

This guide sets out some sources of advice and support for those who are involved in Family Court proceedings.

Do I need a lawyer (solicitor or barrister)?

Legal advice and assistance from a qualified lawyer is usually helpful and recommended, however you are not required to obtain legal advice. You can make an application and attend court yourself without legal representation. People who are involved in court proceedings without lawyers are known as litigants in person.

What is the difference between a solicitor and a barrister?

A solicitor is usually your first point of contact if you have a legal problem. Sometimes solicitors refer work to a barrister for specialist advice or to represent you in court. Solicitors can also represent you in court.

It is possible for you to contact some barristers directly, without going to a solicitor first. Contact the Bar Council for further details, see **Useful contacts**. Solicitors and barristers have to follow a code of conduct, which means that there are rules about their

responsibilities and what you can expect from them. Solicitors are regulated by the Solicitors Regulation Authority. Barristers are regulated by the Bar Standards Board.

How can I find a solicitor or barrister?

See Useful contacts at the end of this guide for details of organisations which can help you find a solicitor or barrister.

How much do lawyers cost?

You may be able to obtain legal aid to cover your legal costs and lawyers' fees. To find out further information see **A guide to family law legal aid**.

If you have to pay for your legal costs, you will need to ask the lawyer for cost information as their charges vary. Most lawyers charge an hourly rate for the time they spend on the case. It is likely that you will also have to pay VAT.

At the start of your case your lawyer should provide you with an hourly rate and an estimate of what your costs are likely to be. Your lawyer should keep you updated if the cost estimate

changes, and provide you with regular bills so you can keep track of your costs.

Some solicitor firms and barristers charge fixed fees if they are only required to do specific pieces of work, in order to save costs. This may suit you if you are able to conduct most of your case yourself but need a lawyer to do particular pieces of work – such as drafting particular documents, providing advice on specific issues or representing you at a hearing.

Some people fund their legal expenses by taking out a loan. You should obtain independent financial advice before obtaining a loan.

What if I am not eligible for legal aid and I cannot afford to pay a lawyer?

If you cannot access legal aid and you cannot afford solicitor fees, you may be able to obtain some free advice from:

- **Our family law advice lines.** We provide telephone advice for women on all aspects of family law.
- There may be other advice lines that can provide advice on your specific issues. Some of these are listed in the **Useful contacts** section at the end of this guide.
- **Your local Citizens Advice.** Citizens Advice provides free, independent, confidential and impartial advice to everyone on a range of issues.

- **Your local Law Centre.** There are Law Centres across England and Wales providing advice, casework and representation.
- **The Bar Pro Bono Unit.** The Bar Pro Bono Unit is a charity which helps to find free legal assistance from volunteer barristers once your case is in court. You will need to be referred to them by another organisation.

You can find contact details for the above organisations in the **Useful contacts** section at the end of this guide.

This guide provides a general overview only, so there may be other sources of support and advice that have not been mentioned which are local to your area or specific to your issues.

McKenzie Friends

If you do not have a lawyer then you can take one person who does not need to be legally qualified with you into the court to sit alongside you and provide general support (for example, a friend). That person is known as a McKenzie Friend.

You will need to ask the judge for permission to allow the McKenzie Friend to assist you. Requests for such assistance should only be refused for compelling reasons, and the judge must explain those reasons fully to you and your proposed McKenzie Friend.

A McKenzie Friend can sit with you, take notes, provide suggestions to you, and help you organise documents. A McKenzie Friend will not be allowed to speak on your behalf to the judge or the other party's lawyer unless they obtain special permission from the judge.

Generally, a McKenzie Friend will be somebody you know. There are organisations and individuals who offer services as McKenzie Friends either free of charge or for a fee. Please be aware however, that they are not regulated and may not be legally qualified.

The Personal Support Unit

The Personal Support Unit (PSU) is a charity which provides assistance for people attending the Family Court who do not have a lawyer. The PSU does not provide legal advice, but offers practical guidance and emotional support to help their clients solve their problems in a number of courts in England and Wales. The service is free. For further information about which courts they operate in visit their website:

www.thepsu.org

The law is complex and may have changed since this guide was produced. This guide is designed to provide general information only for the law in England and Wales. You should seek up-to-date, independent legal advice.

Rights of Women does not accept responsibility for any reliance placed on the legal information contained in this guide.

For free, confidential, legal advice on family law including domestic violence, divorce and relationship breakdown and issues relating to children call the following:

Women living and working in London call **020 7490 2562**. The advice line is open Mon 11am–1pm and Tues – Wed 2–4pm.

For all women call **020 7251 6577**. The advice line is open Tues – Thurs 7–9pm and Fri 12–2pm.

For free, confidential, legal advice on immigration and asylum law or criminal and sexual violence visit **www.rightsofwomen.org.uk** for our advice line details.

Useful contacts

Legal aid Agency
0345 345 4 345

The Law Society (to find a solicitor)
www.lawsociety.org.uk/find-a-solicitor/

Resolution (to find a family lawyer)
01689 820272
www.resolution.org.uk/

Bar Council (to find a barrister)
020 7611 1472
www.barcouncil.org.uk

Bar Council's guide (Representing yourself in court)
www.barcouncil.org.uk/instructing-a-barrister/representing-yourself-in-court/

Solicitors Regulation Authority
0370 606 2555
www.sra.org.uk/

Bar Standards Board
020 7611 1444
www.barstandardsboard.org.uk

Citizens Advice
www.citizensadvice.org.uk/index/getadvice.htm

Law Centres Network
020 7749 9120
www.lawcentres.org.uk/

Bar Pro Bono Unit
www.barprobono.org.uk/

Family Rights Group (for advice on involvement of children services or local authority)
0808 801 0366

Coram Children's Legal Centre (for advice on the law relating to children)
0808 802 0008

Shelter (for advice on housing and homelessness)
0808 800 4444

Maternity Action
0845 600 85 33

Personal Support Unit (PSU)
020 7947 7701
www.thepsu.org/

Court forms and locations
<http://hmctsformfinder.justice.gov.uk/HMCTS/FormFinder.do>

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