

- Over 100 hours of instruction
- CPD accredited
- Mentored support
- Mock Hearings
- Shadow 'live cases'
- Group forum
- Help with clients
- Access to clients
- Earn while you learn



# Masterclass in Family Law

with Simon Walland

Train to be a  
**McKenzie Friend**

[simon-walland-family-law.co.uk](http://simon-walland-family-law.co.uk)

## McKENZIE FRIEND MASTERCLASS PROSPECTUS

Hello, I'm Simon Walland, Course Director at the Simon Walland Family Law Online Academy, and I'm delighted to share with you the Online Academy prospectus for 2022. In providing accredited courses for the teaching and training of McKenzie friends and litigants, the Academy is proud to be the first of its kind in the UK.

As a barrister who has worked for the last twenty years as a McKenzie friend in the Family Court, my work is both challenging and rewarding. My development as an educator has been a journey every bit as inspiring as well. Sharing the experience and knowledge I have gained over the years to train future McKenzie friends has been, and continues to be, a great privilege.

My ethos is to enable people to take charge of their own learning and development. Whether it's for their own case or to help others, I encourage people to embrace a growth mindset and turn challenges into opportunities by developing the skills they need to be successful.

I encourage applications from those who are as passionate as I am about helping all people to have a voice in the Family Court.

Each of the courses offered by the Academy aims to inspire and motivate, whether it's to gain the skills to become a knowledgeable and supportive McKenzie friend, or to empower individuals who have decided to, or have to, represent themselves in the Family Court.

Whatever your needs are, I want to assure you that, as a Simon Walland learner, you will be offered support, guidance, and encouragement to fulfil your potential. I hope this prospectus gives you some insight into the Family Court and serves you well as direction in your future learning journey.



## **Where can I find clients?**

Since the cuts to legal aid several years ago, it has been more common for people to represent themselves in court and the courts understand that. Statistics show that approximately 80% of people, for a variety of reasons, go it alone.

Representing yourself in court can be a daunting prospect without any knowledge of the law. The good news is that every one of those people is a potential client to a credible McKenzie friend to help them and guide them through the court system.

The Masterclass will discuss how to attract clients, as well as how to work with them and for them, in an appropriate way. You may even be given clients to work with depending upon demand.

## **How will my learning be assessed on this module?**

As you learn you will complete a series of exercises. These are not graded, but are designed to help you focus on the key information in this module. You will be able to check the answers by referring to the key at the end of this booklet.

Through my lectures and courses and the accompanying exercises and assignments, you can learn how to deal with each element of a court case. Each element is covered by a stand-alone module. Whether you are learning how to prepare a statement, or getting ready to tackle a final hearing, you will find that each module will meet your needs as you progress through your case.

When you join your course, you will also benefit from one-to-one support, forums, discussion groups, mock trials and signposting to a range of extra reading and learning materials.

When you have finished the lectures and exercises, you will complete an assignment. You will need to apply what you have learnt from the module to complete the assignment successfully. You can go back to the lectures as much as you need to and there is no time limit set for the assignment. You may also contact Simon for support if you need to do so. Once you have passed the assignment the following module will be available to you.

## Do I need a legal background?

No, you do not need any legal qualifications or experience. If you are someone who can remain calm and offer support to others who are in a stressful situation; if you are able to listen and extract important information to create clear statements; if you have a reasonable level of literacy and can learn to read a range of documentation related to Family Court matters, then being a McKenzie friend is a role which you will find rewarding as well as challenging.

McKenzie friends offer people going to Family Court the unique service of an affordable alternative to paying the excruciating legal costs set by solicitors. As a McKenzie friend, you will not represent a client in court, but clients are likely to get more advice and help from you as they won't have blown their budget in the first few hours, as they would using a law firm. McKenzie friends offer their services at a reasonable cost. Some McKenzie friends do not charge at all.

One of the challenges of becoming a McKenzie friend has always been the lack of accredited, good quality education and training. The lack of regulation means standards of work done by McKenzie friends vary enormously.

Becoming the first accredited McKenzie friend course in the UK was a significant milestone in shaping the future education and training of McKenzie friends. For the Simon Walland Online Family Law Academy, creating and keeping to high standards was central to the creation of its online learning faculty. We want our learners to be highly-trained and competent and are working hard to create the courses that adhere to those standards. Our course includes:

- Training and mentoring from a professional barrister
- one-to-one support
- forums
- discussion groups
- mock trials
- regular signposting to a range of extra reading and learning materials

## How will I study?

Learn by accessing a series of recorded lectures accompanied by booklet and a self-assessment tool. Complete the range of exercises to check your understanding of key concepts. If you find any of the tasks difficult, ask your Course Director, Simon, for support.

Gain experience through practical application by attending online mock hearings held regularly throughout the year. Experience preparing documents for each case. Whilst not mandatory, this mode of learning is very popular with students.

Analyse 'true to life' court cases through reading anonymous client consultations and papers (real cases are adapted to completely ensure confidentiality). Undertake a range of paperwork tasks and make comparative assessments of your work against examples provided by Simon. Receive ongoing feedback and advice to support progress in dealing with a variety of scenarios.

## How will I be assessed?

A self-assessment exercise booklet is provided for each course. We call this a self-assessment tool as it functions to check that you are able to follow the lectures in preparation for the final graded assessment at the end of each course. The self-assessment tool is designed to support learning and learners are strongly encouraged to ask for help when unclear about anything covered in the course lectures and assessments. Help is always available.

At the end of each course, you will take a final assessment. This can be in the form of a multiple choice test, completion of specific court forms, writing of statements, or a variety of tasks required by the Family Court process. Learners find these assignments enjoyable rather than arduous. All completed end-of-course assignments are submitted and marked with feedback provided. If you are asked to resubmit an assignment to meet the criteria, extra support is always provided to make sure you can reach the required standard with confidence.

## **Is any additional support available?**

I am committed to ensuring that everyone signing up to my courses has the support and resources to achieve their full potential and get the most out of their learning experience. I will hold online advice sessions and will always be available to assist you to overcome any obstacles.

## **Can I contact other students?**

Forums and discussion groups are a great way to expand your learning through an exchange of ideas, opinions, and experiences. You are warmly invited to access the online forum and comment or ask questions about the courses or about Family Law in general. You can share your opinions about UK Family Law with me and other learners in a positive and friendly environment. It's fun and all part of the learning experience. You'll also find others in similar circumstances as your own which can be helpful as you are navigating your way through your ongoing case.

## **Do I need to provide additional materials?**

Other than a computer, pen and paper, everything you require is included in the Masterclass.

I have been training McKenzie friends since 2013 and prior to the COVID pandemic ran face-to-face courses. The courses were then adapted to move to an online teaching format when, globally, education moved online. My pre-recorded McKenzie friend training was invaluable in enabling this transition.

From these recordings I have been able to create a number of 2-3 hour courses dedicated to specialist areas. All of my online courses will be made available to you as well as regular mock hearings which will be held on a Saturday morning.

## How will the mock hearings work?

On a regular basis, I will be holding a series of Mock Hearings. They will be held online and you will be given papers to prepare, in order to fully participate in the hearing.

The purpose is to show you how hearings work as a live event. You can join in or watch others. The mock hearing is all part of the learning experience and will show how the work you prepare is considered by the court.

## Is the Masterclass accredited?

I recognise that part of the work in raising the standard of McKenzie friends working in the court system is to require those same standards to be applied to the education and training of McKenzie friends. That is why I have developed a course which has been adjudged at a standard to be awarded CPD accreditation. I hope that in the years to come, all training will be required to meet such standards, and that the Simon Walland Academy remains at the forefront of setting those standards.

To meet that goal, the Simon Walland Training Academy assures excellence by:

- undertaking yearly self-assessment reviews of courses
- updating materials as the Family Law legal landscape changes
- asking our students for their valuable feedback

## Access to clients?

As a barrister as well as a McKenzie friend, I am constantly being asked to take on new clients. I encourage people to represent themselves, if possible, and to take on professional assistance when required. However, the majority of enquiries are from people that say they would feel more confident with the help of a McKenzie friend right from the beginning of their case. Where the prospective client agrees, I pass on such enquiries to learners who have demonstrated that they have reached the required standard and are ready to take on their first client. In such cases, I offer support to the learner/McKenzie friend if, and when, required.

## Learn from experiencing real cases?

The most effective way to simulate working as a McKenzie Friend, at no risk to anybody, is to follow Simon Walland in dealing with a real case. Confidentialty is a major concern to the courts and so a case that has been concluded will be adapted, names and circumstances changed, and run as a live case. You will start the case and as events develop, as in real life, you will be notified and you will need to adapt to those changes. This is a great way to learn.





## **MODULE ONE**

### **Working as a McKenzie Friend**

- What a McKenzie friend can do and not do
- Clients
- Areas of work
- Working in a group
- Finding work
- Case Study

Study time 4 Hours

Assessment President's McKenzie Friend Practice Direction Challenge

## **MODULE TWO**

### **Position Statements**

Position Statements are critical to your client. They should cover everything that the Family Court needs to know, and they need to be written in the right way. In this module, you will work through various exercises and see how the wording you use, and the topics you cover can save, or cost your client time and money that they cannot afford to waste.

Study time 6 Hours

Assessment Plan/draft and write a Position Statement

## **MODULE THREE**

### **Court Applications**

The application is the first step towards solving your client's problems and will provide the Family Court (and the other side) with information. Learn how to make sure the right information is on that application and how to combine applications and resolve more than one problem at a time.

Study time 6 Hours

Assessment Draft an application

## **MODULE FOUR**

### **Children Applications**

This component takes you through every stage, from your initial client consultation, through to the end of the first hearing. You can make a difference to the way a case will proceed even this early in proceedings. See how each element of the Family Court process fits together and how mistakes can be devastating to your client. See how what you learned in Position Statements can be used effectively in children cases.

Study time 8 hours

Assessment Mock Trial First Hearing

## **MODULE FIVE**

### **Financial Applications**

There are two types of financial application that can be made, depending on whether the client is married or unmarried. Each type of application requires different information, and a different application form. The division of money is decided using different rules and regulations. Take your clients through each type of hearing to the first hearing/Financial Dispute Appointment. See how your position statement can make a difference to a case.

Study time 12 hours

Assessment Paperwork for first hearing

## **MODULE SIX**

### **Domestic Abuse**

Allegations of Domestic Abuse will change the way in which a children case is processed. Whether those allegations are true or false, the Family Court has to follow procedure in order to safeguard any possible victims of abuse. Learn how to make an application, how to oppose an application and how the Family Court deals with domestic abuse allegations.

Study time 8 hours

Assessment Mock Trial

## **MODULE SEVEN**

### **CAFCASS, Social Services and Section 7 Reports**

The Family Court will often order a Section 7 Report when it needs to find out further information. This report is a very important document which will impact on how a case proceeds. Understand how to accept the report. Challenge the report, and/or how to adapt your client's position to accommodate the recommendations. The report itself creates work that you will need to do to present your client's case.

Study time 4 hours

Assessment Section 7 Report assessment

## **MODULE EIGHT**

### **Final Hearing (Children)**

Eventually, unless a case reaches an agreement, the Family Court will need to conduct a final hearing. This hearing has a process which needs to be followed and entails work in presenting your client's case effectively.

Study time 8 hours

Assessment Statement and evidence exercise

## **MODULE NINE**

### **Second Hearing (Finances)**

Following the first hearing (FDA), the Court will hold the Financial Dispute Resolution hearing (FDR). This is your opportunity to put forward your client's offer to the other side and justify that offer to the Court. Learn about the different paperwork requirements and what needs to be prepared for this hearing.

Study time 6 hours

Assessment Preparation of paperwork

## **MODULE TEN**

### **Fact Finding Hearing**

If the allegations made by/against your client have not been resolved, they will be dealt with in a Fact Finding hearing, where use is made of cross examination and a Closing Submission. See how the information you learn in 'Cross Examination and Evidence' will be used to good effect to prove or disprove allegations in this hearing and how to write a strong Closing submission.

Study time 8

Assessment Closing submission exercise

## **MODULE ELEVEN**

### **Cross Examination and Evidence**

Cross examination and the role of evidence is a very misunderstood part of court proceedings. It is critical to understand what makes good evidence and bad evidence. Your client's success depends on proving that an event or behaviour did or did not take place. As the majority of allegations involve things that happened behind closed doors, it can be challenging to prove these allegations in a court case. We look at how best to approach these challenges.

Study time 8 hours

Assessment Mock Hearing

## **MODULE TWELVE**

### **Scott Schedules and Statements**

When allegations of abuse are made, the Family Court requires a schedule of allegations to be provided by the person alleging the abuse with a statement that describes each incident. The accused will then respond. These two documents are incredibly important and must follow conventions and be well written to avoid any misjudgement in the Family Court. The repercussions of being found guilty could be serious and result in a loss of child contact. You will learn how to make sure these documents are of the highest possible standard.

Study time 8 hours

Assessment Paperwork exercise

## **MODULE THIRTEEN**

### **Mock Hearing**

At various stages throughout this course, we will hold mock trials. Using papers that you prepare and then present in 'court' is an incredibly useful way to learn whether you are getting things right or not. Better to make mistakes and learn from them in a mock trial rather than a real one!

Study time 8 hours

Assessment

## **MODULE FOURTEEN**

### **Enforcing Applications**

The court makes orders and expects them to be complied with. When they are not, it is your client's responsibility to take the matter back to the Family Court and have enforcement proceedings to deal with it. This applies to all types of hearings.

Study time 6 hours

Assessment Application exercise

## **MODULE FIFTEEN**

### **Divorce**

Of all the areas of family law, divorce is perhaps the easiest to deal with. Hearings are not usually required, and the process is done by paperwork. Many of your clients will require a divorce, and understanding the process completes your ability to help your client in all situations.

Study time 5 hours

Assessment Client exercise

## MODULE SIXTEEN

### Appeals

Although in most hearings one party will feel they have won, the other will feel they have lost, and sometimes a party will feel that there has been injustice and bias against them. In these situations, if the Judge has made a mistake, and only if the Judge has made an error in law, an appeal can be made to overturn the decision. Appeals require a higher level of knowledge as you need to be able to see where the Judge was wrong and explain why he was wrong to a more senior Judge. An appeal is very likely to require the knowledge, skills, and experience of a good solicitor or barrister. However, it is important that a McKenzie friend knows what happens at an appeal and how to prepare a client.

Study time 8 hours

Assessment Mock Hearing



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