

# Application form

Use this form to apply for legal aid in Queensland



LAQAPP

## Need help?



If you need help filling out this form, call our grants inquiry line on (07) 3238 3900. For general administrative inquiries, legal information, referrals and advice bookings, call 1300 65 11 88.



If you need an interpreter call the Translating and Interpreting Service on 13 14 50. Ask them to connect you to Legal Aid Queensland. This is a free service.



Post your completed form to GPO Box 2449 Brisbane Q 4001 or hand-deliver it to your nearest Legal Aid office. See backpage for instructions about how to submit your application.



**IMPORTANT: Please send photocopies of documents only. Do not send original documents.**

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## Checklist

Before you send the application, check you have attached:

### Financial details

- Centrelink income statement
- payslips for at least the last four weeks (or a letter from your employer confirming your income)
- copies of bank statements for the past three months from all financial institutions where you have accounts
- proof of your self-employed income

### Court details

- copies of any court documents you have received/filed

### Criminal law problem

- Queensland Police Service Court Brief (QP9), criminal and traffic history, notice to appear, proceeds of crime order

### Family or relationship problem

- any court orders, family dispute resolution certificate/s, invitation to attend a family dispute resolution conference

### Also check you have:

- answered all relevant questions including question 18 (page 13)
- read and signed the "Declaration and authority to release information" (page 14)

### OFFICE USE ONLY

Client ID

File number

Health care or pension card sighted  Documents attached

Application taken by

Date

Application entered by

Date

No in-house capacity Advised by

Assign to in-house lawyer

# Personal details

## 1. Name

Title Mr  Mrs  Ms  Miss  Other  ► **Give details**

Family name

First name

Middle name(s)

### Do you have, or have you ever used any other names?

*(eg maiden name or previous married name)*

No  Yes ▼ **List your other names**

Family name

First name

Type of name

## Birth date

## Gender

Male  Female  Other  ▼ **Give details** (eg group or organisation)

## What is your marital status?

Married  Divorced  
 Defacto  Single  
 Separated (married/defacto)  Other ▼ **Give details**

## Do you need an interpreter to help you fill out this form?

No  Yes ▼ **Which language and dialect?**

## Do you have a disability that affects how you access our services?

No  Yes ▼ **Which disability?**

Intellectual  
 Psychological/psychiatric  
 Sensory (including speech)  
 Physical ▼ **Give details**

## Do you need extra or practical help to access our services?

*(eg do you need help to read or write)*

No  Yes ▼ **Give details**

## Were you born in another country?

No  Yes ▼ **Which country?**

## Do you identify as Aboriginal or Torres Strait Islander?

No  Yes, Aboriginal  Yes, Torres Strait Islander

! If you identify as Aboriginal and Torres Strait Islander, tick both boxes.

## Do you have any special circumstances?

*(eg long-standing ill health, can't read or write, can't access assets or money, unable to work)*

No  Yes ► **List details at question 18**

! We may be able to take your special circumstances into account when considering your application.

## Address details

### 2. Home address

Address	<input type="text"/>		
Suburb/town	<input type="text"/>		
State	<input type="text"/>	Postcode	<input type="text"/>

### Address where we can contact you (eg postal address)

*If same as above, leave blank*

Address	<input type="text"/>		
Suburb/town	<input type="text"/>		
State	<input type="text"/>	Postcode	<input type="text"/>

### Contact details

Home phone	<input type="text"/>	<input type="text"/>
Mobile phone	<input type="text"/>	
Work phone	<input type="text"/>	<input type="text"/>
Email	<input type="text"/>	
Other	<input type="text"/>	

### Are you in prison?

No  Yes ▼ **List prison/detention centre**

Integrated Offender Management System (IOMS) number

! If you're in prison, you still need to complete the financial details below.

## Financial details

### 3. Are you 17 years or younger? No Yes ► **You don't need to complete this section** **Go to question 10**

#### ! Your financial circumstances

You must give us all relevant information about your financial circumstances, including any income and assets you own. We also need information about anyone who helps you financially.

**If you don't receive any income, give details at question 18.**

#### Documents

Please give us the following documents, for you or anyone who helps you financially, so we can assess your financial eligibility for aid (attach these documents to the application form):

- copies of pay slips for the last four weeks (or a letter from the employer detailing income paid), copies of Centrelink income statements and copies of bank statements for the past three months from all financial institutions where accounts are held regardless of the account balance (use an official bank statement or print one from your online bank account. You can't use ATM receipts)
- details of any financial help you get from another person
- details of assets you own or the assets of a person who gives you financial help, for example copies of statements for shares, bonds and superannuation
- copies of any contracts in place if you have cash saved to buy a home or you own land with the intention of building a home.

If you or a person who helps you financially is self-employed, a small business owner or a farmer, you both must provide:

- individual and business tax returns for two years
- personal and business bank statements for the last three months
- the most recent income (or profit and loss) statement
- the most recent balance sheet.

4. Do you get financial help from another person?

No  Yes

**! What does 'financial help' mean?**

Financial help is where another person (eg a relative or partner) regularly gives you money, helps pay your bills or shares living expenses.

Are you, or someone who financially helps you, self-employed, a small business owner or a farmer?

No  Yes **▼ Give details**  **Attach details of self employment**  
(see page 3 for more information)

5. Do you, or a person who helps you financially, receive a Centrelink or Veterans' Affairs payment?

No **► Go to question 6**

Yes **▼ Which payment?**

Full  Part

Disability support pension

Mature age allowance/pension benefit

Newstart allowance

Parenting payment partnered

Sickness allowance

Single parenting payment

Special benefit

Veterans and war services

Widow allowance

Youth allowance

Other **▼ Give details**

Current health care or pension card details

Office use only – check card(s)

You

Card number

Expiry date  Type of card  Health care  Pension

Other person

Card number

Expiry date  Type of card  Health care  Pension

 **Attach a copy of health care or pension card**

6. Which describes your living and employment situation?

**Couple**  one working  both working  both not working **Single**  person working  not working

Total weekly gross income (before tax) for the household

\$  /week  **Attach proof of income documents**  
(see page 3 for more information)

**! What is 'income'?**

Income is money you receive from all sources, including any pensions or benefits, child support or maintenance payments, rent received etc. refer to page three for further information on what documents need to be provided

Number of dependent children under 18

(including children you pay child support or maintenance for)

**NOTE: YOU MUST ANSWER parts a), b) and c) of Question 7**

**7. Do you, or a person who helps you financially, own or are you or they paying off:**

**! What is 'equity'?**

Equity is the asset's value less any money owing on that asset (eg Mary's house is worth \$400,000 and her mortgage is \$290,000. Mary's equity in the property is \$110,000).

**Office use only** – check equity if applicant is 60 years or older.

**! How do I work out how much equity I have in my vehicle?**

You will need to work out the value of your vehicle. Websites like RedBook (www.redbook.com.au) can help you work out the value of your vehicle. Your equity is the value of the car less any money you owe on your car loan.

**a) the home you live in?**  No  Yes ▼ **Give details**

What is the current value of the home? \$

What is the total mortgage on the home? \$

How much equity do you have in the home? \$

When did you buy the home?

How long have you lived there?

If you are 60 years or older, have you had to move out of the home or buy another home because of a disability or health problem?

No  Yes ▼ **Give details of disability or health problem**

Give details of your current living arrangements (eg moved in with a relative, moved to a nursing home, moved to a lowset house).

**► List extra details at question 18**

If you still own the property you've moved out of, give details of any income you receive from the property (eg rent).

\$  /week

**b) any other real estate apart from the home you live in?** (eg house or land)

No  Yes ▼ **Give details**

What is the value of your real estate? \$

What is the total mortgage on this real estate? \$

How much equity do you have in this real estate? \$

**c) a motor vehicle(s)?**  No  Yes ▼ **Give details**

How much equity do you have in the vehicle(s)? \$

**8. Do you, or a person who helps you financially, have money in the bank?**

No  Yes ▼ **Give details**

\$  Bank account  **Attach a copy of bank statements**  
(see page 3 for more information)

**9. Do you, or a person who helps you financially, have any valuable assets you can sell or use now?**

\$  Shares or bonds

\$  Recreation vehicles (boats/caravans etc)

\$  Superannuation you can access now/insurance payments or any other valuable items you can sell

\$  Other ▼ **Give details**

## Court details

10. Do you have to go to court or a tribunal?

No  Yes ▼  Attach copies of any court documents received/filed

Date, if known  |  |  Time

Which court or tribunal?

Magistrates Court

District Court

Tribunal ► Give details

Court of Appeal

Childrens Court

Family Court of Australia

Federal Circuit Court

Supreme Court

Mental Health Court

Drug Court

Not sure

Suburb/town

What is your next court date for?

(eg mention, committal, trial)

Not sure

Do you have a lawyer representing you?

No  Yes ▼ Give details

Lawyer's name

Law firm

Address

Suburb/town

State  Postcode

## Your legal problem

This section is divided into:

**Criminal law problem**

**Family or relationship problem**

**Civil law problem**

Complete each section that relates to your legal problem(s). Then complete the following sections:

**Extra details**

**Applicant declaration**

# Criminal law problem

11. Have you been charged with an offence?

No ► Go to question 13  Yes ▼ List your charges

Date charged	Charges

► List extra details at question 18

**Who made the complaint(s) against you?**

*(eg child, partner, victim of crime – do not include the police or Child Safety Services)*

Family name

First name

Not sure

**Office use only** – check to see if a conflict exists

► List extra details at question 18

**Are you involved in any other legal matters?**

*(eg child protection, family law)*

No  Yes ▼ Give details  Not sure

**Was anyone else charged with you?**

No ► Go to question 12  Yes ▼ Give details  Not sure

First person charged: Family name

First name

Middle name(s)

Street address

Suburb/town

State

Postcode

Birth date

Do they have a lawyer?  No

Yes ▼ Give details below, if known

Don't know

Lawyer's name

Law firm

Address

Suburb/town

State

Postcode

# Criminal law problem continued

**Second person charged:** Family name   
First name   
Middle name(s)   
Street address   
Suburb/town   
State  Postcode   
Birth date  DAY | MONTH | YEAR

Do they have a lawyer?  No  
 Yes ▼ **Give details below, if known**  
 Don't know

Lawyer's name   
Law firm   
Address   
Suburb/town   
State  Postcode

► **If more than two people were charged with you, give details at question 18**

**12. Have you pleaded guilty in court to these charges?**  No  Yes

! You may be able to change your plea.  
Call 1300 65 11 88 to arrange legal advice.

**How do you want to plead?**  Guilty  Not guilty  Not sure

**If you are in custody, do you want to apply for bail?**  No  Yes

**Do you have a criminal record?**  No  Not sure  
 Yes ▼ **Either attach a copy of your criminal record or list your criminal record, including matters where no conviction was recorded**

Year	Offence	Penalty

► **List extra details at question 18**

 **If you have been given a copy of your Queensland Police Service Court Brief (QP9) and/or criminal/traffic history, please attach a copy**

**Have the police taken any of your belongings under a proceeds of crime order?**  No  Yes ►  **Attach a copy of your order**

! **If you don't have any family/relationship or civil law problems, go to question 18 on page 13 and tell us more about your criminal law problem. Then sign the declaration on page 14.**

# Family or relationship problem

## 13. Are you applying for aid for a family or relationship problem?

! If you are not sure what your application is about and would like to talk to a lawyer, call 1300 65 11 88 to arrange legal advice.

No ► **Go to question 17**

Yes ▼ **Which problem?**

- Who my children live with (*residence/custody*)
- How much time my children spend with me or the other parent (*contact/access*)
- Decisions about how my children are raised (*eg schooling, health, religion*)
- Child support/maintenance/paternity
- Property settlement ▼ **Tick the items that are part of your settlement**

- |   |  |
|---|--|
| <input type="checkbox"/> The home you live in   | <input type="checkbox"/> A motor vehicle                                   |
| <input type="checkbox"/> Any other real estate ( <i>apart from the home you live in</i> )           | <input type="checkbox"/> Recreation vehicles ( <i>boats/caravans etc</i> ) |
| <input type="checkbox"/> Savings  | <input type="checkbox"/> Shares or bonds                                   |
| <input type="checkbox"/> Superannuation/insurance payments or any other valuable items you can sell |  |
| <input type="checkbox"/> Other ▼ <b>Give details</b>  |  |

- Spousal maintenance
- Divorce
- Enforcing a court order or advising an order has been breached
- Child protection (including family group meeting)
- Domestic/family violence ▼ **Give details**

- Applying for a protection order
- Responding to a protection order application
- Change of family court orders due to violence

### What type of relationship describes the situation you are in with the person?

- A family relationship with the other person (*relative or extended family*)
- A spousal relationship with the other person (*including de facto relationships*)
- An informal care relationship with the other person
- An intimate personal relationship with the other person
- Not applicable

### Have the police applied for a domestic and family violence protection order about this matter?

No  Yes ► **When?**  |  |   Not sure

### Has an application for a domestic and family violence protection order been lodged in court?

No  Yes ►  **Attach a copy of any application(s)**

Not sure ► **Get legal advice**

Other

## Family or relationship problem continued

14. Do you have any current orders about this family matter (including domestic violence protection orders, child protection orders, family law court orders)?

No  Yes ►  Attach a copy of any order(s)

 If you don't have copies, contact the court or the lawyer who helped you get the orders.

15. Who is your legal issue with?

If this is a child protection matter, you do not have to include Child Safety Services in this section. Please include details of other people involved in the proceedings.

Family name

First name

Middle name(s)

Street address

Suburb/town

State  Postcode

Birth date

DAY | MONTH | YEAR

Phone number

Email

Relationship to you

Do they have a lawyer?  No  Don't know

Yes ▼ Give details below, if known

Lawyer's name

Law firm

Address

Suburb/town

State  Postcode

► If more than one person was involved give details at question 18

**16. Do you have any children under 18?**

No  Yes ▼ **Give details**

Family name	First and middle name(s)	Birth date	Relationship to you	Who do they live with?	Involved in this matter?

► **List extra details at question 18**

**Have you been to counselling/mediation or any family dispute resolution sessions with the person you are in dispute with?**

No  Yes ►  **Attach a copy any certificates received from these sessions**

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

No  Yes ▼ **Give details**

Marriage date

DAY	MONTH	YEAR
-----	-------	------

Separation date

DAY	MONTH	YEAR
-----	-------	------

Divorce date

DAY	MONTH	YEAR
-----	-------	------

**Were you in a defacto relationship with the person you are in dispute with?**

No  Yes ▼ **Give details**

Relationship date

DAY	MONTH	YEAR
-----	-------	------

Separation date

DAY	MONTH	YEAR
-----	-------	------

**! If you don't have any civil law problems, go to question 18 on page 13 and tell us more about your family or relationship problem. Then sign the declaration on page 14.**

# Civil law problem

17. Are you applying for aid for a civil law problem?

No ► **Go to question 18**     Yes ▼ **Which problem?**

! If you are not sure what your application is about and would like to talk to a lawyer, call 1300 65 11 88 to arrange legal advice.

- Administrative Appeals Tribunal
- Anti-discrimination
- Child protection ► **Go to question 13 on page 9**
- Dangerous prisoners
- Domestic/family violence ► **Go to question 13 on page 9**
- Inquest
- Mental health
- Migration
- Peace and good behaviour
- Veteran's appeal (war caused) or other defence appeal
- Workers' compensation
- Not sure ► **Get legal advice**
- Other

► **Please tell us more about your problem under question 18 on page 13 and then sign the declaration on page 14**



## Declaration and authority to release information

### Are you completing this application for yourself?

Yes ▼ **Read and sign declaration below**

No ► **What authority do you have to complete this application for someone else?**  
(eg power of attorney, QCAT order, parent, guardian)

Applicants or authorised people must sign this authority

I (name) \_\_\_\_\_

consent and authorise Police Prosecutions to give Legal Aid Queensland (LAQ):

- a copy of my Queensland Police Service Court Brief (QP9) and/or criminal and traffic history  No  Yes

By ticking yes, I understand:

- LAQ may ask Police Prosecutions for information to decide my legal aid application and to consider any further requests for aid
- I can get a copy of any material provided by Police Prosecutions related to me at any time from LAQ
- this consent is ongoing when I have an active legal aid file but I can stop it at any time by writing to LAQ.

I acknowledge it is an offence to:

- make a false or misleading statement when applying for legal aid
- give a false or misleading document when applying for legal aid
- refuse to give information requested by LAQ with the intent to deceive or mislead LAQ.

Legal Aid Queensland is required to manage documents in line with the *Legal Aid Queensland Act 1997*, *Public Records Act 2002*, *Information Privacy Act 2009* and *Right to Information Act 2009*. Where legal representation is provided by a Legal Aid Queensland lawyer, documents must also be managed in line with legal professional and ethical duties.

Legal Aid Queensland retains a client's legal files for a minimum of seven years. Before the destruction of their file, clients can seek a copy of their file under Legal Aid Queensland's administrative access scheme.

By signing below, I authorise my Legal Aid Queensland appointed legal representative to destroy my legal file seven years after the date of the last action on my file.

### Applicant's or authorised person's signature

\_\_\_\_\_  
Date

## Information privacy and conflict of interest statement

LAQ is committed to ensuring client confidentiality and has information barriers in place to protect client information.

LAQ may hold information about other people involved in your legal matters that may be relevant to your case. Under our information privacy and conflict of interest policies, this information will not be disclosed to you or used to assist your case.

The information you give us in this form and the information you give to your Legal Aid Queensland lawyer will be used to:

- assess your eligibility for legal aid
- help your lawyer with your legal representation
- update your personal details in our records
- evaluate our services.

LAQ also gives statistical information, after removing names of clients, to the Australian Government Attorney-General's Department.

LAQ's information barriers are designed to keep your confidential information from being accessed by or discussed with any other Legal Aid Queensland lawyer who may give legal services to other people involved in your legal matters or a related matter.

Your information will not be given to any other person or agency unless you give us permission to or we are required to by law.

You can get information about our privacy and conflict of interest policies by visiting [www.legalaid.qld.gov.au](http://www.legalaid.qld.gov.au) or contacting our privacy contact officer (07) 3238 3500.

### Declaration

I have read/have had read to me, understand and accept the terms and conditions of Legal Aid Queensland's information privacy and conflict of interest statement above.

### Signed

\_\_\_\_\_  
Date

## About legal aid

It is important you understand the terms and conditions of legal aid that apply to you, if you are granted aid.

### Conditions

- Legal aid is granted according to the *Legal Aid Queensland Act 1997* and guidelines set by the state and federal governments, and other conditions you and your lawyer will be told about.
- We can stop or change your grant of aid if you do not meet these conditions.

### Financial contributions

- You may have to pay some money towards your legal costs.
- You may have to pay some or all the costs we incur on your behalf if you keep property or you get money or property because of your grant of aid.

### Legal costs

- You may have to pay any legal costs the court orders against you. You can ask us to pay the costs ordered against you.
- It is your responsibility to pay any legal costs you may owe to anyone who has done legal work for you before your grant of aid starts.
- If you are awarded any money because of the legal work we do for you (eg a compensation or settlement payment), it will be held in your lawyer's trust account until we assess if you owe Legal Aid Queensland any money.

### Your lawyer

- You cannot change your lawyer without our agreement. If we agree, you may have to pay any costs involved with changing lawyers.
- If your application is approved you cannot choose your own lawyer.
- We can stop your grant of aid if you do not follow your lawyer's advice.
- We can ask any lawyer acting for you, or who has acted for you before, to give us information relevant to your grant of aid.

### Providing information

You must tell us immediately if:

- you change your address while you are getting legal aid
- financial or other details set out in your application change
- you become aware of information likely to affect your eligibility to get legal aid or the conditions on which legal aid is granted.

It is an offence to make a false or misleading statement or fail to give information about your application. You may be fined or imprisoned for doing so.

## How legal aid works

After you submit your legal aid application, you will be sent a letter telling you:

- if you have been granted legal aid
- what the grant is for
- any conditions on the grant.

If you are granted legal aid, you will also be sent an information sheet explaining how your grant works and how you can make the most of it. Please read it carefully.

If a Legal Aid Queensland lawyer is handling your case, you will be told who is managing your file. You should ask your file manager any questions you have.

If a private lawyer is handling your case, you should ask that lawyer any questions you have. If you still have concerns after talking to your lawyer, call the Legal Aid Queensland information service on 1300 65 11 88, or for more detailed information about your grant of aid, call the grants inquiry line on (07) 3238 3900.

### How long will it take?

We aim to assess about 80 percent of applications within five days. However many applications are complex and can take two weeks or more to properly assess. If you haven't received a response 14 days after lodging your application, please contact us.

 Please tear off this page and keep for your records.

#### Office use only (for in-person applications)

Application taken by

Date

 |  |

# Legal information and referrals 1300 65 11 88

Grants inquiries (07) 3238 3900

## Sending your documents

Please send photocopies, not your original documents. Documents provided with your application will become the property of Legal Aid Queensland and may not be returned. Legal Aid Queensland operates in a digital environment and documents are scanned and processed digitally. Hard copy documents may be destroyed shortly after being received, in line with the *Public Records Act 2012*.

 **Please post your form to GPO Box 2449 Brisbane Q 4001**

## Emailing your application

We can accept applications via email.

- You can scan and email your application to **submit.application@legalaid.qld.gov.au** – please ensure the form and documents have been scanned (*photos taken with a camera cannot be accepted*)
- Your application and relevant documents must be emailed as attachments – we cannot download documents from ‘Google Drive’ or other third-party websites
- Please send each document as one file, not each page as individual attachments
- All documents must be sent in one email (*noting the maximum email size including attachments is 25 mb*).
- Attachments must be in PDF format (*all other formats ie JPG, PNG, HTML images cannot be accepted*)
- We cannot process ‘zipped’ files such as .zip or .rar. PDF’s must be attached directly to your email.

## Your local Legal Aid Queensland office:

### BRISBANE

44 Herschel St, 4000

### BUNDABERG

3rd Floor, WIN Tower,  
Cnr Quay & Barolin Sts, 4670

### CABOOLTURE

Ground Floor, Kingsgate  
42 King St, 4510

### CAIRNS

Level 2, Cairns Square Complex,  
42-52 Abbott St, 4870

### INALA

Level 1, Inala Commonwealth  
Offices, 20 Wirraway Pde, 4077

### IPSWICH

Level 7, 117 Brisbane St, 4305

### MACKAY

Ground Floor, 17 Brisbane St, 4740

### MAROOCHYDORE

Ground Floor, M1 Building  
1 Duporth Ave, 4558

### MOUNT ISA

6 Miles St, 4825

### ROCKHAMPTON

Ground Floor, 35 Fitzroy St, 4700

### SOUTHPORT

Level 2, 7 Bay St, 4215

### TOOWOOMBA

1st Floor, 154 Hume St, 4350

### TOWNSVILLE

3rd Floor, Northtown  
280 Flinders St, 4810

### WOODRIDGE

1st Floor, Woodridge Place,  
Cnr Ewing Rd & Carmody St, 4114

Visit [www.legalaid.qld.gov.au](http://www.legalaid.qld.gov.au) for more information