

# Litigants in person

**Vanessa Friend  
(Partner)**

2<sup>nd</sup> December 2020

# Resolution's LiP committee

- Set up in 2016 to deal with rapid growth in LiPs
- Made up of solicitors, legal executives, barristers and mediators
- To assist LiPs and Resolution members, but not undermine role of legal professionals
- Act as a liaison with HMCTS on changes needed to the court system, especially in light of the move online

# Resources

- Precedent letters to LiPs and to your client
- Guidance notes for LiPs, including a guide to remote hearings endorsed by DJ association
- Checklists for solicitors and barristers – we are often instructed by LiPs part way through proceedings
- Articles on the topic
- Visit [www.resolution.org.uk](http://www.resolution.org.uk), login, professional development, knowledge and resources, Litigants in Person

# Who are LiPs?

- Not just individuals who would have received Legal Aid
- Professional, well-resourced individuals who want to go it alone e.g. an LiP who is a lawyer
- For family solicitors it includes individuals acting without a lawyer e.g. before proceedings issued or none at all
- Same principles apply whether or not you have proceedings

# Views of LiPs and others

- **LiP 1** *“I felt like a spectator”, “it was easier for the judge to keep adjourning the hearings”, “I felt the solicitors were badly organised”*
- **LiP 2** *“I was unsure about what was going on and the timings” “It’s not helpful to be given blank documents without guidance”*
- **Barrister:** *“It helps if the first thing a lawyer does at court, is go over and say they can assist with practical points”, “I don’t like to be seen as the enemy”*
- **Judge** *“It is essential that the court takes time to constantly explain where the proceedings are up to and what the next steps are”.*

# Top Tips for solicitors

- Set boundaries with the LiP at the start
  - ✓ How will you communicate with them
  - ✓ When will you respond to avoid being dragged into correspondence
  - ✓ Who is responsible for which steps
- Keep your professional standards and commitment to client
- Brief your barrister well – they need to know the idiosyncrasies' of the LiP
- Advise your client on the benefits of having both a barrister and solicitor at the hearing

# My experiences

- Extra cost in assisting LiP is less expensive than delayed and ineffective hearings
- In proceedings about children, the client has to maintain a relationship with the LiP after our involvement, so always be polite about the LiP
- **Last Thought** – *has the move to online democratised the court process?*

# hodge jones & allen

solicitors



0808 239 5575



[hja@hja.net](mailto:hja@hja.net)



[hja.net](http://hja.net)

Follow us:



[@hodgejonesallen](https://www.linkedin.com/company/hodgejonesallen)