

Filling out the Form - Applying for a Grant of Assistance Guide

Legal Aid ACT encourages everyone who needs legal assistance to apply for a grant of assistance. This is also sometimes called a 'grant of legal aid'. A grant of assistance allows us to do more to help you with your legal problem than we can do through our free legal services.

We cannot give you a grant of assistance for every legal matter. It has to be an area of law that we already give advice on. For example, Legal Aid ACT does not give advice on writing a will and you cannot get a grant of assistance for this.

This guide will help you to fill in the *Application for Legal Assistance* form. **This guide was created to be read while filling out the application form.** You can get a copy of the application form by contacting Legal Aid ACT on **1300 654 314**.

This document is NOT an application form. If you need a copy of the *Application for Legal Assistance* form please contact Legal Aid ACT. Please DO NOT try to use this guide as an application form.

The questions in the *Application for Legal Assistance* form are detailed and might seem to be asking about things that are personal and private. But like a hospital admission form, we need to ask detailed questions so that we know what your legal issue is and whether you can receive a grant of assistance. What you write down on the application form is confidential.

There are four sections to the *Application for Legal Assistance* form: 1) Personal Details, 2) Financial Details, 3) Court Details, 4) Authorisations and Declarations. This guide is to help you fill out each of these sections.

Please write clearly using a blue or black pen. You must sign and date the form. As you fill out the form you will be told to attach certain documents. Please make sure to attach these documents. If you do not attach the documents, it will take longer to find out about the outcome of your application because we cannot make a decision until we have all of the necessary documents.

SECTION 1: PERSONAL DETAILS

Questions 1 to 18 are questions that will help us learn more about you. It is important information that our lawyers need to know.

#	Question	Notes
1	Do you have a court date?	Please write down your court date. If you don't know your court date and want to find out, you can call the court: The ACT Magistrates Court and Supreme Court can be contacted on (02) 6205 0000 . You can also visit the ACT Magistrates Court located at Knowles Place, Canberra City. There is an enquiry counter in the Court which is open Monday to Friday 9:00am-4:30pm.

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		You can also visit https://www.courts.act.gov.au/magistrates/lists and search your last name in the first search box on the left, or you can search your charge number in the second box on the left.
2	Have you applied for Legal Aid before?	This question is asking about whether you have applied for a grant of assistance before. It is not asking about one-off appointments for legal advice. We need to know this even if the application was denied. If you have received a grant of assistance but you are not sure what year, just write down the information you do know.
3	Is English your first language?	If no, write down what your first language and dialect is.
4	Do you need an interpreter?	This is for when your lawyer is giving you legal advice. It is important that you are able to clearly understand your rights and obligations.
5	Your name	This needs to be your legal name that is on your documents such as your birth certificate, driver's licence, and bank records.
6	Have you ever used or been known by other names?	This is so we can identify who you are and can keep accurate records. For example, if you have moved to Australia and are using a different name to your birth name or have changed your name please include it here. If the name on your court documents is different to the one you have already given to us please also include it here.
7	Date of Birth and Gender	Your date of birth is one of the most important pieces of information, as it is how we, just like a hospital, distinguish your file from other people who might have the same name as you.
8	Are you an Aboriginal or Torres Strait Islander?	We use this information for our records and statistics. If you are from an Aboriginal or Torres Strait Islander background, our Aboriginal Liaison Officer can help you to better understand your rights and support you in dealing with the legal system.
9	Country of Birth	Where were you born? This information is important for our statistics but also to make sure that we are giving you the right advice based on your circumstances. For example, if you are here on a visa, your legal problem may also affect your visa.

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10	Living arrangements	<p>Do you live with anyone? Do you have dependents or are you in a relationship?</p> <p>This can be important to assess what legal and financial obligations you have. Please tick the box you think best describes your situation.</p>
11	<p>Do you have any special circumstances?</p> <p><i>E.g. disability, health issues, literacy problems</i></p>	<p>This information is partly for our statistics but it can also let us know if special arrangements are needed if your application is successful.</p> <p>Information on whether you can or can't access your assets or money is also really important for when we look at your ability to afford private legal fees.</p>
12	Are you in prison or detained?	<p>If you are in prison or detained, please make sure to write down where. This is really important so that we can contact you.</p>
13	Are you homeless?	<p>If you are sleeping rough, couch surfing or in any other situation of homelessness please answer 'yes'. This is very important so that we know how to contact you.</p>
14	Home address?	<p>This should be where you live most of the time. We will be sending mail to this location so it is very important that you check your letterbox regularly at this address and tell us if you move.</p>
15	<p>Address where we can contact you?</p> <p><i>E.g. a half-way house or a friend's house</i></p>	<p>If you don't want letters from Legal Aid to be sent to your home address, you can write a different address here that is better for you. Please make sure to check the letterbox at this address regularly.</p> <p>If you are writing a friend's or a family member's address here, make sure that you have asked their permission first and that they are willing to pass on your mail to you.</p>
16	Phone numbers	<p>Put all the contact numbers you can be reached on. If you do not have a contact number, cross out the section.</p>
17	Email addresses	<p>Put all the emails you can be reached on. If you do not have an email, cross out the section. Email is the main way we will try to contact you. It is important that you check your emails regularly. If you do not wish to be contacted by email please tick 'no' where it asks if we can contact you</p>

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		by email.
18	Do you have any dependent children/ step-children?	A dependent child means a child that lives with you. If you think that your children are still dependent but do not live with you right now, write this down under the question.

Please remember that this guide is NOT an application form. If you need a copy of the *Application for Legal Assistance* form please contact Legal Aid ACT.

SECTION 2: FINANCIAL DETAILS

Questions 19 to 36 are very important and help us to assess your financial situation. You must answer these questions completely and honestly. Please answer these questions honestly and don't try to write the answers you think will look the best. We look at a lot of different information when deciding whether you are eligible for a grant of assistance, not just your financial details. For us to do this well we need all of the information asked for in this section.

19	Read the table before answering any questions	A 'financially associated person' is generally someone who can give you financial support or could be expected to. For example, your partner, adult children, other relatives, a corporation or a trust.
20	Are you financially associated with any person(s) other than your dependent children/ step-children (if applicable)?	We do not want you to write down any dependent children we already have information on from Question 18. We are asking about people who could support you financially, not the people you currently support. If you have more than one financially associated person, make sure to write their details on a separate piece of paper and attach it to the application.

INCOME

21	Are you currently employed, a small business owner or a farmer?	Legal Aid needs to know what sources of income you have. You need to provide your most recent payslip. If your most recent payslip isn't available yet please attach a payslip from the same month that you are applying. For example, if you are applying in October you must attach a payslip from October, if you don't have a more recent one.
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		<p>If you are self-employed, we need to see your last tax return. If you do not have a copy, you need to fill in a form from the Australian Tax Office called <i>Copies of Tax Documents Request</i> to get a copy.</p> <p>You can get this form in person from the ATO or download it from the website via this link:</p> <p>https://www.ato.gov.au/forms/copies-of-tax-documents-request--individuals/.</p>
22	If you have a partner or spouse are they employed?	We need this information to create a complete picture of your financial situation. Please see Question 21 (above) for what information we need.
23	Do you or a financially associated person get a pension or benefit from Centrelink or the Department of Veteran's Affairs?	<p>Here there are two columns – one for you and one for the details of a financially associated person (see Question 19 and 20). If you have more than one financially associated person you should attach a separate piece of paper to your application answering these questions for each financially associated person.</p> <p>Questions 23-25 are designed to help us understand your answer to Question 26 'Total weekly gross income (before tax)'.</p> <p>Information on your benefits from Centrelink or the Department of Veteran's Affairs, can be found on your 'MyGov' Account or by calling them. 'MyGov' can be accessed online via this link: https://my.gov.au/</p>
24	Do you or a financially associated person have a Health Care Card or Pensioner Concession Card?	<p>If you are lodging the application by email, you need to attach a scanned copy of these cards to the application. If you can't make a scanned copy, you can attach a clear and high quality photograph of both sides of the card.</p> <p>ACT Libraries can help you scan these cards. If you have a smartphone, there are also apps that can be downloaded and used for free that can create a scanned copy of these cards.</p> <p>If you are lodging the application in person or by post, you need to attach a photocopy of these cards to the application.</p>
25	Do you or a financially associated person	You will need to fill in the amounts for these separately. Three boxes are

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	<p>get any income or benefits such as:</p> <ul style="list-style-type: none"> • Rental assistance • Child/spouse support • An allowance • Commission • Interest • Board • Overtime • Superannuation • Trust income • Worker's compensation 	<p>provided. If you receive more than three sources of income, please write these down on a separate piece of paper and attach it to the application.</p> <p>If you do this, make sure to write on the piece of paper what question you are answering and all of the information asked for in Question 25.</p>
26	Total weekly gross income (before tax)	<p>This is a very important question. Please attach a recent pay slip (if employed) or other proof of income. Other proof of income includes a statement of Government benefits such as Centrelink or a recent tax return from the last financial year.</p> <p>If you do not have any of these documents to prove your total weekly gross income, call Legal Aid ACT and we can talk to you about what other documents might be accepted.</p> <p>We do not accept evidence of a bank deposit of income, such as from a recent bank statement, alone as proof of total weekly gross income.</p>

EXPENSES

One of the ways we assess your means (your ability to pay for legal fees) is by looking at your expenses as well as your income.

27	What housing payments do you or a financially associated person make each week?	<p>As with Questions 23-26, if you have more than one financially associated person you should attach a separate piece of paper answering these questions for each financially associated person.</p> <p>These questions are asking how much you or your financially associated person pays towards rent, mortgage, or board.</p>
28	How much child support do <u>you</u> or a financially associated person pay each	We need to know if you or a financially associate person pays child support so that we can properly assess your financial situation. For

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	week?	<p>example, if your spouse (a financially associated person) pays child support for a child from a previous relationship, this will impact whether or not they could financially support you in paying for legal fees.</p> <p>If you do not pay child support, please write "N/A" in the box.</p>
29	How much do you or a financially associated person pay each week for child care fees and spouse maintenance?	If you or a financially associated person do not pay child care fees or spouse maintenance, please write "N/A" in the box.

ASSETS

Your assets are the things you own that have value such as cash, houses, land, cars etc. It is important that you include these here so that we can fully understand your financial situation.

30	Do you, or a financially associated person:	If yes:				
(a)	Own or pay off the home you live in?	<p>i) 'Value' here means what the property will sell for. You can try to work out the value of your home by looking at what other similar homes in your area are currently selling for or have recently sold for.</p> <p>It is important here to be as accurate as possible but it is not necessary at this stage to get a formal valuation. We may, in the future, ask you for additional information.</p> <p>ii) It is important here to set out the outstanding amount you have on your mortgage owing to the bank.</p> <p>iii) What share of the home is yours? Is there another person(s) who bought the home with you whose name is on the title?</p> <p>For the purposes of this application, use the quick guide below:</p> <table border="1" data-bbox="662 1765 1519 1886"> <tr> <td>You are sole owner</td> <td>100% share of the home</td> </tr> <tr> <td>You own with one other person</td> <td>50% share of the home</td> </tr> </table>	You are sole owner	100% share of the home	You own with one other person	50% share of the home
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		<table border="1"> <tr> <td>You own with two other people</td> <td>33% share of the home</td> </tr> <tr> <td>You own with three other people</td> <td>25% share of the home</td> </tr> </table> <p>iv) When did you purchase your house? If you are not sure of the exact year just write the year as best as you can remember but please try to be as accurate as you can.</p> <p>v) How long have you lived there? If you are unsure, just include roughly how long you have lived there.</p>	You own with two other people	33% share of the home	You own with three other people	25% share of the home
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(b)	Own or pay off any other real estate either in Australia or overseas?	Examples include a rental property you own, an investment property or property you are paying off for a family member. Please see Question 30 above for how to work out the market value of the real estate, the amount owed and what share of the real estate is yours.				
(c)	Own or pay off any motor vehicles?	<p>If yes, redbook.com.au is a good website to get a basic valuation of your car.</p> <p>https://www.redbook.com.au/</p> <p>For help working out your percentage ownership, use the table above in Question 30.</p>				
(d)	Have any accounts at a bank, building society or credit union in Australia or overseas?	<p>For this question, attach a bank transaction history for the past 30 days showing the amount held in accounts owned, or jointly owned, by you as well as owned by a financially associated person. The transaction history must also show your bank account number, transaction dates, transaction labels, the debit column, the credit column, and the balance column.</p> <p>This bank transaction history must be as recent as possible and no more than a few days old at the time you submit the application form. A transaction history is different to a bank statement and is much more recent. If you are unsure about how to get a transaction history, contact your bank.</p> <p>If you have online banking you may be able to use the kiosk at our office to print off your transaction history for free. Please come into our</p>				

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		<p>reception or call us and ask. Our address is 2 Allsop Street, Canberra City. Our phone number is 1300 654 314 or (02) 6243 3411.</p> <p>For help working out your percentage ownership, use the table above in Question 30.</p>
(e)	Have any cash in Australia or overseas?	This question is to allow you to tell us about cash that you have that isn't in a bank.
31	Do you or a financially associated person own anything of value either in Australia or overseas?	<p>As with previous questions, if you have more than one financially associated person you should attach a separate piece of paper answering this question for each financially associated person.</p> <p>This is where you let us know about any other assets you may have such as jewellery, boats, caravans, shares, your superannuation accounts or your insurance policies.</p> <p>You only need to include an approximate value of these assets.</p>
32	Does anyone owe you or a financially associated person any money?	If yes, let us know how much they owe you or a financially associated person. This is so that we have a better understanding of your income and ability to pay for legal fees if you did not receive a grant of assistance.
33	During the past 12 months, have you or a financially associated person sold or given away any money or property to the value of \$500 or more in Australia or overseas?	Let us know anything of value you have given away including gifts to family members. You only need to include money or property given away that was worth \$500 or more.
34	During the past 12 months, have you or a financially associated person received any money or property to the value of \$500 or more in Australia or overseas?	Let us know anything of value that you have been given. You only need to include money or property given to you that was worth \$500 or more.
35	During the next 12 months, are you or a financially associated person likely to receive any lump sum of money in Australia or overseas?	'Lump sum' means one single payment. This could be the payment of a gift, back pay or any one-off payment of money you do not ordinarily receive as part of your salary or benefits.

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36	Has any person or group offered to pay, or are they able to pay, any of your legal fees for this case?	We need to know this so that we can figure out why you need a grant of assistance rather than paying legal fees on your own.
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Please remember that this guide is NOT an application form. If you need a copy of the *Application for Legal Assistance* form please contact Legal Aid ACT.

SECTION 3: COURT DETAILS

This section is where you can explain to us what is happening and why you need a grant of assistance.

The first step is to identify what type of case you have – this is done in questions 37-38.

37	What type of case is this? Criminal, Family or Other?	<p>Criminal – For example, have you been charged by the police? Have you been arrested? Are you in jail?</p> <p>If someone has done something wrong to you, you cannot bring a criminal case against them. The police need to do this for you – call the Police on ‘131 444’. If it is an emergency, call the Police on ‘000’.</p> <p>Family – For example, are you going through a divorce? Does your legal problem relate to your house or your assets? Are there problems around where the children will live? Or how much time they spend with the other parent?</p> <p>Other – For example, are you are involved in a dispute where you are seeking compensation, are you having issues at work? Immigration issues? Are you dealing with abuse or violence?</p> <p>Remember that we cannot give you a grant of assistance for every legal problem. It as to be an area of law that we already give advice on. For example, Legal Aid ACT does not give advice on writing a will and you cannot get a grant of assistance for this.</p>
38	Are you applying for legal aid to appeal against a decision of a court or tribunal?	Tick ‘yes’ if you have already been to a court or tribunal for your issue and you are want to appeal that decision to get a different result. If ‘yes’, start answering question 39, if ‘no’ start at question 42.

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IF APPEALING

You are appealing if, for this matter, you have already been to a court or tribunal which has made a final decision that you want reviewed or changed.

39	Which court or tribunal made the original decision?	Tick the court your case was heard in. This information will be on the documents you received when you went to court.														
40	Date of the original decision.	<p>When did the court decide your case? If you are unsure, you can call the court registry to find out.</p> <p>The ACT Magistrates Court and Supreme Court can be contacted on (02) 6205 0000. The ACT Civil and Administrative Tribunal can be contacted on (02) 6207 1740.</p>														
41	Where is the court or tribunal?	<p>This is an important question because it tells us which jurisdiction your case was heard in. We are only able to help with matters in the Australian Capital Territory or that have a Federal Jurisdiction, such as family law.</p> <p>If your matter was heard in the Supreme or Magistrates court of another State or Territory, you should contact that relevant Legal Aid Commission.</p> <table border="1" data-bbox="663 1279 1516 1718"> <tr> <td data-bbox="663 1279 895 1341">NSW:</td> <td data-bbox="895 1279 1516 1341">1300 888 529</td> </tr> <tr> <td data-bbox="663 1341 895 1404">VIC:</td> <td data-bbox="895 1341 1516 1404">1300 792 387</td> </tr> <tr> <td data-bbox="663 1404 895 1467">QLD:</td> <td data-bbox="895 1404 1516 1467">1300 651 188</td> </tr> <tr> <td data-bbox="663 1467 895 1529">TAS:</td> <td data-bbox="895 1467 1516 1529">1300 366 611</td> </tr> <tr> <td data-bbox="663 1529 895 1592">SA:</td> <td data-bbox="895 1529 1516 1592">1300 366 424</td> </tr> <tr> <td data-bbox="663 1592 895 1655">WA</td> <td data-bbox="895 1592 1516 1655">1300 650 579</td> </tr> <tr> <td data-bbox="663 1655 895 1718">NT</td> <td data-bbox="895 1655 1516 1718">1800 019 343</td> </tr> </table>	NSW:	1300 888 529	VIC:	1300 792 387	QLD:	1300 651 188	TAS:	1300 366 611	SA:	1300 366 424	WA	1300 650 579	NT	1800 019 343
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From here, go directly to question 46.

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IF NOT APPEALING

42	Do you have to go to, or be represented at, a court or tribunal?	This question is asking if you are going to court. If you are not going to court, tick no and go to Question 46.														
43	Which court or tribunal do you have to go to, or be represented at?	Tick the court your case is listed to be heard in. This information can be found on the documents you received when you filed the case with the court or when you received a document from the court.														
44	Where is the court or tribunal?	<p>This is an important question because it tells us which jurisdiction you were heard in. We are only able to help with matters in the Australian Capital Territory or that have a Federal Jurisdiction, such as family law.</p> <p>If your matter was heard in the Supreme or Magistrates court of another State or Territory, you should contact that relevant Legal Aid Commission.</p> <table border="1" data-bbox="683 1048 1517 1489"> <tr> <td>NSW:</td> <td>1300 888 529</td> </tr> <tr> <td>VIC:</td> <td>1300 792 387</td> </tr> <tr> <td>QLD:</td> <td>1300 651 188</td> </tr> <tr> <td>TAS:</td> <td>1300 366 611</td> </tr> <tr> <td>SA:</td> <td>1300 366 424</td> </tr> <tr> <td>WA</td> <td>1300 650 579</td> </tr> <tr> <td>NT</td> <td>1800 019 343</td> </tr> </table>	NSW:	1300 888 529	VIC:	1300 792 387	QLD:	1300 651 188	TAS:	1300 366 611	SA:	1300 366 424	WA	1300 650 579	NT	1800 019 343
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45	What is your next court date for?	<p>Mention: This is the first hearing of your case in court. In a criminal case, it is where you will be given an opportunity to enter a plea of either 'guilty' or not 'guilty'.</p> <p>Committal: Here a Magistrate decides whether the prosecution has enough evidence for your case to be committed for trial, or sentence.</p> <p>Trial: The trial is where evidence will be heard and the outcome decided.</p>														

Whether appealing or not, answer questions 46-47.

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46	Do you have a lawyer representing you?	Has someone from Legal Aid ACT already represented you in this case? Or, have you already had another lawyer working on the case? For example, a private lawyer.
47	Do you have a preference for a particular lawyer?	You can write down your preference for a particular lawyer here. If your application for a grant of assistance is successful Legal Aid ACT may appoint the lawyer you have requested. However, this will depend on the type of case, expertise and what we think will be the most efficient use of Legal Aid funds.

Now we need to know more about your type of case. If you have a:

- **Criminal Law matter** – For example, have you been charged by the police? Have you been arrested? Are you in jail? Please answer all of the questions from 48-55. After filling out those questions, skip to Question 76. If you also have a family law or other matter that you need a grant of assistance you can also fill out those sections too. You do not need to fill out a new application form.
- **Family Law matter** – For example, are you going through a divorce? Does your legal problem relate to your house or your assets? Are there problems around where the children will live? Or how much time they spend with the other parent? Please answer all of the questions from 56-68. After filling out those questions, skip to Question 76. If you also have a criminal law or other matter that you need a grant of legal assistance you can fill out those sections too. You do not need to fill out a new application form.
- **Other matter** – For example, are you seeking compensation? Are you having issues at work? Immigration issues? Subject to abuse or violence by someone? Please answer all of the questions from 69-75. If you also have a criminal law matter or a family law matter that you need a grant of legal assistance you can fill out those sections too. You do not need to fill out a new application form.

If you are still not sure what type of matter you have, call the Legal Aid ACT helpline on **1300 654 314** and we will tell you.

CRIMINAL LAW MATTER

48	Have you been charged with an offence?	If yes, give details of the charges that have been laid against you. This information may be on documents given to you by the police (if any). If you don't know what you have been charged with, then write 'not sure'.
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49	Please name the alleged victim and other people charged, or involved, in the case (if known).	We need to know this to understand your case. If there are more than two people, attach a separate piece of paper with the extra names.
50	How do you want to plead?	You can plead guilty or non-guilty. If you plead guilty, you will be convicted of the charges but will avoid a trial. If you are unsure, tick 'not sure'. This question is just for you to let us know what you are thinking of doing.
51	Have you pleaded guilty to any of the charges listed at Question 48?	Have you already been to court and plead guilty to any of the charges listed above? This is very important to tell us so we know what is going on in your matter.
52	If you are in custody, do you want to apply for bail?	If you have been arrested and are in jail awaiting a court appearance, it may be possible to be released back into the community with conditions 'on bail'. Tick either yes or no. If you are not sure, please write down why so we can try to help.
53	Do you have a criminal record (including matters where no conviction was recorded)?	Please list any offences you have been charged with previously. We need to know what the offence was and what the penalty (fine, jail, no conviction recorded). This is very important so that we can better understand your matter and so that your lawyers knows this information, if you are successful in getting a grant of assistance. Please fill in as much of the information as you can. If you need more space, you can attach a separate piece of paper to the application with this information.
54	Are you on a bond?	This is where instead of being convicted of an offence, you agreed to a "good behavior" bond.
55	Are you on parole?	Have you recently been released from prison?

From here, go directly to question 76

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FAMILY LAW MATTER

56	Are you applying for assistance to respond to a court application?	If the other party has started a court application, and you are responding to that application, tick yes.
57	What family law matter do you want legal aid for?	Tick the boxes that are most applicable to your case. If there are none that accurately describe why you are applying – tick 'other' and let us know what it is.
58	If children are involved in the family law matter, what is your relationship to the children?	
59	Are there existing court orders in relation to this dispute?	<p>If there are any orders made by the court, please attach a copy to the application. If you don't know where to find them, call the registry of the court you attended. It is very important that we have a copy of the orders so that we fully understand the legal situation you are in.</p> <p>In the ACT, the Federal Family Court is located at Nigel Bowen Commonwealth Law Courts, Cnr University Ave & Childers St, Canberra and can be contacted on 1300 352 000.</p>
60	Is there an allegation of sexual abuse?	
61	Is someone alleging a risk to the safety or welfare of the children?	
62	Is there a history of domestic violence between you and the person you are in dispute with?	
63	Give details of the other person involved in the dispute	Please give as much information as you can.
64	Were you married to, or in a de facto relationship with, the person you are in a dispute with?	Please give as much information as you can.
65	Does the person you are in a dispute with	Please give as much information as you can. We need this information

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	have a lawyer?	so that we can contact the lawyer of the other party, if you are successful in getting a grant of assistance.
66	Have you been to counselling, mediation or dispute resolution with the person you are in a dispute with?	This can be an important first step in family conflicts. You are legally required to attend family dispute resolution before going to the court to resolve a family law matter. Please attach a copy of the certificate if you have already done this at the time of applying for a grant of legal assistance.
67	Are you the primary care giver to the children involved in the matter?	Does the child live with you? Do you mainly take care of the child?
68	Have any of the children involved in the matter already been removed, or is there a risk they may be removed?	Have Child and Youth Protection Services been contacted about the children? If you need to, Child and Youth Protection Services can be contacted on 1300 556 729 or childprotection@act.gov.au

From here go directly to question 76

OTHER MATTERS

This section is for all other matters that are not criminal matters or family law matters.

69	What is the nature of your problem?	Tick the most appropriate box. If none match, choose 'other' and describe the matter.
70	Do you have any court or tribunal documents relating to the matter?	This question is not just limited to court and tribunal documents. Please also attach any other relevant documents even if they are not from a court or tribunal to your application. For example, if you are experiencing an immigration issue please attach a copy of any letters received from the Department of Home Affairs regarding your visa. If you have a document from a court or tribunal, please attach these to your application. You can find copies of court documents by contacting the registry of the court you attended. We ask you to attach a copy of these documents so that we can better understand your legal situation. The ACT Magistrates Court and Supreme Court can be contacted on (02)

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		6205 0000. The ACT Civil and Administrative Tribunal can be contacted on (02) 6207 1740.
71	Give details of the other people involved	Please give as much information as you can.
72	Is the matter concerned with a specific incident or accident?	If yes, please write down the date of the incident or accident. For all matters, there are limits on how long you can wait to start a claim in a court. This will let us check whether that time limit has expired or not.
73	Is the matter concerned with a monetary claim or loss?	If no, go directly to Question 76.
74	What is the estimated amount of the claim or loss?	
75	Are you insured against any part of the claim or loss?	If yes, please give us details. We use this information to assess the possibility damages that could be paid.

OTHER INFORMATION

76	Briefly explain your legal problem	<p>Please tell us briefly what has happened. This is also your chance to tell us anything else about yourself, your finances or situation that you think it is important for us to take into consideration when making a decision on your application. If you need more space, you can also attach a separate piece of paper to the application form.</p> <p><u>Telling us that you need a lawyer is not enough.</u> What we need from you here is an explanation of your problem for example:</p> <p>Criminal matter: What have you been charged with? If you have not been charged what has happened that makes you think the police and courts are involved?</p> <p>Family matter: What is the current situation regarding your children and how has that changed? What is the current situation regarding your property/assets and how has that changed?</p> <p>Other matter: Where and when did the incident happen? What was the incident?</p>
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SECTION 4: AUTHORISATIONS AND DECLARATIONS

77	Are you completing this application on behalf of someone else?	If yes, what authority do you have to complete the application for someone else? You may need to include evidence of the before your application is approved. For example, a written authority signed by the person you are applying for, giving you direct permission to complete and submit the form on their behalf.
78	Do you authorise anyone else to be given access to information concerning this application upon their request?	If yes, please provide all of their details so we can correctly identify them. For example, if you have a case worker or a social worker.
79	Document checklist	Throughout the form there have been a number of documents that you may need to provide copies of. Use the checklist to make sure they are all attached. You can also attach extra documents to your application that you think are important for us to consider even if we have not asked for them directly.

Do not forget to turn over to page 14, put your name at the top of the page and sign and date the bottom of the page.

Legal Aid ACT cannot do anything with your application until this page is signed by you.

If you receive a Centrelink benefit, you can complete the Centrepay form which we will use only if you are successful in your application for a grant of legal assistance. If you are unsuccessful, this Centrepay form will not be used. We will talk to you more about this form if you are successful in your application.

Please remember that this guide is NOT an application form. If you need a copy of the *Application for Legal Assistance* form please contact Legal Aid ACT.

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Frequently Asked Questions

Do I have to fill out separate application forms for each matter?

No, you do not need to fill out a separate application form for each matter. For example, if you have both a family law matter and a criminal matter that you need a grant of assistance for, you can fill out both the criminal matter section and the family matter section on the one application form. You must attach all of the supporting documents we have asked for in both of those sections and describe both legal issues in Question 76.

Do I have to include bank transactions for every bank account?

Yes. We ask for your most recent bank transactions for the last 30 days because we are trying to determine your ability to pay for legal fees. We don't just look only at your ability to pay. We consider a lot of other factors such as what your legal issue is about and any other relevant information that you have provided in the application form. We cannot do this properly if we do not have the bank transactions for each of your bank accounts. Bank transactions are different to Bank Statements. We need the most recent bank transactions for the past 30 days. If the bank transaction you provide to us is from last month or from over a week before you submit the application we cannot accept it as evidence and won't be able to make a decision on your application. If we have to ask you for more recent bank transactions, this will delay making a decision.

If someone helps me fill out the form, who signs the declaration?

You do. It is your information and you must read and sign the application form.

Why is a Centrepay form attached to the application form?

If you receive a Centrelink benefit, you can complete the Centrepay form. We will only process this form if you are successful in your application for a grant of legal assistance. If you are unsuccessful, this Centrepay form will not be used. We will talk to you more about this form if you are successful in your application.

What if I need to change my application?

If your financial position changes for any reason, or the original information you gave to Legal Aid ACT was wrong, you **must** contact Legal Aid ACT. We will ask you to complete an updated financial form. If your personal details change such as your postal address, you **must** also contact us.

Email: client.services@legalaidact.org.au

Phone: (02) 6243 3411

Post: Legal Aid ACT, GPO Box 512, Canberra City 2601

In person: 2 Allsop Street, Canberra City ACT (8.30am – 5pm Monday to Friday)

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What happens to my application now?

The decision is made by our Client Services Unit. We look at all of the information you have included in your application form, not just your finances. There is a common misconception that who gets a grant of assistance depends on whether a lawyer wants to represent you. This is not true. The Client Services Unit make the decision based on your ability to pay for legal fees, the likelihood of your case being successful and any other relevant information you have included in your application form. You will receive the result of your application in a letter from Legal Aid ACT by email or post.

How long does it take to process the application?

We aim to make a decision on each application within 10 working days of receiving an application with all of the required documents. This 10 working days timeframe only applies to applications that have all the essential documents attached with no information missing. This means that if your application is missing information, does not contain the necessary supporting documents or has other errors, we will be unable to make a decision within 10 working days.

If there is a problem with your application we will send you a letter by email or post. For this reason it is very important that the email and postal address written on the application form is correct and regularly checked. If your situation changes, let us know so that we can update your contact details.

If my application is refused, can I appeal the decision?

You can ask Legal Aid ACT to reconsider:

- A refusal to grant you legal assistance
- A decision about a contribution
- A decision to stop or change your grant
- A decision to limit the type or extent of legal assistance you are receiving.

It is very important that the email and postal address written on the application is correct and regularly checked. If your application is refused, you can ask for it to be considered again. Requests must be made **in writing within 28 days** of receiving the letter with the decision. You will receive the result of your application in a letter from Legal Aid ACT by email or post.

If you are still not happy with the outcome, you can ask for an independent review. The request must be made **in writing within 28 days** of receiving the letter with the result of the reconsideration. It is better that you make a request for review as early as possible **within the 28 day** period so that we can make a decision quickly.

Feedback

If you have feedback on this guide please let us know. This is a new guide and we are very open to making improvements. Please email: community.education@legalaidact.org.au