP case worker arranges service of sealed court documents on the parents/guardians and the child or young person (where appropriate) three clear business days before the first hearing and completes an affidavit of service  
Make and document all reasonable efforts taken to locate parents or guardians. Consider using a process server where required. Complete an affidavit of service and arrange for a Justice of the Peace to witness the affidavit. Upload the signed and witnessed affidavit to C3MS.

Documents unable to be served → Consult with CSO about seeking dispensation of service

Support the child or young person's participation in court processes  
• Assist the child or young person to meet with the child representative  
• Assist the child or young person to present evidence during Youth Court proceedings (where appropriate)  
• Consider the specific needs of Aboriginal and CALD children and young people and those with additional needs (including developmental delay or disability) and advise the Court so that appropriate arrangements can be made  
• Seek advice from a PAC, DCP Multicultural Services or relevant professionals where required.  
Support the child or young person's parents/guardians' and family's participation in court processes  
• Ensure parents/guardians have accessible information about the Youth Court and DCP's reasons for seeking orders  
• Ensure parents/guardians are actively engaged in case planning  
• Ensure parents are aware of hearing dates and have the means to attend court  
• Encourage parents or guardians to seek legal representation (provide the CSO's list of legal practitioners specialising in child protection)  
• Consider the specific needs of Aboriginal and CALD families (for example, using interpreters, attending with a support person) and those with additional needs (including disability) and advise the Court so that appropriate arrangements can be made  
• Advise the Court of parties needing to attend remotely (for example, if they are in a regional location or incarcerated)  
• Seek advice from a PAC, DCP Multicultural Services or relevant professionals where required.

DCP case worker and/or supervisor attends first hearing (as needed). Youth Court issues interim orders if required.  
Confirm attendance requirements with the CSO solicitor. Provide the CSO with additional information or documents as required. Assess potential risks of individuals' attendance at Youth Court and advise the CSO, who in turn will submit a risk assessment form to the Youth Court Registry as required.

Supervisor attends pre-trial conference  
Note, DCP case worker may not attend if they are appearing as a witness

Subsequent mentions → DCP case worker prepares and files addendum reports and any additional documents (as required by the CSO)

YOUTH COURT refers the matter to the [Reunification Court](#) at any point during the court process

Matter proceeds to trial → DCP case worker prepares for trial  
Attend informal proofing if required by CSO. Request trial support from Court Services and Liaison team where required.

Youth Court convenes subsequent hearings  
Prepare and file addendum reports and any other relevant documents within the required timeframes. Seek advice from the CSO solicitor where required.

DCP case worker presents evidence at trial  
Youth Court issues interim orders as required. Provide evidence regarding case work assessments and provide CSO with addendum reports or other information as required.

DCP withdraws or the Youth Court dismisses the application

Youth Court grants final order  
Take action to give effect to court orders.

To be read in conjunction with [Make an application for care and protection orders](#) in the Ongoing intervention chapter of the Manual of Practice