

Legal Assistance in the ACT

Legal Aid ACT helps disadvantaged members of the community understand, assert and defend their legal rights. We help by providing financial assistance to individuals who cannot afford a private lawyer.

Before you apply, you should contact the Helpline on **1300 654 314** for information and advice and to check if applying for a grant is right in your circumstances.

Applying for Legal Assistance

You can obtain a copy of our Application Form:

- In person – 2 Allsop Street, Canberra City
- By email, post or fax. Please call **1300 654 314**

You will need to provide the following information:

- **Proof of income** e.g. two recent payslips or Centrelink Reference Number (CRN);
- **Copies of bank records or statements** showing the last thirty (30) days transaction history and balances for all bank accounts owned solely or jointly by you;
- **Copy of charge sheets and statement of facts** from the Director of Public Prosecutions (if you have a criminal law matter);
- **Court documents or other documentation** relating to your legal matter.

Granting Legal Assistance

When deciding to grant legal assistance for a case, Legal Aid ACT looks a range of criteria:

- Your ability to afford legal fees;
- The prospects of your case succeeding;
- The benefit you might gain in the case compared with the cost of providing assistance;
- The nature of your case.

Full details of the eligibility criteria are set out in the Legal Aid Guidelines available on our website

www.legalaidACT.org.au. You will be sent a letter telling you whether your application has been successful.

General Conditions

Every grant of assistance has general conditions.

These are set out on the back of the letter you will receive if your application is approved. Your grant may also have some special conditions set out in the same letter.

In general, if you are granted legal assistance you must:

- Make arrangements to pay your contribution promptly
- Tell us immediately of any change to your financial circumstances or to your address
- Follow your lawyer's reasonable advice
- Where possible, make reasonable efforts to resolve issues through negotiation or mediation

If you do not comply with your obligations, your legal assistance **may** be stopped.

Contribution towards costs

Most grants of legal assistance are given on the basis that you pay a contribution towards the cost of your legal matter. The amount payable will be set out in the letter granting assistance.

Paying your contribution

Contributions are payable in a lump sum at or before your first appointment with your lawyer. You can pay by cash, cheque, EFTPOS or credit card. You can also elect to have your contribution paid in instalments from your Centrelink benefits, via Centrepay.

If you have difficulty paying your contribution, you should talk to your lawyer or advise Legal Aid in writing, so that other arrangements can be made. In certain circumstances Legal Aid may agree to waive your contribution.

Reassessed contributions

Whilst your matter is progressing, your grant of assistance and/or contributions may be extended. Contributions may also be reassessed and changed if your financial position changes or the original information provided about your financial circumstances was wrong or incomplete. Reassessed contributions can be as much as 100% of the full cost of providing assistance.

Legal costs

It is your responsibility to pay for any costs associated with work done by your lawyer before your grant of assistance commences. If your lawyer receives any money on your behalf during the period of your grant of legal assistance, they must keep enough funds to cover the cost of providing you with assistance.

If the court makes any costs orders against you, it is usually your responsibility to pay and settle these amounts. Legal Aid ACT will only consider a request to pay costs orders in limited circumstances.

Useful Contacts

Legal Aid

General Enquiries

02 6243 3411

Free Helpline

1300 654 314

2 Allsop Street Canberra

GPO Box 512 Canberra 2601

Family Court

Cnr University Ave &

Childers Street Canberra

Childrens Court

Knowles Place Canberra City

Complaints & Suggestions

If you have any complaints or suggestions about our services, please write to the Chief Executive Officer at our postal address.

Interpreter

If you need an interpreter, please contact Translating and Interpreting Service

(TIS) on 131 450.



Like us on Facebook for more information:

<http://www.facebook.com/legalaidact>

What if your application is refused?

For most decisions we make, you may request a reconsideration if you are not satisfied with the decision. The request must be made in **writing within 28 days** of receiving notice of the decision.

If you are not satisfied with the result of the reconsideration, you may request an independent review of the decision. The request for review must be made **in writing within 28 days** of notification of the result of the reconsideration.

Confidentiality

There are provisions in the *Legal Aid Act 1977* that protect the privacy of information you give us. Information about your application or your case will not be provided to other people without your consent, or as permitted by law. However, we may ask your lawyer for information relevant to your eligibility, or continued eligibility, for legal assistance.