FAMILY COURT OF THE STATE OF DELAWARE

SUPPORT PERSONS

What is a support person?

A support person is an individual whom the Court may allow to accompany a litigant into a private Family Court hearing. A support person provides moral and emotional support to the litigant. Many types of hearings within Family Court are handled privately. This means that members of the general public are not permitted to be present during private hearings. The Court understands that participating in a hearing can be stressful for a litigant and that the use of a support person in private proceedings can be helpful to the litigant and the Court.

Please note that the following case types are open to the public: protection from abuse proceedings, criminal cases, delinquency proceedings, and child support hearings. Because these cases are open to the public, you are welcome to have a support person with you and do not need to make a special request to the Court.

Who can be a support person?

A support person may be a friend, relative, or any person at least 18 years of age who can provide you moral and emotional support. A support person cannot be someone who will be called as a witness in the case. If a support person attends any portion of the hearing with you and you later decide to call that person to testify, the judicial officer may not allow him or her to testify.

What is expected of a support person?

While a support person is present to provide moral and emotional support for the litigant, the support person may not act as an advocate for the litigant or attempt to influence or prompt the litigant. Although the support person may hear distressing evidence, it is important that the support person remain calm throughout the hearing. The support person must also understand that he or she may hear sensitive information during the proceeding and that all information is to be kept confidential.

The support person will be permitted to sit in the gallery, which is behind the tables at which the parties will be seated. However, if a party is not represented by counsel, the Court may allow the support person to sit with the party at the table.

At the hearing, the support person will be required to read and sign the Acknowledgement and Guidelines for a Support Person (Form 611). The guidelines explain the Court's expectations and the confidential nature of the proceedings. Please note that the Court may order the removal of a support person due to security reasons, courtroom decorum (including if the support person is prompting or attempting to influence the litigant) or in the interest of justice.

How do I request to have a support person accompany me to my hearing?

A request to have a support person accompany you can be made on the day of your hearing by making an oral request to the judicial officer at the beginning of your hearing. You may also make an oral request during your pretrial conference. Whether you make your request on the day of your hearing or during your pretrial conference, you will be asked the name of your support person and whether you expect to call him or her as a witness. Please note that the other parties to the case will have an opportunity to respond to your request.

Related Form:

Form 611 – Acknowledgement and Guidelines for Support Person

All forms can be found on the Family Court Website.

Family Court Contact Information

New Castle County	Kent County	Sussex County
500 NORTH KING STREET WILMINGTON, DE 19801 (302) 255-0300	445 SOUTH GOVERNORS AVENUE DOVER, DE 19904 (302) 672-1000	100 EAST MARKET STREET GEORGETOWN, DE 19947 (302) 855-7400

For more information, visit the Family Court webpage or scan the QR code.