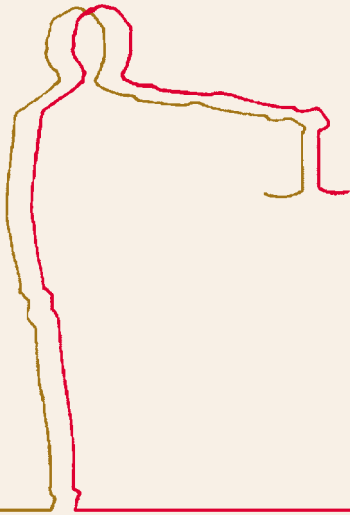


REMOVE, READ AND KEEP THIS COVER SHEET FOR YOUR OWN INFORMATION



**LEGAL SERVICES
COMMISSION
OF
SOUTH AUSTRALIA**

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 of South Australia

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) Letter from Centerlink stating which Benefit you are on, and how much you receive,
- (c) Payslips for the last four weeks (if working),
- (d) Last tax return (if self-employed).

We **must** also have copies of these documents from a financially associated person. A financially associated person may include a spouse, defacto, 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".)

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 payable 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 unless your case costs less than \$1000.00. 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 \$1000.00. 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.

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 can not 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 may 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.
- (c) Your lawyer must tell us of any changes in your circumstances which could affect your legal aid.

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 have got legal aid or not. If you have got legal aid, the letter will tell you who your lawyer is and will ask you to contact him or her. It will also tell you about your contribution.

If you have not got 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 to provide information to someone else.
- (b) If you authorise someone else to get information from us.
- (c) If there is information which your lawyer needs from us.
- (d) If we are required by law, including a court order, to release the information.
- (e) 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.

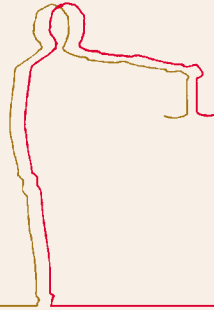
10. IF YOU NEED MORE INFORMATION

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.

Once you accept legal aid, the conditions of aid will apply to you whether or not you agree with them or understand them. Please make sure that you understand the conditions before accepting legal aid.



Legal Services Commission of South Australia

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

HEAD OFFICE:	82-98 WAKEFIELD STREET, ADELAIDE 5000 PHONE: 8463 3555
ELIZABETH OFFICE:	GROUND FLOOR, WINDSOR BUILDING, ELIZABETH CITY CENTRE, ELIZABETH 5112 PHONE: 8207 9292
HOLDEN HILL OFFICE:	TENANCY 7, 560 NORTH EAST ROAD HOLDEN HILL 5088 PHONE: 8369 1044
NOARLUNGA OFFICE:	GROUND FLOOR, NOARLUNGA HOUSE, COLONNADES SHOPPING CENTRE, NOARLUNGA CENTRE 5168 PHONE: 8207 3877
PORT ADELAIDE OFFICE:	ANL HOUSE 306 ST. VINCENT STREET PORT ADELAIDE 5015 (Entry at rear of Building off Baker Street) PHONE: 8207 6276
WHYALLA OFFICE:	1ST FLOOR RAA BUILDING, 25 FORSYTH STREET, WHYALLA 5600 PHONE: (08) 8648 8060

TELEPHONE ADVICE

NEED LEGAL HELP CALL LEGAL AID



1300 366 424

Mon - Fri 9.00 am - 4.30 pm

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 Go to question 2
Criminal Go to question 2
Civil/General Go to question 2

2 What is the next court date (if you know)?

 / /

3 Given names

Family name

4 Title

- Mr Ms Mrs Miss
Other Give details:

5 Do you use or have you used other names?

- No Go to question 6
Yes Please give other name:

6 Your sex

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

7 Your date of birth

 / /

8 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 Go to question 9

9 Your phone numbers

Home ()

Work ()

Other contact number
 ()

10 Have you applied for legal aid before?

- No Go to question 11
Yes What year?

11 Is this application being made for someone else?

- No Go to question 12
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
 ()

12 Are you in custody or detention?

- No Go to question 13
Yes Where?
Jail/centre

Section Identification number

Office Use Only

Application No.	<input type="text"/>	Law Type	<input type="text"/>	Source of Application	<input type="text"/>
Client No.	<input type="text"/>	File No.	<input type="text"/>		

13 Were you born overseas?

No Go to question 14

Yes Give details:

What country were you born in?

What year did you arrive in Australia?

14 Do you speak a language other than English at home?

No Go to question 15

Yes Which Language:

Do you need an interpreter?

No Go to question 15

Yes Which Language:

15 Are you an Aboriginal or Torres Strait Islander?

No Go to question 16

Yes Go to question 16

16 Do you get Austudy or Abstudy?

No Go to question 17

Yes Go to question 17

17 Are you a full-time member or ex-member of the Australian Defence Services or a dependant of one?

No Go to question 18

Yes Go to question 18

18 What are your living arrangements?

Married Married but separated

Divorced Living in a defacto relationship

Widowed Living with other partner

Never married Defacto but separated

Other Give details:

19 List your dependants, include spouse/defacto/partner/ children

Given names	Family name	Date of birth	Relationship to you	Who do they live with?
		/ /		
		/ /		
		/ /		
		/ /		
		/ /		
		/ /		
		/ /		

Mean 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.

20 Do you get a pension or benefit?

No Go to question 21

Yes Which one?

Age Sole Parent

Disability Unemployment

Widow Veterans

Sickness Special

Other Give details:

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

Do not include Family Payment

Your weekly amount Other person's weekly amount

\$	\$
\$	\$

You must give us copies of the Pension or Health Care Card.

22 Are you employed?

No When did you last do paid work?

Yes Go to question 23

23 What work do you usually do?

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

No Go to question 25

Yes Please give amount of income per week:

	Your income	Other person's income
Gross wage	\$ <input type="text"/>	\$ <input type="text"/>
Tax	\$ <input type="text"/>	\$ <input type="text"/>

inc. Medicare

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

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

No Go to question 26

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

Type	You	Other Person
Rental Assistance	\$ <input type="text"/> per wk	\$ <input type="text"/> per wk
Maintenance	\$ <input type="text"/> per wk	\$ <input type="text"/> per wk
Allowances	\$ <input type="text"/> per wk	\$ <input type="text"/> per wk
Commission	\$ <input type="text"/> per wk	\$ <input type="text"/> per wk
Interest	\$ <input type="text"/> per wk	\$ <input type="text"/> per wk
Board	\$ <input type="text"/> per wk	\$ <input type="text"/> per wk
Rent	\$ <input type="text"/> per wk	\$ <input type="text"/> per wk
Overtime	\$ <input type="text"/> per wk	\$ <input type="text"/> per wk
Superannuation	\$ <input type="text"/> per wk	\$ <input type="text"/> per wk
Income from trusts	\$ <input type="text"/> per wk	\$ <input type="text"/> per wk
Worker's comp.	\$ <input type="text"/> per wk	\$ <input type="text"/> per wk
Other	\$ <input type="text"/> per wk	\$ <input type="text"/> per wk

26 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, used of a car, telephone, payment of school fees

(You may be required to provide extra information such as tax returns).

None of the above Go to question 27

27 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	\$ <input type="text"/>	per wk	\$ <input type="text"/>	per wk
Mortgage	\$ <input type="text"/>	per wk	\$ <input type="text"/>	per wk
Board	\$ <input type="text"/>	per wk	\$ <input type="text"/>	per wk
Rates	\$ <input type="text"/>	per wk	\$ <input type="text"/>	per wk

Do not pay housing costs Give details:

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

No Go to question 29

Yes Give details:

Expense	You	Other Person
Child Care Fees	\$ <input type="text"/> per wk	\$ <input type="text"/> per wk
Spouse Maintenance	\$ <input type="text"/> per wk	\$ <input type="text"/> per wk
Loans	\$ <input type="text"/> per wk	\$ <input type="text"/> per wk
Other Debts	\$ <input type="text"/> per wk	\$ <input type="text"/> per wk

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

No Go to question 30

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

30 Do you or a financially associated person own your home in Australia or elsewhere?

Including a home you are paying off

No Go to question 31

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

\$

31 Do you or a financially associated person own any other real estate in Australia or elsewhere?

Including real estate you are paying off

No Go to question 32

Yes Give details:

How much would it sell for?

\$

Mortgages or amount still owing on this property:

\$

Address

--

--

Postcode

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

No Go to question 33

Yes Give details:

Your vehicles

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

Other person's vehicles

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

33 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 Go to question 34

Yes Give details of your account:

Your accounts

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

Other person's accounts

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

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

No Go to question 35

Yes Give details:

Your cash

\$

Other person's cash

\$

35 Do you or a financially associated person own anything else of value in Australia or elsewhere? For example, shares, bonds, boats, caravans, jewellery, insurance or superannuation policies

No Go to question 36

Yes Give details:

Your Property

Item	Value
	\$
	\$

Other person's property

Item	Value
	\$
	\$

36 Does anyone owe money to you or a financially associated person?

No Go to question 37

Yes Give details:

Money owed to you

From who	Amount
	\$
	\$

Money owed to the other person

From who	Amount
	\$
	\$

37 During the last 12 months, have you or a financially associated person sold or given away any money or property in Australia or elsewhere worth more than \$500?

No Go to question 38

Yes Give details:

What	Date	Value
		\$
		\$
		\$

38 Did you or a financially associated person get any lump sum amount(s) of money greater than \$500 in the last 12 months? For example, a loan, gift, compensation, redundancy, award from a court case

No Go to question 39

Yes Give details:

What	When	How much
		\$

39 Did you or a financially associated person likely to get any lump sum amount(s) of money in the next 12 months? Like a loan, gift, compensation, redundancy, award from a court case

No Go to question 40

Yes What?

--

Family Law Only

47 Provide details of the person you are in dispute with

Full name

Date of birth

 /

Their address

Their phone number

Their lawyer's name

Their lawyer's address

48 Were you married to the person you are in dispute with?

No Go to question 49

Yes Date of marriage

 /

Date of separation

 /

Date of divorce

 /

49 Were you in defacto relationship with the person you are in dispute with?

No Go to question 50

Yes Date relationship

 /

Date of separation

 /

50 Have you been to counselling/mediation?

No Go to question 51

Yes Give details:

Name of agency

Date

51 Are there existing court orders in relation to this dispute?

No Go to question 59

Yes attach copies

Go to question 59

Criminal Law Only

52 Was anyone else charged with you for these offences?

No Go to question 53

Yes Please give their names

53 Have you been committed for trial?

No Go to question 54

Yes Go to question 54

54 Do you have any prior convictions?

No Go to question 59

Yes Give details:

Year	Offence	Penalty

Go to question 59

Civil or General Law Only

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

Date

Place

 /

Go to question 56

56 Who are you in dispute with?

Please give details if known

Name

Address

57 Are you insured against any part of this claim/loss?

No Go to question 58

Yes Give details:

Name of insurer

Address of insurer

Postcode

58 Can you estimate the amount of your claim/loss?

No Go to question 59

Yes Amount

\$

go to question 59

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.

