



McKenzie Friends FAQ

With so much terminology and legal jargon out there, you may be asking yourself: what is a McKenzie Friend? We're here to break that down for you and explain why it is oftentimes necessary (and much more cost effective) to pursue your legal disputes alongside expert, professional McKenzie Friends.

Here at South Cotswold Family Law, we act as McKenzie friends, but you may be wondering how exactly we can help you and what limits we have, as well as how we differ from Solicitors and Barristers. Let's break down what McKenzie friends are so that you fully understand how exactly we can help you and increase your chances of winning your case or simply help carry out a contract or will.

McKenzie Friends 101: The Basics

McKenzie Friends, often referred to as "Litigation Friends", act as the name implies. We help you as your "friend" with any process during the litigation process. There are some important things to note, however. McKenzie Friends are not able to address a judge on your behalf (which is reserved for Barristers) and cannot cross-examine your opponent. Additionally, we have less strict restrictions than those imposed on Solicitors by the Law Society and Solicitors Regulation Authority. Because of that, we are able to work closely alongside you as experts in the field as professional McKenzie friends without incredibly high costs.

While it may seem like we are very limited in what we can do, in fact we can help you with the bulk of your legal proceedings you would like to undertake. Basically, we are the for you for everything except for representing you in the court (however, exceptions can be made for cases of domestic violence, in which case we will fight our hardest for you).

McKenzie friends came about in the 70's with the groundbreaking case of McKenzie vs. McKenzie, which changed the way cases are carried out since then in England and Wales. To give you a brief history on how McKenzie Friends came about, according to Wikipedia: "Levine McKenzie, who was petitioning for divorce, had been legally aided but the legal aid had been withdrawn before the case went to court. Unable to fund legal representation, McKenzie had broken off contact with his solicitors."

To make a long story short, since that ruling after Levine McKenzie broke ties with his solicitor, he decided to enlist the assistance of an Australian lawyer that couldn't practice law due to not having the proper requirements in the United Kingdom, who sat in on the ethereal and coached him in the legal process.

What Kinds of Services Do McKenzie Friends Provide?

McKenzie friends are able to assist you with just about everything in the legal process, minus actually representing you in person. It differs by area of law, but here at South Cotswold law, where we specifically focus on Family Law, we generally assist you with:

- Strategic advice on your financial or child dispute.
- Advise on the mediation, collaborative law, arbitration and court processes
- Communicate with your ex-partner/spouse to try and reach agreement
- Refer you and your opponent to a skilled family law mediator
- Prepare court application where an ex-spouse will not sign the acknowledgement of service
- Advise on the types of financial remedies available to unmarried people
- Explain the purpose of contact centres, process servers and other agencies.
- Explain the role and remit of the CAFCASS officer and the judge.
- Prepare the necessary court application forms
- Accompany you to court to offer moral support and advice
- Prepare a letter of instruction for an expert.
- Help you to draft a witness statement in accordance with court protocol.
- Advise on and prepare trial bundles for use in court.
- Research case law and prepare a skeleton argument/position statement on your behalf.
- Help you to instruct a competent barrister if appropriate.
- Draft consent orders, and associated court forms, in financial proceedings.
- Explain the purpose of, and prepare on your behalf, a separation agreement for financial aspects.
- Prepare a Will on your behalf.
- Advise on and issue enforcement proceedings if appropriate.
- Notice of Severance of joint tenancy for a property
- Domestic violence

For a more in-depth understanding of the services I offer please visit the "My Services" section of the website for all the important details of the services we are here to help you with. Also, as always, be sure to contact us with any questions and reach out for the free 15 minute consultation.

How Do I Find a Qualified McKenzie Friend?

Finding the right, professional McKenzie friend may be a bit of a challenge. Because McKenzie friends simply act as advisors and do not actually represent you in the courts, they can not be held accountable for any bad advice. Fortunately, there are tons of great McKenzie friend out there that offer affordable rates and can facilitate you with all for the processes you need to take up with the courts.

What it ultimately comes down to is experience and cases won. Here at South Cotswold Family Law, we have tons of cases won and heaps of clients that have walked away fully satisfied with a ruling that has worked in their favor. Take a look at our “Case Studies” for yourself and see just how much we have helped our clients. We can do the same for you.

Can't I Just Write Up a Contract Myself?

Yes, absolutely. It's entirely up to you and in your hands. However, as your McKenzie friend, things will be much more sound legally, in the proper form, and completely ready to present before the courts or litigation without any loopholes. We really take into account any counter arguments or disputes that can arise when mapping out our contracts by taking the time to understand the background and unique situation of each case.

That's why it's highly recommended to contact a McKenzie friend. McKenzie friends are legal experts, without the heavy costs of hiring a solicitor. We will assist you all throughout the process, providing immaculate legal support and friendly service.

How Much Does a McKenzie Friend Cost?

Since McKenzie friends essentially act as advocates and assist you with the processes and paperwork of law, rather than appearing before the courts, they are able to set their own rates, which differ by each individual or firm. As a general rule of thumb, McKenzie friends are still significantly cheaper than going through a solicitor.

For more information on our rates, which are flat “fixed fee” rates, or by the hour. Please consult the “my fees” page on South Cotswold website [here](#). We offer extremely affordable rates compared to standard solicitors and may, in fact, increase your chances of winning because we actually take the time to understand the client's situation on an individual basis and are able to construct a strong, compelling argument.

What Are The Pros and Cons of Using a McKenzie Friend?

As a general rule, you should always consult an expert McKenzie friend for any court proceeding. Whether it's simply creating a will, providing advice on whether you should go through the court or through a mediation service, or simply to see what your options are in the area of Family Law, we will walk you through

all of your steps and weigh out the pros and cons of each. You may be deciding whether you want to use a McKenzie friend or not. Here are some reasons why you should and some reasons why it may not be advantageous.

➤ Pros of McKenzie Friends:

- Cheaper alternative than using a solicitor. Solicitors can cost you several thousands of dollars, whereas McKenzie friends are able to provide much lower prices due to looser restrictions placed on McKenzie friends. In the end, you can save a significant amount of money while receiving similar, or better, advice in Family Law.
- Sound legal advice that you can't get alone. Let's face it: law is complicated. That's why McKenzie friends are there to help. McKenzie friends really break things down, and carry out much of the work for you. McKenzie friends have devoted significant amounts of their time in the field of law and are experts in the field. While using a McKenzie Friend may require a fee, it will often yield results that can increase your chance of winning more money than if you did it alone.
- Simplified paperwork and court proceedings. Your life is probably complicated and stressful enough. Leave it in our hands to carry out the work for you. This is our area of expertise; let us do what we know best, so you can continue to live your life without the added stress of carrying out court proceedings.
- Friendly, supportive service. Going through divorce, battling it out for custodial responsibility of your children, and drawing up a will, among other things, can be incredibly draining. That's why we will be there for you every single step of the way and walk you through the entire process.
- Act as a liaison between you and a former spouse or other opponent. This is incredibly difficult for many clients. Sometimes ties have been completely severed and you no longer wish to speak with a former spouse or partner, or another family member. Rather than rubbing salt on the wounds and communicating with them, McKenzie friends will be in your corner acting as the bridge between you and your partner.

➤ Cons of McKenzie Friends

- Not free. While costs are incredibly low compared to using a solicitor, there are still some costs. Again, this can often save you money in the long run by providing you with a positive ruling in the courts, but there is still an upfront fee. Kindly view our affordable rates we offer on the "My Fees" section.
- Some restrictions on what McKenzie Friends can do. Unfortunately, McKenzie friends are not able to represent you in the courts. However, while we do not have the right of assembly, we can however provide you with the best resources possible and help assess if it'd be best for you to represent yourself or go through a barrister.

I Have a Very Specific Question That I Don't See Covered On Here.
How Can I Contact You?

Always feel welcomed to reach out to us at South Cotswold Family Law with any questions. Also, keep in mind we offer a free 15 minute consultation by phone, so please give us a call and we will assess what service we can provide you with and whether or not it would be in your interest to move forward or not with a McKenzie friend.

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