## hodge jones & allen

### Litigants in person

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#### 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





- 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 <u>www.resolution.org.uk</u>, login, professional development, knowledge and reosources, 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



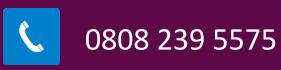
#### My experiences

- 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?



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