

# **Appearing before a Registrar (Judge) of the Family division without a lawyer**

If you do not have a lawyer and represent yourself you will be a litigant in person (LIPs).

See the sections below about attending at court:

**Can you agree matters without a hearing?**

**What are the risks if you go to court?**

**The Family Court is a private court**

**Communicating with the court**

**Fees**

**Service of documents**

## **Can you agree matters without a hearing?**

### **Family mediation**

- Family mediation can be faster, cheaper and easier than you going through the stress of a court hearing/s.
- Family Mediation Jersey (“FMJ”) have qualified independent mediators who can help you with arguments about your children money and finances.
- You can still to see a mediator with the other party even if your case has started.
- You can contact FMJ on 638898 or at [www.fmj.je](http://www.fmj.je).
- If an agreement is made and there are existing court proceedings, you may want to ask the Registrar to make an order by consent.

## **What are the risks if you go to court?**

- If you apply to court you may not get the order or orders you want.
  - You may have to pay the other party's legal costs even if you are not paying for your own costs.
  - Attending court can be stressful and emotional.

## **The Family Court is a private court**

### **The hearings are in private.**

- **The law does not allow you to show, say, write (disclose) or publish any details that can identify a child.**

Documents can be shown without permission only to:

- the court staff dealing with your case
  - the parties to the case
  - a lawyer representing a party
  - a Jersey Family Court Advisory Service (JFCAS) officer
  - a person appointed as a guardian for the child (normally a JFCAS officer)
  - an expert appointed by the court
- **There are penalties for breaking this law.**
  - **The court also sits in private regarding financial disputes.**

## **Communicating with the court**

- All communications have to be sent to the Family Proceedings Officer (FPO). It is better for you to send e-mails to the FPO so there is a record.
- The Registrars and/or any court staff cannot give you or anyone else legal advice so don't ask for this.
- Use the correct court forms. Ask the FPO if you are not sure.

- You must put the case name and reference number (given by the court) at the top of every document and communication you send to the court.
- If you need to contact the FPO once your case has started, you must also copy the other party/ies (or their lawyer/s if they are represented) in on any communications you send.
- Do not send the FPO copies of communications between you and the other party.
- Judges/Registrars will not enter into correspondence with you.
- Tell the FPO if you have any concerns about your safety.
- Inform the FPO if you want a McKenzie Friend to attend hearings with you. See the leaflet about McKenzie Friends on the Court Service website (or pick up a copy from the Judicial Greffe reception).
- Give an address where documents can be sent to you.
- You **MUST** tell the court and the other party/ies to the proceedings if you change address.
- Provide contact details eg mobile numbers and email addresses.

## **Fees**

- You may be able to get an exemption of fees certificate so you do not have to pay court fees. Apply to the Viscount's Department before you start your court application, and if granted, attach the exemption certificate to your court application.
- Pay the correct court fee, if you are not fees exempt, so that your papers can be processed. See the Court Service website pages for this information.

- Fee payments are made by court stamps (attached to the application in an envelope, do not stick to the application).
- See [Fees information](#) on website.

## **Service of documents**

- All documents filed (given to the court) by you must preferably be typed or in neat handwriting.
- If the court rules say you need to **serve** (legal term) your application or documentation on the other party/ies (via their lawyers, if they have any), you may need to prove that service has happened.
- The Viscount's Department will serve documents for you for a fee.
- The FPO does not give advice about how you should serve documents. It is up to you to decide this.