



Guidelines for Using a Support Person in Provincial Court

- 1. Unless a judge orders otherwise, a litigant may have a support person sit with them in a Provincial Court small claims or family trial or hearing except for:
 - (a) a small claims settlement or trial conference; or**
 - (b) a family case conference.****

- 2. A support person must not be someone who:
 - (a) may be a witness in the hearing or trial; or**
 - (b) is paid for their services.****

- 3. A support person may provide the following help in court:
 - (a) taking notes;**
 - (b) organizing documents;**
 - (c) making quiet suggestions to the litigant;**
 - (d) providing emotional support; and**
 - (e) any other task approved of by the judge.****

- 4. A support person shall not address the court, or speak on behalf of the litigant except in exceptional circumstances and only with the advance permission of the judge.**

- 5. A judge may refuse to allow a support person to sit with a litigant where the presence of the support person could be or becomes disruptive to the proceedings or would otherwise be unfair to an opposing party.**

- 6. A support person may be allowed to attend a small claims settlement or trial conference or family case conference, with the permission of the judge, and usually only where the opposing party agrees. If the support person is not allowed to attend, the litigant may ask the judge for a break during the conference to speak to their support person outside the conference room.**

These Guidelines form the basis of [NP11](#), a Notice to the Profession issued April 10, 2017.