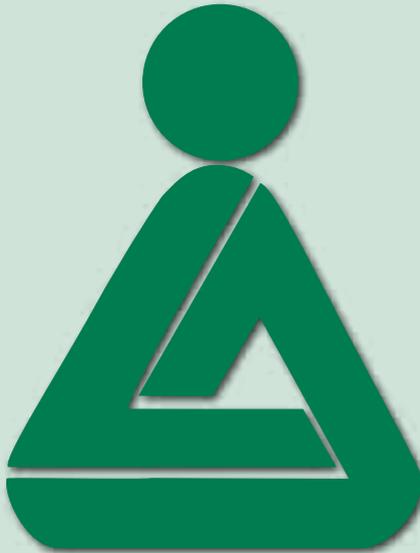


# HOW TO COMPLETE YOUR APPLICATION FOR LEGAL SERVICES FORM

Civil Legal Aid and Advice



## LEGAL AID BOARD

1890 615200

[info@legalaidboard.ie](mailto:info@legalaidboard.ie)

[www.legalaidboard.ie](http://www.legalaidboard.ie)

## **Remember:**

You will need to include the following with your application:

- A recent payslip if you work
- A recent social welfare receipt if you claim social welfare (a letter from the Department of Social Protection giving details of your payment will suffice if you do not receive your social welfare through the Post Office)
- Your most recent Notice of Assessment from Revenue if you are self-employed (a recent set of accounts will suffice if last year's Notice of Assessment is not yet available)
- Depending on what you want legal services for, photo ID and proof of address:
  - Photo ID (usually a passport or driving licence)
  - Proof of Address (usually a copy of a household bill)
- A copy of any court proceedings or orders made in the last twelve months related to your case

Sometimes, for verification purposes, we may need you to submit more documentation. We will tell you if that is the case.

Please submit copies of the documents. Do not send originals in the post.

If you do not supply us with proof of your income, we will have to write back to you. This will delay processing your application, as we will not be able to consider your application until this is received.

## **Have you any special needs?**

The law centre will be happy to assist you in filling in the form. You should contact them in advance of your visit to discuss your needs.

## **Do you require an interpreter?**

Contact the law centre for assistance.

## **Leagan Gaeilge**

Tá leagan Gaeilge den bhileog eolais seo agus an fhoirm iarratais ar fáil arna iarraidh sin.

## **The Application for Legal Services form allows you to make an application for civil legal aid and advice to the Legal Aid Board**

Civil legal services available from the Board comprise of:

- advice about your problem – called legal advice
- representation in court – called legal aid

The purpose of the form is to give us the information we need to decide if we can help you with your problem and if you qualify financially for legal services. If you qualify, you will be placed on an applications record in the law centre and we will offer you an appointment for advice when we can do so. If, following your advice appointment, you require representation in court a solicitor will make an application to our Head Office on your behalf to allow them to represent you in Court. We will need further information on your case in order to make that decision, but your solicitor will explain more about that at your advice appointment.

To apply for legal services, you must fully complete the application form and return it to your nearest law centre. You must also attach proof of income as outlined on the form. In most cases you will also need to include photo ID and proof of address. You are not required to submit photo ID and proof of address if there is no financial or property element to your case. If an application form is not fully completed and/or the required proof of income is not attached, we will have to write back to you and ask you for the missing information/documents. This will delay us processing your application.

### **Before you apply**

If your problem is about your marriage/civil partnership or children, we also run a Family Mediation Service which can help you come to an agreement to resolve your problem. This service facilitates a timely resolution of such matters without going to court. If you wish to obtain information about family mediation, contact details can be found at [www.legalaidboard.ie](http://www.legalaidboard.ie) or, alternatively, you can contact the Family Mediation Service at 9 Lower Ormond Quay, Dublin 1. Telephone (01) 874 7446.

### **1. Personal information and details of application**

The first part of the form is for your own personal details and the details of the matter for which you want to apply for legal services. It is important that you complete this part of the form fully. Please fill in every box unless it does not apply to you. If you do not want us to contact you at your own address, you must provide us with an alternative address where we can contact you.

A family law matter is one involving your marriage, other private relationship or children. Examples of family law matters are a divorce or separation, an application to be appointed a guardian of your children, or matters to do with the care and control of your children. A non-family matter covers anything that is not a family law matter.

Please try to give us as many details as you can in the space provided. We need this information so we can determine, in the first instance, whether the matter for which you are applying for legal services is a matter we can deal with.

If you applied to us for legal services before, you should give us details too.

## 2. Statement of income and assets

We have limited resources and cannot assist everyone who makes an application. For this reason the Government has set limits on a person's disposable income and capital assets and if your income or assets are greater than these amounts, we cannot provide you with legal services.

### **Part A: My only source of income is social welfare and I have no assets over €4,000**

Part A contains two questions.

- **Is social welfare your only source of income?**

You should only answer 'yes' if your only form of income is social welfare. If you have any other form of income – a part time job, or a former spouse/partner is paying you maintenance for you or your children, you must complete a full statement of income and assets; and

- **Are your assets worth less than €4,000 in total?**

Assets include your car or any motor vehicle, any savings that you have in a bank, or any jewellery that you own. It does not include the house you live in. If you can not answer 'yes' to this question, you should complete a full statement of income and assets.

If you can answer 'yes' to BOTH of these questions, you do not need to make a full statement and can go straight to the back page of the form to sign the declaration.

If you have answered 'no' to either of these questions, you must proceed to complete Part B and Part C.

### **Part B: Details of my income**

This section of the form asks you for details of your income and certain expenses.

When assessing your entitlement to legal services, we grant what are known as "allowances", which are deductions from your annual income based on these expenses. These allowances are given for certain deductions from your salary/occupational pension, the costs of your accommodation, childcare, and if you have a spouse/partner and/or children dependant on you or for whom you are paying maintenance. Please note that allowances are not given for any other expenses, such as telephone, electricity and gas bills, doctor's fees or hospital bills, travel costs, etc. The allowances which we can grant are decided by the Government from time to time and the Board has no power to take anything else into account when calculating your disposable income.

The form is designed to help us apply the allowances to which you are entitled. You must make sure to complete it fully.

- Details of my employment/pension:

- Indicate whether you are being paid weekly, fortnightly, or monthly
- Enter what you are being paid before deductions
- Enter the pay period for the payslip you are enclosing (if you are paid weekly this may be labelled "number of insurable weeks"). If you do not know this, you do not have to complete this box
- Enter what you are paying in income tax (PAYE), PRSI, and universal social charge (USC). If you are employed in the civil or public service, or for an

organisation in the State-funded voluntary sector which will pay you a public service pension when you retire, you should also enter the amount you pay in pension levy (officially known as Public Service Pension Related Deduction (PRD))

- You must enclose your most recent payslip
- If you are in temporary employment and your contract will cease within the next twelve months, a copy of your contract or letter from your employer stating your termination date will need to be furnished, otherwise we will assess you on the basis of a twelve month period
- Social welfare:
  - Enter the name of the payment and amount you are receiving per week from the Department of Social Protection. List each separate payment/benefit separately. A space is provided for fuel allowance
  - If you need more space, enclose a separate sheet
  - Most people only receive fuel allowance during the winter. If you are applying during the summer, you should enter the amount you normally receive during the winter. We take into account that this payment is only received for six months of the year
  - You must enclose proof of each social welfare payment you are in receipt of. This will normally be a Post Office receipt or proof that payment is being made into your bank account. Alternatively, a letter from Intreo/the Social Welfare Local Office stating that you are in receipt of the payment will suffice
- Other source - this could include:
  - Community Employment Scheme
  - SOLAS (formerly FÁS) course
  - Family Income Supplement (FIS)
  - Dividends from shares in public limited companies
  - Interest from deposits
  - Income from property
- Maintenance received: you need to state the maintenance you are being paid and whether this maintenance is paid for your own upkeep or that of your children
- Business: this applies to those who are self-employed and not treated as a PAYE employee for payroll purposes, such as sole traders, partners, contractors, and farmers. You must produce your most recent Notice of Assessment from Revenue, or your most recent set of audited accounts
- Benefits-in-kind: this includes any payment from your employment which is not in the form of wages/salary, such as a company car. If this section applies to you, you should contact the law centre and discuss this
- Cost of my accommodation: insert the **full** amount of your mortgage or rent payment (including any supplement or allowance you receive) and indicate how often you pay it (monthly, fortnightly, weekly) by ticking the correct box. If you receive mortgage interest supplement, rent supplement, or rent allowance, please insert the amount in the space provided

- You should indicate how much in total you pay for childcare and how many children you have in childcare
- Spouse/Partner: if you are living with your spouse or partner you should indicate that here. A partner means a civil partner or a person with whom you are in a relationship and living with for over five years if you have no children together, or over two years if you have children together. If you are not living with your spouse, you can still claim an allowance providing you are paying maintenance
- Dependent Children: You must insert the number of dependent children or stepchildren you have that are living with you. However, you may include children that are away at boarding school or college and who normally return during the holidays. If you are paying maintenance towards a child that does not live with you, you should indicate in the space how many children and how much you pay towards each child
- Other Dependants: You must insert the number of other dependants you have. They must be living with you. You must indicate the reason why they are dependant

### **Part C: Details of my assets**

In this section you must declare details of all your assets of a capital nature, except for the house you live in. However, if you do not have capital assets valued in total at more than €4,000, you can tick the box and proceed to the declaration on the last page.

- My car: Enter the details of the make and model, year, and estimated value of your car, along with the amount remaining on any car loan
- My cash on hand or in the bank: Enter the details of any cash you hold personally or a bank, building society, credit union or other financial institution
- Other assets that I own - this can include:
  - any real property – land, investment properties, second houses – that you own other than the house you live in
  - any shares you own in a limited company, including a credit union
  - any expensive jewellery or works of art that you own
  - any government bonds, NTMA State Savings or UK National Savings and Investments products or anything similar
- If you took out a loan or mortgage to finance the purchase of the asset, you should include the amount outstanding on the mortgage/loan
- Other loans outstanding: Enter the details of the loan, the amount outstanding and the monthly repayment amount
- Other debts due to be paid in the next year: This can include bills in substantial arrears, maintenance arrears which have not been paid, court judgements outstanding against you that have not been enforced, or an overdraft in arrears. You should not include ordinary household bills in this, unless they have been passed to a credit control department/debt collection agency and the next step will be for the organisation/agency to issue legal proceedings against you

As with income we take into account certain allowances when calculating your disposable capital. We take into account the full amount outstanding on any loan taken out to purchase a capital asset, 12 months worth of repayments (up to a maximum of

the amount outstanding) on any other loan you have, and any other legally enforceable debts.

As with the income allowances, these allowances are decided by the Government from time to time and the Board has no power to take anything else into account when calculating your disposable capital.

### **Declaration**

When you make an application to the Legal Aid Board, you are declaring that the information you have given on the form is full and correct. We may ask certain agencies, such as the Department of Social Protection, the Revenue Commissioners, and the Valuation Office, to verify that the details you have given us are correct. We do not ask them in every case, but do spot checks on occasion.

Once a case is started you may be asked to make a sworn statement of your finances. We occasionally find that sources of income, or capital assets, which were omitted from the application form, are included in a sworn statement. There are other times when it comes to our attention that the information on the form was not correct. If this happens we will re-assess your financial eligibility, which means you will have to fill in the form and be assessed again.

We may:

- Ask you to pay a higher contribution
- Terminate or revoke your legal aid certificate, which means that we can stop your legal aid and you will be required to pay back what it cost us to represent you up until then

It is important therefore, that you fill in the form completely and without omitting anything relevant to the application. By signing the declaration you give us permission to obtain any information about your case which we may require. We need this permission to be able to act on your behalf.

### **Paying for your legal services**

One thing you should be aware of when you make your application is that our service is usually not free. In most cases you will need to make a payment – called a contribution – towards the cost of the service we provide. However, you will not need to pay anything if the Child and Family Agency (formerly HSE) is taking proceedings to take your children into care or in certain other special circumstances.

Usually the minimum contribution is **€30**, and you will normally have to pay at least this amount before you see a solicitor. If you need to go to Court and we agree to represent you, you will normally need to pay at least **€130**. Depending on your disposable income and capital, you may be asked to pay more. We will tell you what your contributions will be before you see a solicitor. You should talk to a member of staff if paying a contribution is likely to cause you hardship.

In certain circumstances, at the end of your case, if you are awarded money or property, we can ask you to pay back some or all of the cost of your legal aid. Your solicitor will discuss this in further detail if it applies to you.

# FULL-TIME LAW CENTRES

<b>CAVAN</b>	Newcourt Shopping Centre, Church Street, Cavan.	Tel: (049) 433 1110 Fax: (049) 433 1304
<b>CLARE</b>	Unit 6A, Merchant's Square, Ennis, Co. Clare.	Tel: (065) 682 1929 Fax: (065) 682 1939
<b>CORK</b>	Law Centre, 1A South Mall, Cork. Law Centre ( <b>incorporating Refugee Legal Service</b> ), North Quay House, Popes Quay, Cork.	Tel: (021) 427 5998 Fax: (021) 427 6927 <b>Freephone: 1800 202420</b> Tel: (021) 455 1686 Fax: (021) 455 1690
<b>DONEGAL</b>	Letterkenny Town Centre, Justice Walsh Road, Letterkenny, Co. Donegal.	Tel: (074) 912 6177 Fax: (074) 912 6086
<b>DUBLIN</b>	Law Centre, 45 Lower Gardiner Street, Dublin 1. Law Centre ( <b>incorporating Refugee Legal Service</b> ), 48/49 Nth. Brunswick St./Georges Lane, Dublin 7. Law Centre, 44/49 Main Street, Finglas, Dublin 11. Law Centre, 1st Floor, South Dublin County Council Civic Centre, Ninth Lock Road Clondalkin, Dublin 22. Law Centre, Village Green, Tallaght, Dublin 24.* Law Centre, Unit 6-8, Business Centre, Clonsilla Road, Blanchardstown, Dublin 15. <b>Medical Negligence Unit,</b> 7-11 Montague Court, Montague Street, Dublin 2. <b>Dolphin House Service,</b> Dolphin House, East Essex St, Dublin 2.	Tel: (01) 874 5440 Fax: (01) 874 6896 <b>Freephone: 1800 238343</b> Tel: (01) 646 9600 Fax: (01) 646 9799 Tel: (01) 864 0314 Fax: (01) 864 0362 Tel: (01) 457 6011 Fax: (01) 457 6007  Tel: (01) 451 1519 Fax: (01) 451 7989 Tel: (01) 820 0455 Fax: (01) 820 0450  Tel: (01) 477 6200 Fax: (01) 477 6241  Tel: (01) 675 5566. Fax: (01) 764 5116
<b>GALWAY</b>	Law Centre, 9 Francis Street, Galway. Law Centre ( <b>incorporating Refugee Legal Service</b> ), Seville House, New Dock Road, Galway.	Tel: (091) 561 650 Fax: (091) 563 825 <b>Freephone: 1800 502400</b> Tel: (091) 562 480 Fax: (091) 562 599
<b>KERRY</b>	1 Day Place, Tralee, Co. Kerry.	Tel: (066) 712 6900 Fax: (066) 712 3631
<b>KILDARE</b>	Canning Place, Newbridge, Co Kildare.	Tel: (045) 435 777 Fax: (045) 435 766
<b>KILKENNY</b>	Unit A, 1st Floor, Block A, Smithlands, Loughboy, Kilkenny.	Tel: (056) 776 1611 Fax: (056) 776 1562
<b>LAOIS</b>	Unit 6A, Bridge Street, Portlaoise.	Tel: (057) 866 1366 Fax: (057) 866 1362
<b>LIMERICK</b>	Unit F, Lock Quay, Limerick.	Tel: (061) 314 599 Fax: (061) 318 330
<b>LONGFORD</b>	Credit Union Courtyard, 50A Main Street, Longford.*	Tel: (043) 334 7590 Fax: (043) 334 7594
<b>LOUTH</b>	Condil House, Roden Place, Dundalk, Co. Louth.	Tel: (042) 933 0448 Fax: (042) 933 0991
<b>MAYO</b>	Humbert Mall, Main Street, Castlebar, Co. Mayo.	Tel: (094) 902 4334 Fax: (094) 902 3721
<b>MEATH</b>	Kennedy Road, Navan, Co. Meath.	Tel: (046) 907 2515 Fax: (046) 907 2519
<b>MONAGHAN</b>	Alma House, The Diamond, Monaghan.	Tel: (047) 848 88 Fax: (047) 848 79
<b>OFFALY</b>	Harbour Street, Tullamore, Co. Offaly.	Tel: (057) 935 1177 Fax: (057) 935 1544
<b>SLIGO</b>	Bridgewater House, Rockwood Parade, Thomas Street, Sligo.	Tel: (071) 916 1670 Fax: (071) 916 1681
<b>TIPPERARY</b>	Friarscourt, Abbey Street, Nenagh, Co. Tipperary.	Tel: (067) 341 81 Fax: (067) 340 83
<b>WATERFORD</b>	Canada House, Canada Street, Waterford.	Tel: (051) 855 814 Fax: (051) 871 237
<b>WESTMEATH</b>	Paynes Lane, Irishtown, Athlone, Co. Westmeath.	Tel: (090) 647 4694 Fax: (090) 647 2160
<b>WEXFORD</b>	Unit 8, Redmond Square, Wexford.	Tel: (053) 912 2622 Fax: (053) 912 4927
<b>WICKLOW</b>	Bridge Street, Wicklow.*	Tel: (0404) 661 66 Fax: (0404) 66197

\* Some law centres may move location in 2014. Please refer to [www.legalaidboard.ie](http://www.legalaidboard.ie) for current location.

Issued by the

**AN BORD UM CHÚNAMH DLÍTHÍÚIL**



**LEGAL AID BOARD**

## HOURS OF OPENING

**10.00 a.m. - 12.30 p.m. & 2.00 p.m. - 4.00 p.m.**

QUAY STREET, CAHIRCIVEEN, CO. KERRY.

LOCALL No. 1890 615200

TEL: (066) 947 1000. FAX: (066) 947 1035.

[www.legalaidboard.ie](http://www.legalaidboard.ie)