

CONTENTS

1. Understanding the legal system	9
Legal terms explained	9
Using the legal system to resolve disputes	10
The structure of the court system	11
Criminal cases	11
Civil cases	13
The county court	13
Small claims in the county court	14
The magistrate's court	15
The youth court	15
The Crown Court	16
The High Court	16
The Family Division	17
The Queens Bench Division	17
The Chancery Division	17
The Court of Appeal	17
The House of Lords	18
The Court of First Instance	18
The European Court of Justice	18
The European Court of Human Rights	18
2. Legal Help	19
Solicitors	19
Choosing the right firm	22
Using a solicitor	22
Other sources of legal advice	24
Legal aid	24
What does the scheme cover	25
Legal problems caused by the scheme	25

Financial conditions for the scheme	26
Income	26
Extra costs that to pay	27
3. Solving disputes before legal action	27
Payments into court	27
Timing of court action	28
Damages	28
Damages for criminal injury	28
Procedures	29
Benefits and award limits	29
Compensable costs	29
Emergency awards	30
Funding	30
Appealing against a decision	30
What to do if you are sued	36
4. Procedure in the Crown Court	33
The jury	33
Complaining about jury service	35
Inside a Crown Court	35
Court etiquette	35
The judge	37
Barristers	37
Solicitors	37
Clerks	38
The usher	38
The Crown Prosecution Service	38
The defendant	39
Witnesses	39

The press	39
The public	40
Court reporter	41
Dock Officer	41
Case study - guide to a criminal case	41
The procedure	43
Summary of the trial process in the Crown Court	50
5. Procedure in the County Courts	51
County courts	51
The Civil Procedure Rules	51
Circuit Judges	51
Registrars	52
County court jurisdiction	52
Small claims procedure	53
Tribunals	53
Civil cases in the county court	54
Case study outlining county court procedure	54
The process	56
Summary of the trial process in the county court	62
6. Small claims in the county court	63
Commencing a claim	63
Types of case in the small claims track	63
Types of claims in small claims court	64
Actions before applying to court	64
Which court deals with a small claim	65
Commencing a claim	63

Applying for the claim form to be issued	66
If the case is not defended	67
If the defendant is defending the case	67
The day of the hearing	69
Preparing a case	70
The final hearing	71
Appealing against a decision	71
Enforcement of orders	72
Glossary of terms	
Useful addresses	

INTRODUCTION

Without doubt, the legal system is complex and daunting and most people who go to court to either resolve disputes or to defend themselves when sued, will use a solicitor or barrister. Such professionals do not come cheaply. This fact, above all, can influence a person's decision whether or not to go to court.

More and more people are choosing to go down the route of Do-it-yourself representation. These people are known as litigants-in-person. More and more courts are sympathetic to self representation and judges will often help the litigant.

This book attempts to throw light on the whole legal process by adopting a specific approach towards explaining the processes involved. Chapter 1 deals with an outline of how the system works and who is who within the various courts. The purpose is to provide a backdrop which should prove invaluable to the litigant. Chapter 2 explains the role more fully of solicitors and barristers and also points to other sources of legal help available. Chapter 3 outlines the importance of finding a solution to problems before they get to court, as this avoids an often long and costly battle. Chapters 4 to 6 outline the processes within the various courts and puts forward case studies which should help the litigant in person gain an idea of the processes involved.

Overall, this brief but invaluable guide to conducting your own court case, presented through building blocks to the actual presentation of a case, should prove an indispensable aid to representing yourself in court.