



## Litigants in Person

### Code of Conduct

We at Excalibur Actuaries realise that going through a divorce can be complex and stressful. Pensions can be particularly complex and we recommend that parties get legal advice although we appreciate that some parties prefer to be litigants in person. As explained below, we recommend that you consult an independent financial adviser at an early stage – ideally before we are instructed.

Excalibur Actuaries typically has over 300 cases that we are dealing with at any one time. We want to provide reports that are clear, timely and good value for money. We therefore only accept instructions from litigants in person where both parties are ready and willing to engage and cooperate to enable us to complete our report and answer any further questions submitted in line with Family Procedure Rules. As such:

1. We require that letters of instruction be agreed at the outset of our appointment. We should not be involved in the correspondence between parties when agreeing our instructions (nor copied in).
2. Our role is to report on pensions issues only. We should not be involved or copied in on correspondence concerning other parts of the divorce.
3. Communications should be respectful and on an open and transparent basis with the other party copied into all emails or letters, including the provision of all pension and other information we request. Please contact us by email and not by telephone.
4. Excalibur will report on the pension information provided. We are not responsible for verifying all the pensions each party has.
5. We set out what pension information is required on our website and in responses to letters of instruction. We expect parties to request the information from pension scheme administrators promptly and to chase up responses if necessary. Excalibur only accept instructions where the parties obtain any further information needed.
6. Unless otherwise agreed, we expect to be provided with recent CETV statements obtained for divorce purposes – less than 12 months old for defined benefit schemes and less than 3 months old for defined contribution schemes. Please send us the full information packs sent to you as this will help to minimise follow-up questions.
7. You should have a basic knowledge of pensions and will consult an independent financial adviser if necessary. Pension information can be obtained from <https://www.advicenow.org.uk/pensions> and <https://www.moneyhelper.org.uk/en/pensions-and-retirement/pension-wise>
8. Parties should be aware of the Family Procedure Rules and Part 25 that applies to Experts [https://www.justice.gov.uk/courts/procedure-rules/family/parts/part\\_25](https://www.justice.gov.uk/courts/procedure-rules/family/parts/part_25)



In particular, Rule 25.10 has requirements including:

- a. questions must be **proportionate**
- b. be put **once** only and
- c. must be for the purpose only of **clarification**.

Should one or both of the parties not follow the above code, then we are likely to resign our appointment and charge a fee based on the work carried out to date. We reserve the right to resign without warning.