

The McKenzie Friend

A McKenzie Friend is not technically a representative but simply a non-legally qualified person who sits with a party during a hearing to offer advice and assistance. The McKenzie Friend is not allowed to address the court. The term comes from a divorce case, *McKenzie v McKenzie*, where the husband was representing himself and wished to have the assistance of a non-legally qualified person at court.

There is a widely recognised presumption that a party is entitled to have the assistance of a non-legally trained person whilst they are at court. If a party does wish to rely on a McKenzie Friend they should notify the judge from the outset of the hearing. A judge will not usually refuse permission unless he believes that allowing the McKenzie Friend would interfere with the administration of justice.

District Court Area of _____

District No. _____

In the matter of the _____ Act 19_____
and in the matter of section 40(5), Civil Liability and Courts Act 2004

Between _____ of
_____ the Applicant

and _____

of _____ the Respondent

Request for Court's permission to be accompanied by a person at the hearing of proceedings

TAKE NOTICE that the above-named *Applicant/Respondent will apply to the District Court sitting at
_____ on the ____ day of _____ 20__ at _____ a.m./p.m. for the Court's
permission to be accompanied by a person at the hearing of these proceedings and for directions.

- 1. Name of party applying to be accompanied at hearing

_____ *Applicant/Respondent

- 2. Name and address of person who it is proposed will accompany the *Applicant/Respondent

- 3. Relationship or connection of person referred to in paragraph 2 to *Applicant/Respondent
e.g. parent, brother/sister/family friend etc _____

- 4. I*have/have not previously obtained the permission of the court to be accompanied in these proceedings. (If permission has previously been granted, give details of the person who was permitted to accompany you.

Dated the _____ day of _____ 20__

Signed _____

*Applicant/Respondent

To: the *Respondent/Applicant _____

And the District Court Clerk at _____

**delete as appropriate*