

# Going to Family Court without a lawyer

## A Parenting Through Separation programme factsheet

If you're involved in a Family Court case, you might need to take part in a court hearing before a judge. The Court can hear from witnesses, including you. If you don't have a lawyer, you'll have to present your evidence and question the witnesses yourself, so it's important you're aware of the Family Court Rules 2002 and the law that covers your case.

- There are rules about things at court, like which form must be used and the proper process to follow.
- There are different forms and processes for different laws.

### What to expect at Family Court

The Family Court is less formal than other courts as it has no dock. Sometimes the courtroom is set up differently so people can talk more freely.

If you think you need help, court staff can tell you what to do, including which form you'll need, and explain court processes.

They can't tell you what to say on your forms and they can't give you legal advice.

If you already have a case in the Family Court and you have specific questions about your case, please use the contact details provided on any letter you've received from the court about your case. Make sure you have your case number (begins with FAM) easily available.

### Who can come to a Family Court hearing

Unlike other courts, the public isn't allowed to attend a Family Court hearing. The only people who can be there are people who work at the court, the lawyers and other support people.

Journalists can attend some hearings. But they can't publish any names or details that might identify anyone involved in the case unless a judge says they can.

Children don't attend court. It's a good idea to find someone to care for your children while you're at court as courts don't have childcare facilities.

### Support in the courtroom

You can bring a support person to wait with you at the Court but you'll need to ask the judge's permission to take them into the courtroom.

If your case is under the Care of Children Act 2004 and a support person came with you to counselling or mediation, they have the right to attend the court hearing.

### Help when you represent yourself

If you don't have a lawyer in court, you can ask the Court to let you have someone at your hearing to help you with your case. They're called a lay assistant (or a McKenzie Friend).

You'll need to tell the Court you want help in court **before your hearing**.

Both you and the person who you want to be your lay assistant need to fill in a form. You can download the form from [justice.govt.nz/family/about](https://justice.govt.nz/family/about). Or call us on 0800 268 787 and ask us to send the form to you. Or visit your local court and ask for the form.

Once you've filled in the forms, you need to give ('file') them to the court where the hearing will be held. Find out more information about filing documents at court by going online to [justice.govt.nz/family/about](https://justice.govt.nz/family/about)

### Legal help when you represent yourself

Court hearings can be complex. Even if you represent yourself at court, you can get legal advice to help you prepare. If you can't afford a lawyer, you may be able to get legal aid or free community legal help. Go to [justice.govt.nz/family/about](https://justice.govt.nz/family/about) for more information.

To find out more, go to  
**[justice.govt.nz/family/about](https://justice.govt.nz/family/about)**