



# Legal Services Commission

OF SOUTH AUSTRALIA

[www.lsc.sa.gov.au](http://www.lsc.sa.gov.au)

[www.lawhandbook.sa.gov.au](http://www.lawhandbook.sa.gov.au)

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

<p><b>HEAD OFFICE:</b> 82-98 WAKEFIELD STREET, ADELAIDE 5000 PHONE: 8463 3555</p>		
<p><b>ELIZABETH OFFICE:</b> GROUND FLOOR, WINDSOR BUILDING, ELIZABETH SHOPPING CENTRE, ELIZABETH 5112 PHONE: 8207 9292</p>	<p><b>HOLDEN HILL OFFICE:</b> TENANCY 7, 560 NORTH EAST ROAD HOLDEN HILL 5088 PHONE: 8369 1044</p>	<p><b>MOUNT BARKER OFFICE:</b> 18 WALKER STREET, MOUNT BARKER 5251 PHONE: 8226 8722</p>
<p><b>NOARLUNGA OFFICE:</b> GROUND FLOOR, NOARLUNGA HOUSE, COLONNADES SHOPPING CENTRE, NOARLUNGA CENTRE 5168 PHONE: 8207 3877</p>	<p><b>PORT ADELAIDE OFFICE:</b> ANL HOUSE, 306 ST. VINCENT STREET, PORT ADELAIDE 5015 (Entry at rear of building off Baker Street) PHONE: 8207 6276</p>	<p><b>WHYALLA OFFICE:</b> 1ST FLOOR RAA BUILDING, 25 FORSYTH STREET, WHYALLA 5600 PHONE: (08) 8648 8060</p>

<p><b>English</b></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><b>Albanian</b></p> <p>Në qoftë se ju nuk kuptoni Anglishtë, telefononi Shërbimin 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><b>Arabic</b></p> <p>إذا كنت لا تفهم اللغة الإنكليزية اتصل هاتفياً بخدمة الترجمة الخطية والشفهية Translating and Interpreting Service على الرقم 131 450 لتحديد موعد معنا كي نفسر لك مستنداتنا بلغتك الأم. سوف نؤمّن نحن المترجم الشفهي وندفع له أتعابه.</p>
<p><b>Chinese</b></p> <p>如果您看不懂英语，请致电传译及翻译服务，电话号码：131 450。我们可以约定一个时间，用您的语言为您解释文件内容。传译员由我们安排和付费。</p>	<p><b>Croatian</b></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><b>Dari/Farsi</b></p> <p>اگر انگلیسی نمیدانید لطفاً با سرویس ترجمه به شماره تلفن : ۱۳۱ ۴۵۰ تماس گرفته و قرار ملاقاتی را با ما مشخص نمایید تا ما مدارک خودمان را به زبان شما توضیح دهیم . ما مترجم گرفته و هزینه آن را پرداخت میکنیم .</p>
<p><b>Greek</b></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 δικά μας έξοδα.</p>	<p><b>Italian</b></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><b>Khmer</b></p> <p>ប្រសិនបើអ្នកមិនយល់ភាសាអង់គ្លេស សូមទូរស័ព្ទទៅក្រុមប្រឹក្សាប្រតិបត្តិការសេវា លេខ 131 450 ដើម្បីធ្វើការណាត់ជួប ហើយយើងនឹងពន្យល់ឯកសាររបស់យើងដល់ភាសាអ្នក។ យើងនឹងប្រើប្រាស់ប្រាក់ធានារ៉ាប់រងរបស់ក្រុមការណ៍។</p>
<p><b>Polish</b></p> <p>Jezeli nie rozumiesz angielskiego, zadzwoni 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><b>Russian</b></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><b>Serbian</b></p> <p>Ako ne razumete engleski, nazovite službu tumača i prevodilača 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><b>Spanish</b></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><b>Thai</b></p> <p>ถ้าท่านไม่เข้าใจภาษาอังกฤษและต้องการล่ามไทย โทรศัทพ์ ๑๓๑ ๔๕๐ เพื่อใช้บริการล่ามโดยไม่เสียเงิน</p>	<p><b>Vietnamese</b></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>

**TELEPHONE ADVICE**

**NEED LEGAL HELP CALL LEGAL AID**



**1300 366 424**

**Mon - Fri 9.00 am - 4.30 pm**

**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

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 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, 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".)

### 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 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 \$1800.00. 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 \$1800.00. 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 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**

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](http://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.**

# 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)

  
  

Should we send mail to you at your home address?

No  Where can we send mail to you?

  
  

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.

Law Type

Source of Application

Client No.

File No.

**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

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?**

Your weekly amount

Other person's weekly amount

\$ <input type="text"/>	\$ <input type="text"/>
\$ <input type="text"/>	\$ <input type="text"/>

You must give us copies of the Centrelink Income and Assets Statement.

**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	\$	\$
Tax	\$	\$

*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	\$ per wk	\$ per wk
Maintenance	\$ per wk	\$ per wk
Allowances	\$ per wk	\$ per wk
Commission	\$ per wk	\$ per wk
Interest	\$ per wk	\$ per wk
Board	\$ per wk	\$ per wk
Rent	\$ per wk	\$ per wk
Overtime	\$ per wk	\$ per wk
Superannuation	\$ per wk	\$ per wk
Income from trusts	\$ per wk	\$ per wk
Worker's comp.	\$ per wk	\$ per wk
Other	\$ per wk	\$ 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	\$ per wk	\$ per wk
Mortgage	\$ per wk	\$ per wk
Board	\$ per wk	\$ per wk
Rates	\$ per wk	\$ 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	\$ per wk	\$ per wk
Spouse Maintenance	\$ per wk	\$ per wk
Loans	\$ per wk	\$ per wk
Other Debts	\$ per wk	\$ 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 Are 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 started  /

Date of separation  /

### 50 Have you been to counselling/mediation?

No  Go to question 51

Yes  Give details:

Name of agency	Date
<input type="text"/>	<input type="text"/>

### 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
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

Go to question 59

## Civil or General Law Only

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

Date	Place
<input type="text" value="/"/> / <input type="text" value="/"/>	<input type="text"/>

Go to question 56

### 56 Who are you in dispute with?

Please give details if known

Name
<input type="text"/>
Address
<input type="text"/>
<input type="text"/>
<input type="text" value="Postcode"/>

### 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.

