



Legal Services Commission
OF SOUTH AUSTRALIA

NEED LEGAL HELP?

This information is general and not a substitute for legal advice. The Legal Services Commission provides free advice for most legal problems.

Contact the Legal Helpline 1300 366 424

(TTY 8463 3691) www.lsc.sa.gov.au www.lawhandbook.sa.gov.au

NEED LEGAL HELP?

The Legal Services Commission helps people with legal problems. You may have been arrested, had a car accident, have a problem with your family, received a summons, or any of a hundred other things and not know where to go.

The Legal Services Commission provides legal aid and many other legal services.

LEGAL ADVICE

For face to face advice, you can talk to our legal advisers. We can provide initial advice for most legal problems and can refer you to other places to get help. Simply call your nearest office to arrange a free 30 minute appointment. To save yourself time, you should call the Legal Help Line first.

PREPARING FOR YOUR INTERVIEW?

Bring any papers you may have about your problem. It may also be useful to write down your questions beforehand.

CHILD SUPPORT UNIT

We provide a range of services for both carer and liable parents. For child support help and advice call 8463 3576, leave your details and we'll call you back.

DUTY SOLICITORS and DUTY LAWYERS

Duty solicitors are legal aid lawyers at the Magistrates Courts and Youth Courts who help people on criminal charges. Duty Solicitors are available for to help with advice, bail applications and adjournments. Whether the Duty Solicitor can help you depends on what you have been charged with, your personal circumstances and how many other people need help on that day. They are usually very busy so it is best to get advice before going to court.

Duty Lawyers provide family law advice and assistance in the Federal Magistrates Court and the Family Court for people without a lawyer.

YOUTH LEGAL SERVICE

The Legal Services Commission has a special office at the Youth Court for young people who need legal help with criminal charges.

The Youth Legal Service offers free legal advice to anyone under 18. it is best to make an appointment to see a lawyer before going to court. Telephone 8463 3533 for further information.

EDUCATION and INFORMATION

Looking for information? See our Law Handbook Online www.lawhandbook.sa.gov.au, a comprehensive and easy to understand guide to the law in South Australia.

We also run law training courses and publish many helpful booklets and pamphlets (such as this one!). See our website for details www.lsc.sa.gov.au.

FAMILY LAW CONFERENCING

Family Conferencing uses mediation to help resolve family law problems. To use our Family Conferencing service, either you or the other person involved in the dispute must have legal aid. Conferences are a good way of settling your family law problem without going to court. To find out more about Conferencing contact our Primary Dispute Resolution Unit **8463 3555**.

LEGAL AID

If you need more than legal advice, we may provide a lawyer to help with your case. To apply for legal aid, you must fill in an application form and show us proof of your income and assets. Forms are available from our offices or private lawyers. You will get a letter within 14 days to say if you have been granted legal aid but we can act quicker in emergencies.

WHO CAN GET LEGAL AID?

Legal aid is not available for every legal problem. In granting legal aid we consider:

- **your financial situation** - your income and assets (and your spouse's or anyone else with whom you have a financial relationship)
- **legal aid guidelines** - for example, if it is a criminal matter, there must be a reasonable likelihood of imprisonment. Family matters must usually involve a genuine dispute over children that you have not been able to resolve
- Whether your chances of success.

WHAT WILL IT COST?

Legal aid is not free. There is a minimum contribution of \$20 but you may be asked to contribute more towards your legal costs, depending on your income and assets.

If you have real estate, a Statutory Charge can be placed on the title, so that your legal costs will be repaid at a later date when the property is sold or transferred. See our Statutory Charge pamphlet for more information.

CAN I CHOOSE MY OWN LAWYER

Yes, we will pay private lawyers to represent you under a grant of legal aid. If you don't already have a lawyer, we may use one of our experienced staff lawyers or pay a private lawyer to represent you.

WHEN DOES LEGAL AID START?

We will pay legal fees from the date when legal aid is granted. You must pay for any legal costs incurred before your application is approved.



INTERPRETERS

If you do not speak or understand English, we will arrange and pay for an interpreter. If you need help to make an appointment, telephone the Translating and Interpreting Service on **131 450**.

CAN I GET LEGAL AID FOR ANY LEGAL PROBLEM?

No, under our guidelines there are certain matters for which representation is not normally available. However, these guidelines may be waived in special circumstances. Call our Legal Helpline for details **1300 366 424**. Even if we cannot represent you, we can usually provide advice.

We do not normally represent people in the following matters:

- divorce applications, unless there are special circumstances
- family law property disputes, except in limited circumstances
- traffic offences - unless there is a real risk of imprisonment
- simple will disputes
- complaints about lawyers - these are referred to the Legal Practitioners Conduct Board
- defamation cases
- conveyancing
- bankruptcy matters
- neighbour or fencing disputes
- restraining orders - however, legal aid may be provided for the charge of breaching a restraining order
- matters where adequate assistance can be obtained elsewhere, such as the Office of Consumer and Business Affairs for simple consumer complaints
- matters where private lawyers are prepared to act and be paid from money received at the end of the case, such as family law property settlements or personal injury matters
- unfair dismissal applications
- minor criminal matters where there is no risk of imprisonment
- business or corporate matters.

**To order copies of this free fact sheet visit
www.lsc.sa.gov.au or telephone 8463 3528.
© 2006 Legal Services Commission**