



USER GUIDE

Rights and Responsibilities of Self Represented Parties in Civil Proceedings

Introduction

Any person faced with any form of court action has the right to pursue or defend the matter by engaging the services of a lawyer or by representing himself in court. Conducting a case without formal legal training is not easy and many can find it difficult to understand the legal rules and court procedures. For this reason, self-represented litigants are always encouraged to seek professional legal advice or legal assistance. However, if you have decided to represent yourself, **it is important you understand that you have to conduct yourself and your case in accordance with the law and court procedures.** You will also need to do research and learn about relevant laws, case law and the procedures and rules that govern the court processes.




This publication has been prepared for people who are considering self-representation or are presently representing themselves in a civil case in the High Court, State Courts or the Family Justice Courts (collectively “the Courts”) and it explains their ***Rights and Responsibilities in Civil Proceedings***. This note is intended for general guidance only; to help you navigate the civil justice system and to help you understand what is expected of you and what you can expect of the Courts and the opposing party. It is not to be regarded as legal or other professional advice. If you do not understand some of the words or legal phrases used in civil cases, you may look at the glossary provided in the website links set out in **Annex A**.

There are also other sources that provide basic information on court procedures such as the websites of the Courts, the Law Society of Singapore, the Courts’ Information Counters and Community Justice Centre HELP Services.

What are Civil Proceedings?

In general, civil proceedings refer to non-criminal cases. They can be either *contentious* (which means involving a dispute between parties) e.g. disputes relating to employment contracts, sale of goods or provision of services, landlord/tenant disputes, matrimonial and family disputes, disputes over estates etc. or *non-contentious* e.g. as in the case of applying for Grant of Probate/Grant of Letters of Administration.

The Courts deal with different kinds of civil cases and you can get more information on this on the various Courts' websites. The table below provides a basic overview of some of the types of cases dealt with by the Courts.

 SUPREMECOURT S I N G A P O R E	 STATE COURTS S I N G A P O R E	 FAMILY JUSTICE COURTS S I N G A P O R E
<ul style="list-style-type: none">• Civil claims where the value exceeds \$250,000• Admiralty proceedings• Bankruptcy proceedings• Company Winding-Up proceedings	<ul style="list-style-type: none">• Civil claims where the value does not exceed \$250,000• Civil claims arising from road traffic accidents and personal injuries arising out of industrial accidents where the value does not exceed \$500,000	<ul style="list-style-type: none">• Adoption proceedings• Appointment of Deputy proceedings• Divorce and maintenance matters• Probate and estate matters

Rights and Responsibilities

If you have decided to represent yourself in court proceedings, you will have to attend Court personally for all the hearings. You will often be referred to as a “litigant-in-person” or “LIP”. As an LIP, you interact with different persons at various stages of your case. These persons include Judges and registrars who are responsible for deciding on various aspects of the case. You will also interact with lawyers (if the opposing party engages one) as well as court staff. The basic rights and responsibilities of LIPs are set out below. Understanding of and respecting these rights and responsibilities would ultimately benefit you in the conduct of your case.



Preparation

Before you go to Court, you should familiarise yourself with the court processes relevant to your case. This includes how to start an action, the various pre-trial processes and what happens during a trial. Different Courts have different procedures and rules that apply to different types of cases. You should do as much research as you can to familiarise yourself using the resources suggested in this note.



Legal Representation

You retain the right to obtain legal advice, seek legal assistance or to engage a lawyer to represent you in Court at any time during the course of the proceedings.



Dealing with Court Staff

Courts have a registry that assists with the filing and scheduling of the proceedings. The registry staff may be able to guide you on the types of documents that have to be filed, how to file them and the fees that have to be paid. They, however, are not able to give you legal advice or help you decide what to include in your court papers or whether or not you should commence or continue an action.

Please be polite and courteous in all your dealings at the registry and with the court staff.



Communication on Court Proceedings

You have the right to be informed of the developments of the court proceedings in which you are involved, e.g. change of court hearing dates. You also have the right to be copied in the opposing party's correspondence with the Court. Generally, you have the right to be served with applications and documents filed by the opposing party. The exception is where one party takes out an application without notice to the opposing party called an "*ex parte* application". This is allowed by the Court in some situations, e.g. because giving advance notice to the opposing party may lead to the latter disposing assets such as monies in a bank account. In such a situation, the party seeking to prevent it may apply for an injunction on an urgent and "*ex parte*" basis.

Similarly, you too are responsible for keeping the Court and opposing party informed of matters that would relate to or affect the case and/or prejudice the opposing party. Therefore, you must copy the opposing party in all communications between you and the Court. You will also have to serve the applications and documents that you file in Court to the opposing party, except for the "*ex-parte*" situations explained above.



Hearings/Trials

- You have to comply with court directions at all times e.g. filing certain documents within the time stipulated by the Court or the rules.
- Where there are documents relevant to the case, you have to ensure that all such relevant documents are produced to the Court in accordance with the procedural rules and timelines and any directions given by the Court. You should avoid introducing new documents only at the last minute e.g. on the date of the hearing/trial. You should also remember that you should give the opposing party a copy of any document provided to the Court.
- You must come prepared for hearings/trials. You must understand your matter, be clear about the facts relating to your case and know what it is that you wish to seek from the Court. You are expected to understand the general processes/procedures, rules and basic legal principles governing the application or action that you are involved in.

- You have the right to a fair hearing and to expect that the Judge, registrar and the opposing party will follow the legal procedures.
- If you are not able to understand or speak English, you have the right to ask for an interpreter who can assist you to communicate during the court proceedings.
- If you have witnesses to give evidence (for a trial), you should ensure that they are available for the dates of the trial. You should also inform the Court if the witnesses need an interpreter when they give their evidence.
- The Judge or registrar may provide you with a general explanation on the purpose of the hearing/trial and the hearing/trial procedure before the start of the hearing/trial. If you are uncertain about the hearing/trial procedure, you may seek clarification from the Judge or registrar. However, you should note that the Judge or registrar cannot give legal advice to the parties regarding the issues that should be brought to the Court for its decision.
- You have to present your case to the Court clearly and to the best of your ability. You should not raise facts or issues that are irrelevant to the application, as these are not helpful to your case and may result in legal costs being awarded to the opposing party to be paid by you.
- When addressing the opposing party or a witness, you should not use their first names. You should use either "Mr.", "Ms." or "Doctor" where appropriate.
- When you are questioning (called "cross-examining") witnesses who are called by the opposing party, you should only ask questions on matters that are relevant to the case. You should wait for the answer to be given by the witnesses before asking the next question. You should ask one question at a time and allow reasonable time for the witnesses to respond.

- If you are cross-examined by the lawyer for the opposing party or by the opposing LIP, you have the right to ask for a question to be clarified, rephrased or repeated if you cannot understand it. You should wait for the question to be completed before answering it. Focus on relevant facts/issues and avoid giving long, irrelevant answers. You should not interrupt the lawyer for the opposing party or opposing LIP when either of them is asking a question.
- If you are asked irrelevant, baseless, as well as scandalous and insulting cross-examination remarks/questions, you may raise your objections to the Court.
- You have to ensure that you do not intentionally obstruct the trial or hearing. For example, you should not seek unnecessary adjournments, make untrue allegations against the opposing party, ask unnecessary questions or ask for questions to be repeated or reframed when you have actually understood the questions.
- You should not interrupt the Judge or registrar during court proceedings and should ask for permission to respond or seek clarification where appropriate.
- When the Judge or registrar gives his/her decision, you can ask the Judge or registrar to explain the order. You should do this at the earliest available opportunity.
- Even if you disagree with the Judge's or registrar's decision, you should at all times be respectful, polite and courteous in communicating with the Judge or registrar.
- If you are dissatisfied with the Court's decision, you may have the right to appeal to a higher court. However, the Court is not in a position to advise you on whether you should be appealing or if you have merits to appeal or how to lodge your appeal. If you decide to file an appeal, you should do so within the time provided by the rules.



Conduct and Decorum

- You have the right to be treated with fairness, respect and courtesy by all the persons involved in the case. If you feel that you have not been treated fairly and respectfully during the course of the court proceedings, you should inform the Court. Similarly, you have to treat all the persons involved in the case with fairness, respect and courtesy. Disrespectful behaviour towards the Court or any person involved in the court proceedings will not be tolerated.
- You have to arrive for your court proceedings ahead of the scheduled time and you should ensure that your clothing is appropriate and neat.

Smart Casual



Office Attire



**Traditional /
National Dress**



- During the court proceedings, switch off your mobile devices or switch them to the silent mode. Video and audio recording are not permitted within the Court premises.
- When addressing the Judge, refer to him/her as “Your Honour”. You should stand when you are speaking to him/her or addressing the opposing party in a courtroom. You are not required to stand when you are speaking if it is a hearing in Chambers.
- You can expect that the lawyer for the opposing party shall act fairly and justly towards you, not take unfair advantage of you and not act in a way which is fraudulent, deceitful or contrary to the conduct of an officer of the Court.
- You can expect that the lawyer for the opposing party or the opposing LIP shall be polite and courteous in communications with you and will respond reasonably promptly to your communications. Similarly, you should be polite and courteous and respond reasonably and promptly in your communications with them.
- You can expect that the opposing lawyer will keep their promises and honour any undertaking given to you.



Judicial Independence and Impartiality




You have the right to expect that the Judge or registrar will discharge his judicial duties responsibly and independently. You can expect that the Judge’s or registrar’s decision is founded on legal principles and based on the evidence before the Judge.

You can expect the Judge or registrar to be impartial and not influenced in his/her decision-making by attitudes based on stereotype or prejudice which are irrelevant to the decision. For example, the Judge or registrar will ensure that persons in Court are protected from any display of prejudice or discrimination.

Legal Assistance Schemes and Legal Resources available to you

If you wish to look for a lawyer, you may refer to the directory of lawyers maintained by the Law Society of Singapore (www.lawsociety.org.sg, tel: 6538 2500) or the Legal Service Regulatory Authority (LSRA) at www.mlaw.gov.sg/eservices/lra/lra-home/. You may also contact the LSRA by telephone at 1800-CALL-LAW (1800 2255 529). If you are unable to afford a lawyer, you may wish to consider if the various legal assistance schemes administered by different agencies are available to you. A list of the legal assistance schemes available and the agencies which administer them can be found in **Annex B**.

To understand legal procedural rules, you need to be sufficiently familiar with the relevant legislation and practice directions pertaining to the Courts. These include:

 SUPREME COURT S I N G A P O R E	 STATE COURTS S I N G A P O R E	 FAMILY JUSTICE COURTS S I N G A P O R E
The Supreme Court of Judicature Act	State Courts Act	Family Justice Act 2014
The Rules of Court	State Courts (Variation of District Court Limit) Order	Family Justice (Family Proceedings before Family division of High Court) Order 2014
Supreme Court (Estate duty Act) Rules	State Courts (Variation of Magistrate's Court Limit) Order	Family Justice Rules 2014
Supreme Court (Maintenance Orders) Rules	State Courts Practice Directions	Family Justice Courts Practice Directions 2015
Supreme Court Practice Directions	State Courts Registrar's Circulars	Family Justice Courts Registrar's Circulars
Supreme Court Registrar's Circulars	-	-

Annex A provides a list of website links that lead you to the legislation and practice directions pertaining to the Courts.

The Courts' websites also provide guidelines and reference materials to help you understand what to do in Court and how to prepare your case accordingly. You may also find more useful material on the Law Society of Singapore's website (www.lawsociety.org.sg) and the Community Justice Centre's website (<http://cjc.org.sg>). These website addresses are listed in **Annex A**.

The law libraries located within the Supreme Court and the State Courts Buildings are open to LIPs who wish to read up on case law, legislation and court procedures.

Disclaimer:

This publication is produced for general information only. The Courts disclaim any and all liabilities in connection with the contents of this publication.

Annex A

Legal Resources:

If you are representing yourself in court, you should spend time to understand what you have to do in court and to prepare your case. The following materials and links will give you access to useful legal resources and information:

(1) Reference/Support Material for Self-representation in court

Supreme Court Website	https://www.supremecourt.gov.sg/default.aspx?pgID=1
State Courts Website	https://www.statecourts.gov.sg/Pages/default.aspx
Family Justice Courts Website	https://www.familyjusticecourts.gov.sg/Pages/default.aspx
The "Understanding Legal Processes" pages of the Attorney-General's Chambers Website	https://www.agc.gov.sg/legal-processes/legal-process
The Ministry of Law Website	https://www.mlaw.gov.sg/content/minlaw/en.html
The "Know The Law Now" booklet on The Law Society of Singapore Website	http://probono.lawsociety.org.sg/Pages/know-the-law-booklet.aspx
The "Information" page of the Community Justice Centre Website	http://cjc.org.sg/information/

Legislation and Related Resources:

(2) Legislation, Case Law and other Legal Resources

Singapore Statutes Online	http://statutes.agc.gov.sg/aol/home.w3p
Parliament of Singapore Official Reports – Parliamentary Debates	http://www.parliament.gov.sg/parliamentary-business/official-reports-(parl-debates)
Supreme Court Website – most recent 3 months judgments	http://www.singaporelawwatch.sg/slw/judgments.html
Singapore Law Watch – most recent 3 months judgments	http://www.singaporelaw.sg/sglaw/singapore-law-watch/latest-cases
Singapore Academy of Law: Laws of Singapore – Court of Appeal and High Courts Judgments from 2005 to present	http://www.singaporelaw.sg/sglaw/laws-of-singapore/overview
Supreme Court Website - relevant legislation	http://www.supremecourt.gov.sg/rules/legislation-and-directions
Family Justice Courts Website – relevant legislation	https://www.familyjusticecourts.gov.sg/QuickLink/Pages/Legislation-and-Directions-.aspx
State Courts Website – relevant legislation	https://www.statecourts.gov.sg/Resources/Pages/Legislation-and-Practice-Directions.aspx

(3) Law Library open to LIPs

State Courts Law Library	1 Havelock Square, Level 7
Supreme Court Law Library	1 Supreme Court Lane, Level 1

(4) Glossary of Words used in Court Proceedings

The "Glossary" pages under "Resources" in the State Courts Website	https://www.statecourts.gov.sg/Pages/default.aspx
The "Glossary of commonly used terms" on Attorney-General's Chambers Website	https://www.agc.gov.sg/resources/glossary
The "Glossary" page under Part II of Civil Claims of the "Know The Law Now" booklet on The Law Society of Singapore Website	http://probono.lawsociety.org.sg/Pages/know-the-law-booklet.aspx

Annex B

Legal Assistance Schemes Available

Community Justice Centre	
Services Provided	<ul style="list-style-type: none"> • Assistance with legal procedures • Legal advice • Primary Justice Project for: <ul style="list-style-type: none"> - Civil claims of less than \$60,000 and which fall outside the Small Claims Tribunals' jurisdiction, including consumer claims, tenancy disputes, MCST disputes, defamation and employment disputes - Divorce matters where most ancillary matters are close to settlement • Social and emotional support • Social and referral services to community agencies
Who May Apply	Litigants who do not have legal representation
Operating Hours	Monday – Friday: 9.00am – 1.00pm, 2.00pm – 5.30pm <i>Closed on Saturdays, Sundays and public holidays</i>
Contact Information	Community Justice Centre 1 Havelock Square, State Courts, Level 1, Singapore 059724 Tel: 6557 4100 Email: help@cjcc.org.sg Website: www.cjcc.org.sg Help services are also available at: <ul style="list-style-type: none"> • <i>Community Justice Centre Help Services, Level 3, Family Justice Courts</i> • <i>Community Justice Centre Office, Level 2, Supreme Court (Only open on Thursdays)</i>

Community Legal Clinics	
Services Provided	Consultation with a qualified lawyer for personal matters on a one-to-one basis in a 20-minute session (<i>registration is required</i>)
Who May Apply	Singapore citizens and Permanent Residents who do not have legal representation, and are unable to afford a lawyer
Operating Hours	<i>Please refer to the Pro Bono Services Office website for the operating hours of the legal clinics</i>
Contact Information	<i>Please refer to the Pro Bono Services Office for the contact details of the legal clinics</i> <i>Registration is required before an appointment is made for consultation. To register for an appointment, you may choose to:</i> <ul style="list-style-type: none"> • <i>Call 6536 0650 or</i> • <i>Email ProBonoServices@lawsoc.org.sg, or</i> • <i>Speak to the Officer directly at the Community Justice Centre, 1 Havelock Square, State Courts, Level 1, Singapore 059724</i>

Legal Aid Bureau	
Services Provided	<ul style="list-style-type: none"> • Legal advice • Legal aid for civil proceedings in the Court of Appeal, the High Court, the District Courts, the Magistrates' Courts, the Syariah Court as well as proceedings under the Women's Charter • Legal assistance in drafting of certain legal documents
Who May Apply	<p>Singapore citizens and Permanent Residents who do not have legal representation, and are unable to afford a lawyer</p> <p><i>To qualify for legal aid, an applicant must also:</i></p> <ul style="list-style-type: none"> • <i>satisfy the Means Test, and</i> • <i>satisfy the Merits Test</i>
Operating Hours	<p>Monday – Friday: 8:30am to 5:00pm</p> <p><i>Closed on Saturdays, Sundays and public holidays</i></p>
Contact Information	<p>Legal Aid Bureau 45 Maxwell Road, #07-11, The URA Centre (East Wing), Singapore 069118 Tel: 1800 2255 529 Online Enquiry Form: www.mlaw.gov.sg/eservices/enquiry Website: www.mlaw.gov.sg/content/lab</p>

Pro Bono Services Office, Law Society of Singapore	
Services Provided	Free basic legal advice to persons who are facing legal issues on personal matters and do not have access to legal advice or representation
Who May Apply	Singapore citizens and Permanent Residents living in Singapore facing a legal issue on personal matter (excluding investment, business and professional matters) and have never sought legal advice before and/or unable to afford a lawyer
Operating Hours	<p>Monday – Friday: 9.00am – 5.45pm</p> <p><i>Closed on Saturdays, Sundays and public holidays</i></p>
Contact Information	<p>Pro Bono Services Office 1 Havelock Square, State Courts, Level 5, Singapore 059724 Tel: 6534 1564 Email: clas@lawsoc.org.sg Website: http://probono.lawsociety.org.sg/</p> <p><i>Registration is required before an appointment is made for consultation. To register for an appointment, you may choose to:</i></p> <ul style="list-style-type: none"> • <i>Call 6536 0650 or</i> • <i>Email ProBonoServices@lawsoc.org.sg, or</i> • <i>Speak to the Officer directly at the Community Justice Centre, 1 Havelock Square, State Courts, Level 1, Singapore 059724</i>

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