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STATUTORY INSTRUMENTS

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**2010 No. 2955**

**The Family Procedure Rules 2010**

**PART 15**

**REPRESENTATION OF PROTECTED PARTIES**

**Who may be a litigation friend for a protected party without a court order**

**15.4.**—(1) This rule does not apply if the court has appointed a person to be a litigation friend.

(2) A person with authority as a deputy to conduct the proceedings in the name of a protected party or on that party's behalf is entitled to be the litigation friend of the protected party in any proceedings to which that person's authority extends.

(3) If there is no person with authority as a deputy to conduct the proceedings in the name of a protected party or on that party's behalf, a person may act as a litigation friend if that person—

- (a) can fairly and competently conduct proceedings on behalf of the protected party;
- (b) has no interest adverse to that of the protected party; and
- (c) subject to paragraph (4), undertakes to pay any costs which the protected party may be ordered to pay in relation to the proceedings, subject to any right that person may have to be repaid from the assets of the protected party.

(4) Paragraph (3)(c) does not apply to the Official Solicitor. (“deputy” is defined in rule 2.3.)

**Changes to legislation:**

There are currently no known outstanding effects for the The Family Procedure Rules 2010, Section 15.