

9 December 2015

Mr Ronald van der Horst  
fyi-request-3374-01cd09ab@requests.fyi.org.nz

Dear Mr van der Horst

#### **Entering an appearance in the High Court**

I refer to your email of 16 November 2015 requesting an explanation of how you enter an appearance in the High Court.

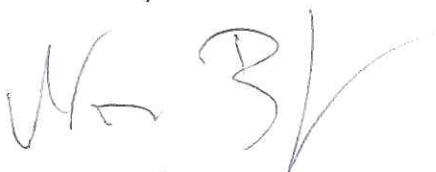
The following appears in Butterworths New Zealand Law Dictionary, Seventh Edition—

*The formal submission by a party to a court, evidenced by a memorandum or notice of appearance. A defendant in a proceeding in the High Court may, instead of filing a statement of defence, file and serve a document known as an appearance. This is used by a defendant who objects to the jurisdiction of the court to hear and determine the proceeding (High Court Rules (HC), Rule 5.49), or who, while not opposing the plaintiff's claim, wishes to be heard on an ancillary matter (HC Rules, Rule 5.50), or who desires to reserve the right to file a statement of defence later should some other party to the proceeding take steps adverse to that defendant (HC Rules, Rule 5.51).*

If you wish to enter an appearance in relation to actual proceedings, you should consult a lawyer. You may wish to speak to a lawyer at a local Community Law centre. Information can be found at [www.communitylaw.org.nz](http://www.communitylaw.org.nz).

I trust this information is of assistance.

Yours sincerely



Nora Burghart  
Policy Manager  
Courts and Tribunals