

**REMOVE, READ AND KEEP
THIS COVER SHEET FOR YOUR
OWN INFORMATION**



Legal Services Commission
O F S O U T H A U S T R A L I A

Application for Legal Aid

Complete the Application Form inside and deliver or send it to the Commission's Adelaide office, whenever possible or if you prefer deliver or send it to your local Legal Services Commission office (addresses and phone numbers on the back of this cover sheet).

If you are applying for legal aid through a private solicitor, you should ask your solicitor to send the form to us with a covering letter, and also get that solicitor to sign the Solicitor's Certificate on the last page of the Application Form.



Legal Services Commission

O F S O U T H A U S T R A L I A

IMPORTANT INFORMATION YOU SHOULD KNOW ABOUT LEGAL AID

1. PROOF OF MEANS

Before we can process your application we need copies of your:

- (a) Bank statements or passbooks for the last two months,
- (b) Centrelink Income Statement,
- (c) Payslips for the last four weeks (if working),
- (d) Last tax return and last profit & loss statement (if self-employed).

We **must** also have copies of these documents from a financially associated person. A *financially associated person* may include a spouse, de facto, company, trust, partnership or other financial entity. (For full definition of the term please see Page 2 of the Application Form immediately under the bold heading: “Means Test-Income and Assets”.)

1A. RELEVANT DOCUMENTS

You should also provide copies of relevant court orders, proceedings, summons, bail agreements etc., which relate to the application for legal aid, and which will assist our assessment.

2. CHOICE OF LAWYER

If there is a particular lawyer whom you want to handle your case, write his or her name on the form. If you do not have a particular lawyer in mind, we will choose one for you. If you prefer to see a male or female lawyer, please write this on the form too. We will take your choice into account when assessing the application.

3. IMPORTANT CONDITIONS

If you accept legal aid, you accept the conditions in this document. If you do not want legal aid on these conditions, tell us now.

LEGAL AID IS NOT FREE

There are several ways in which you will be asked to pay money towards your legal aid:

(a) Contribution

We will work out how much you can afford to pay towards your case. The minimum contribution is \$20.00 but it can be much more. You must pay the contribution to your lawyer before he or she can do any work for you. Large contributions may be paid in instalments. If you do not pay, your lawyer does not have to do any work for you. If you have a legal aid lawyer and you do not pay the instalments of the contribution, we can collect the whole amount from you. We can charge more than one contribution on your case. We will write and tell you each time a contribution is due.

(b) Charge Over Your Real Estate

If you and/or a financially associated person own or are buying real estate we will take a charge if your case costs exceed \$2,000.00. The charge makes sure that you pay back the whole cost of your case eventually. We do not sell your house but wait until you decide to sell, transfer or refinance it, or if you die we collect the money from your estate. Most cases, apart from simple guilty pleas or very short criminal trials, cost more than \$2,000.00. Read our charge brochure and ask your lawyer about this.

4. PAYING BACK YOUR COSTS

- (a) If you get money from your legal case, such as compensation, damages or property settlement, you will have to pay back your legal aid in full.
- (b) If we take a charge, the charge makes sure that you pay back your legal aid in full.

If you need to know the cost of your case from time to time, ask your lawyer. This is your responsibility, not ours. If you do not agree with your lawyer's bill, you can have it checked by the Court, although you may have to pay for this.

- (c) Your lawyer must tell us of any changes in your circumstances which could affect your legal aid.
- (d) Your lawyer cannot charge for work done while you are on a grant of legal aid. Your lawyer will bill us for that work.

5. OTHER COSTS YOU MAY HAVE TO PAY

- (a) If you receive more money, e.g., if you get a job, an inheritance or other payment, or if you become financially supported by someone else, this will affect your legal aid. You must tell us if this happens. We will then work out whether you can still have legal aid and whether you have to pay another contribution.
- (b) If you lose your case, you may have to pay the other side's costs. We cannot help you with these costs. You will have to pay them yourself.
- (c) If you get legal aid when you were not entitled to, we will require you to pay back the full amount. If you give us false, incomplete or misleading information, you could also be prosecuted.
- (d) We can change the conditions of legal aid at any time and this could mean that you have to pay more.
- (e) We cannot pay for any work your lawyer has already done without a grant of legal aid. This is your responsibility.

6. WHAT YOU MUST DO

- (a) You must tell us and your lawyer if you change address. If you are released from custody, you must tell us and your lawyer where you will be living. If we cannot contact you, legal aid can be stopped and your lawyer can stop work on your case.
- (b) You must tell us and your lawyer if your financial circumstances change. This includes if you get a job, enter a financially associated relationship, separate, receive money, etc.
- (c) You must follow your lawyer's advice. Legal aid can be stopped if you do not do this.
- (d) You must tell your lawyer everything he or she needs to know about your case.
- (e) You must tell us and your lawyer if you do not want legal aid. By accepting legal aid you accept these conditions. Ask your lawyer if you are unsure.

7. WHAT YOUR LAWYER MUST DO

- (a) Your lawyer must keep your case confidential, apart from some things which he or she must tell us, the other side and/or the Court.
- (b) Your lawyer must tell us what is happening in your case. If your lawyer thinks that you are unlikely to win the case, he or she must tell us and legal aid can be stopped.

8. WHAT WE WILL DO

We will process your application once we receive the completed form and proof of means. This takes us about 7-14 days. You can ring us after this time if you have not heard. We will then write to you telling you whether you are granted legal aid. The letter will tell you who your lawyer is and will ask you to contact them. It will also tell you about your contribution.

If you are refused legal aid, the letter will tell you why and will explain how you can appeal.

We will keep your legal aid matters confidential except in the following circumstances:

- (a) If you ask us in writing to provide information to someone else, or, again in writing, you authorise someone else to get information from us.
- (b) If there is information which your lawyer needs from us.
- (c) If we are required by law, including a court order, to release the information.
- (d) If we take a charge over your real estate, we send a copy of the charge document to your other lender(s) and the charge is registered at the Lands Titles Office.

9. RIGHT TO APPEAL

If you do not agree with our decision in your case, or with a condition of legal aid, you can appeal. To appeal, write to us within fourteen (14) days of our letter, telling us why you think the decision is wrong. You do not need a lawyer's help to appeal. You can appeal by yourself, simply by writing a letter to us. Of course, you can pay a lawyer to appeal for you if you wish. We will write and let you know the result of your appeal.

10. IF YOU NEED MORE INFORMATION

Once you accept legal aid, the conditions of aid will apply to you whether or not you agree with them or understand them.

If you do not understand the conditions of aid or need more information about legal aid, you can:

- (a) ask your lawyer
- (b) write to us
- (c) attend one of our offices and speak to us about it, or,
- (d) access the Practitioners Guide to Legal Aid on www.lsc.sa.gov.au

The addresses of our offices are printed on the back of this form.

Application for Legal Aid

Complete all questions on the form and give us the financial information where asked.

1 For what type of problem do you need Legal Aid?

- Family
Criminal
Civil/General

2 Given names

Family name

3 Title

- Mr Ms Mrs Miss
Other Give details:

4 Do you use or have you used other names?

- No
Yes Please give other name:

5 Your sex

- Male Female Not applicable
For example, a group or organisation

6 Your date of birth

7 Your home address (even if you are in custody)

 Postcode

Should we send mail to you at your home address?

- No Where can we send mail to you?

 Postcode

- Yes

8 Your phone numbers and email

Home

Mobile

Email

9 Have you applied for legal aid before?

- No
Yes What year?

10 How did you know about legal aid?

- Child support agency
Community legal centre
Private lawyer
Womens legal service
Court general staff
Legal aid commission

11 Is this application being made for someone else?

- No
Yes Is it for:
Separate representative
Child in criminal matter
Child in welfare matter
Mental health matter
Next friend
Request by Court/Tribunal
Other Give details:

Please tell us **your** details so we can contact you about this application:

Name

Address

Postcode

Telephone

Office Use Only

Application No. Law Type Source of Application

Client No. File No.

Means Test - Income and Assets

The term 'financially associated person' is used in this form. This term includes any person:

- From whom you usually receive financial support.
- To whom you usually provide financial support.
- Who could reasonably be expected to financially assist you in obtaining legal services.

A financially associated person may include a relative, partner, spouse, trust, corporation, group.

22 Do you get a pension or benefit or allowance?

No

Yes Which one?

Card number

- | | | | | | |
|----------|--------------------------|---------------|--------------------------|------------|--------------------------|
| Age | <input type="checkbox"/> | Disability | <input type="checkbox"/> | Family Tax | <input type="checkbox"/> |
| Newstart | <input type="checkbox"/> | Parenting | <input type="checkbox"/> | Special | <input type="checkbox"/> |
| Sickness | <input type="checkbox"/> | Veterans | <input type="checkbox"/> | Widow | <input type="checkbox"/> |
| Youth | <input type="checkbox"/> | Abstudy | <input type="checkbox"/> | Austudy | <input type="checkbox"/> |
| Other | <input type="checkbox"/> | Give details: | | | |

23 Does your financially associated person get a pension, benefits or allowance?

No

Yes Which one?

Card number

- | | | | | | |
|----------|--------------------------|---------------|--------------------------|------------|--------------------------|
| Age | <input type="checkbox"/> | Disability | <input type="checkbox"/> | Family Tax | <input type="checkbox"/> |
| Newstart | <input type="checkbox"/> | Parenting | <input type="checkbox"/> | Special | <input type="checkbox"/> |
| Sickness | <input type="checkbox"/> | Veterans | <input type="checkbox"/> | Widow | <input type="checkbox"/> |
| Youth | <input type="checkbox"/> | Abstudy | <input type="checkbox"/> | Austudy | <input type="checkbox"/> |
| Other | <input type="checkbox"/> | Give details: | | | |

24 How much do you or any financially associated person get from any pension, benefits or allowance?

Your weekly amount

Other person's weekly amount

\$	\$
\$	\$

You must give us copies of the Centrelink Income Statement.

25 Are you employed?

No When did you last do paid work?

 / /

Yes

26 What work do you usually do?

27 Do you or a financially associated person receive a wage or salary?

No

Yes Please give amount of income per week:

	Your income	Other person's income
Gross wage	\$	\$
Tax	\$	\$

inc. Medicare

You must give us copies of recent payslips or letters from employers setting out weekly income and tax paid.

28 Do you or a financially associated person get any other income or benefit?

No

Yes Please give type of income or benefit and amount you receive weekly:

Type	You	Other Person
Maintenance	\$ per wk	\$ per wk
Rent received	\$ per wk	\$ per wk
Income from trusts	\$ per wk	\$ per wk
Worker's comp.	\$ per wk	\$ per wk
Other income	\$ per wk	\$ per wk

29 Are you, a financially associated person or any of your dependant children:

Self-employed

A primary producer (farmer, grazier)

A partner in a business

A director/shareholder in a business or company

Receiving money from a trust

Receiving any benefit from a business or company?

For example, use of a car, telephone, payment of school fees

(Please provide your most recent tax return and profit and loss statement).

30 What sort of housing payments do you make or are made on your behalf by a financially associated person?

Type Paid by You Paid by Other Person

Rent	\$ per wk	\$ per wk
Mortgage	\$ per wk	\$ per wk
Board & Lodgings	\$ per wk	\$ per wk
Rates	\$ per wk	\$ per wk

Do not pay housing costs Give details:

31 Do you or a financially associated person pay any of the following expenses each week?

No

Yes Give details:

Expense	You	Other Person
Child Care Fees	\$ per wk	\$ per wk
Spouse Maintenance	\$ per wk	\$ per wk

32 Do you or a financially associated person pay any child support payments or child maintenance?

No

Yes Give details:

Your amount per week

\$

Number of children payment is for

Other person's amount per week

\$

Number of children payment is for

33 Do you or a financially associated person own or are paying off your home in Australia or elsewhere?

No

Yes Give details:

Address (if different to your home address)

Postcode

How much would the home sell for?

\$

Mortgages or amount still owing on the home you own

\$

Please let us know if you are not living in your home and the reasons why.

34 Do you or a financially associated person own or are paying off any other real estate in Australia or elsewhere? (eg house or land)

No

Yes Give details:

How much would it sell for?

\$

Mortgages or amount still owing on this property:

\$

Address

Postcode

35 Do you or a financially associated person own any motor vehicles? Including motor vehicles you are paying off

No

Yes Give details:

Your vehicles

Year	Model	Market Value	Money Owing
		\$	\$
		\$	\$

Other person's vehicles

Year	Model	Market Value	Money Owing
		\$	\$
		\$	\$

36 Do you or a financially associated person have an account with a bank, building society or credit union in Australia or elsewhere, or have money invested with other persons?

No

Yes Give details of your account:

Your accounts

Bank/building society/credit union	Amount
	\$
	\$

Other person's accounts

Bank/building society/credit union	Amount
	\$
	\$

37 Do you or a financially associated person have any cash?

No

Yes Give details:

Your cash

\$

Other person's cash

\$

38 Do you or a financially associated person own anything else of value in Australia or elsewhere?

For example, shares, bonds, boats, caravans and jewellery.

No

Yes Give details:

Your Property

Item	Value
	\$
	\$

Other person's property

Item	Value
	\$
	\$

Civil or General Law Only

57 Please give the date and place where your accident or problem happened

Date

Place

/ /	
-----	--

Consent to Client Survey

58 Do you consent to taking part in a client survey?

No

Yes

Your Declaration

59 All applicants must sign the Declaration

I (name):

of (address):

Postcode

acknowledge that it is an offence to:

- Fail to provide information required of me and which is relevant to this application for legal aid.
- Provide a document to the Commission in connection with this application for legal aid that is false or misleading.
- Make a false or misleading statement either orally or in writing in relation to this application for legal aid.

I therefore declare that all the information I have given is true and correct.

Applicant's (Your) Signature

--

Date

/ /

Solicitor's Certificate

NOTE: If this application is made through a solicitor, this certificate MUST be completed. If not, it may be interpreted as an expression of opinion that the application has no merit.

I (name):

--

of the firm of:

--

of (address):

Postcode

CERTIFY that the applicant has consulted me and I am of the opinion that this application has legal merit and/or is otherwise deserving of aid.

Solicitor's Signature

--

Date

/ /

You have now completed your application for legal aid.

- Remove the cover sheet from the application form.
- Keep the cover sheet. It has important information that you should read.
- Send the actual application form to Legal Aid. Addresses are on the back of the cover sheet.



Legal Services Commission

OF SOUTH AUSTRALIA

www.lsc.sa.gov.au


www.lawhandbook.sa.gov.au

Applications should be forwarded to the Commission's Adelaide Office.

<p>ADELAIDE OFFICE: 82-98 WAKEFIELD STREET, ADELAIDE 5000 PHONE: 8463 3555</p>		<p>ELIZABETH OFFICE: GROUND FLOOR, WINDSOR BUILDING, ELIZABETH SHOPPING CENTRE, ELIZABETH 5112 PHONE: 8207 9292</p>
<p>HOLDEN HILL OFFICE: TENANCY 7, 560 NORTH EAST ROAD, HOLDEN HILL 5088 PHONE: 8369 1044</p>	<p>MOUNT BARKER OFFICE: 18 WALKER STREET, MOUNT BARKER 5251 PHONE: 8226 8722</p>	<p>NOARLUNGA OFFICE: GROUND FLOOR, NOARLUNGA HOUSE, CENTRO COLONNADES SHOPPING CENTRE, NOARLUNGA CENTRE 5168 PHONE: 8207 3877</p>
<p>PORT ADELAIDE OFFICE: ANL HOUSE, 306 ST. VINCENT STREET, PORT ADELAIDE 5015 (Entry at rear of building off Baker Street) PHONE: 8207 6276</p>	<p>PORT AUGUSTA OFFICE: 13 FLINDERS TERRACE, PORT AUGUSTA 5700 PHONE: (08) 8648 5180</p>	<p>WHYALLA OFFICE: 7/169 NICOLSON AVENUE, WHYALLA NORRIE 5608 PHONE: (08) 8648 8940</p>

<p>English</p> <p>If you do not understand English telephone the Translating and Interpreting Service on 131 450 to make an appointment for us to explain our documents in your language. We will arrange and pay for an interpreter.</p>	<p>Albanian</p> <p>Ne qofte se ju nuk kuptoni Anglishtë, telefononi Sherbimin e Përkthimit dhe të Interpretimit në 131 450 që të lini takim që ne t'ju shpjegojmë dokumentat tona në gjuhën tuaj. Ne do të caktojmë dhe do të paguajmë për përkthyesin.</p>	<p>Arabic</p> <p>إذا كنت لا تفهم اللغة الإنكليزية اتصل هاتفيا بخدمة الترجمة الخفية والتفسيرية 131 450 على الرقم Translating and Interpreting Service لتحديد موعد مع كمي تفسر لك مستنداتك بلغة الأم. سوف نؤمّن نحن المترجم الشفهي ونفرض له أتعابه</p>
<p>Chinese</p> <p>如果您看不懂英語，請致電傳譯及翻譯服務，電話號碼：131 450。我們可以約定一個時間，用您的語言為您解釋文件內容。傳譯員由我們安排和付費。</p>	<p>Croatian</p> <p>Ako ne razumijete engleski jezik nazovite TIS prevodilačku službu na broj 131 450 da zakažete sastanak, kako bismo vam objasnili naša dokumenta na hrvatskom jeziku. Mi ćemo organizirati i platiti službu tumača.</p>	<p>Dari/Farsi</p> <p>اگر انگلیسی نمیفهمید لطفاً با سرویس ترجمه به شماره تلفن : ۱۳۱ ۴۵۰ تماس گرفته و قرار ملاقاتی را با ما مشخص نمایید تا ما معارف خودمان را به زبان شما توضیح دهیم . ما مترجم گرفته و هزینه آن را پرداخت میکنیم .</p>
<p>Greek</p> <p>Αν δεν καταλαβαίνετε Αγγλικά, τηλεφωνήστε στην Υπηρεσία Μετάφρασης και Διερμηνείας (TIS) στο 131 450. Κλείστε ραντεβού και θα σας εξηγήσουμε τις πληροφορίες μας στα Ελληνικά. Θα σας κλείσουμε διερμηνέα με δική μας έξοδα.</p>	<p>Italian</p> <p>Se non capite l'inglese, chiamate il Servizio Interpreti e Traduttori al 131 450 per fissare un appuntamento e farvi spiegare i nostri documenti nella vostra lingua. Faremo venire anche un interprete pagato da noi.</p>	<p>Khmer</p> <p>ប្រសិនបើ អ្នកមិនយល់ភាសាអង់គ្លេស ក្នុងករណីនេះ សូមទូរស័ព្ទសេវាប្រឹក្សាស្តីពីច្បាប់លេខ ១០៥ លេខ 131 450 ដើម្បីស្នើសុំជំនួយ និងព័ត៌មានអំពីឯកសាររបស់យើង។ យើងនឹងជួយអ្នកដើម្បីបញ្ជាក់អំពីឯកសារនីមួយៗ។</p>
<p>Polish</p> <p>Jezeli nie rozumiesz angielskiego, zadzwoń do Służby Tłumaczy pod numerem 131 450 by ustalić termin wizyty, na której wyjaśnimy nasze dokumenty w Twoim języku. Zamówimy i zapłacimy za tłumacza.</p>	<p>Russian</p> <p>Если вы не понимаете по-английски, позвоните нам через Службу Переводов по тел. 131 450 и назначьте прием, чтобы мы вам объяснили наши документы на вашем языке. Мы закажем и оплатим переводчика.</p>	<p>Serbian</p> <p>Ako ne razumeš engleski, nazovite službu tumača i prevodilačica na tel. br. 131 450 da zakažete sastanak kod nas da vam objasnimo naše dokumente na vašem jeziku. Mi ćemo dovesti tumača i platiti za te usluge.</p>
<p>Spanish</p> <p>Si no comprende el inglés, llame al Translating and Interpreting Service, en el 131 450, para organizar una cita en la que le explicaremos nuestros documentos en su idioma. Nosotros organizaremos un intérprete y cubriremos el costo.</p>	<p>Thai</p> <p>ถ้าท่านไม่เข้าใจภาษาอังกฤษและต้องการล่ามไทย โทรศัณห์ ๑๓๑ ๔๕๐ เพื่อใช้บริการล่ามโดยไม่มีเสียเงิน</p>	<p>Vietnamese</p> <p>Nếu quý vị không hiểu tiếng Anh, xin điện thoại cho Sở Phiên và Thông Dịch qua số 131 450 để hẹn cho chúng tôi giải thích những văn kiện của chúng tôi bằng thứ tiếng của quý vị. Chúng tôi sẽ thu xếp và trả tiền cho thông dịch viên.</p>

NEED LEGAL HELP CALL LEGAL AID

TELEPHONE ADVICE  **1300 366 424**

Mon - Fri 9.00 am - 4.30 pm