

When your son is dealing with marital separation, try to persuade him to avoid lawyers, if possible. Mediation services are now mandatory prior to going to Family Court because they are far more likely to resolve issues, avoid escalating hostilities and achieve workable parenting arrangements.

Unfortunately, when your son's ex refuses to cooperate in mediation or goes through the motions and then ignores any agreements that have been reached, your son is still likely to end up in court. It is most unfortunate that many lawyers see these compulsory mediation sessions as simply an inconvenient step on the way to court and hence encourage their clients not to stick to agreements.

But there are circumstances where it is important, where possible, to get good legal representation for your son.

- If your son is facing a legal battle, inform yourselves. Read up on what is likely to be involved, read about similar cases, get used to the legal jargon. Here's a useful [website](#), a layman's guide covering all areas of Australian law.
- If your son is facing false allegations, read current legislation in your state to understand how the relevant crimes are defined. What constitutes sexual assault, assault, domestic violence, stalking. With sexual assault, understand what consent means and the circumstances where consent may be withdrawn or not given.
- If you can afford legal representation, find someone quickly because he must not make any statements or admissions that could be used as evidence against him later.
- Shop around for the right lawyer. Ask people for recommendations, check out reviews. Ask them for their views about bias against men.
- Question his lawyer's advice. Tell them if he isn't comfortable and seek other opinions – change lawyers, if necessary.
- If your son can't afford a lawyer, find out about legal aid in your state. If a legal aid package is available sometimes you can persuade a decent lawyer to use that and represent your son.
- Attend court hearings to get a feel for what it is like to be in a court room. That will make it less daunting when it happens.
- Talk to the Clerk of the Courts for an understanding of court procedures if he is not legally represented.

### Self-representation

It is quite possible to self-represent in family and magistrates court – and many men who lack the funds for legal help have no choice but to do this. But to achieve effective results this requires a huge amount of effort, careful reading and gathering evidence. This is extremely difficult if your son is also trying to hold down a job and deal with all the emotional stress of this legal battle.

One of the best sources of help for men in this situation that MOS mothers have found is on the McKenzie Friends website. See this [link](#). Here is one example from their section on getting prepared:

*“The first thing to do is contact family relationship centres and get parent “counselling”. Start a parenting course. Get the certificate. It's also vital for properly preparing you for a Family Report. If you don't speak the language family professionals use, and you don't acquire some new, higher skills for this new situation, you*

*can easily end up with a negative evaluation, resulting in limited supervised access instead of what could have been full shared parenting. Yes, the difference can be that great.”*

And here is some of their advice about the dangers of seeking counselling during a family law battle:

*“Do not talk to psychologists, psychiatrists or a GP about your feelings. They can only help you if they give you a “diagnosis” as in mental illness diagnosis which will be recorded, which can and WILL be subpoenaed by your ex to prove you’re bat-shit crazy and dangerous and she needs sole parental responsibility, etc.”*

The MOS mothers have not assessed the paid membership McKenzie Friends Club – a new feature designed to help men self-represent - but much of the free advice on the site makes a lot of sense.