

Application for grant of legal assistance

Please complete all questions on this form

This form does not contain all the information you are required to provide when submitting your application for legal assistance. You may need to answer other questions or provide documents. If you have a lawyer assisting you with this application, ask them what additional information to include. Lawyers using this form should refer to the relevant ATLAS template.

1. Personal details

Title:

- Mr
- Mrs
- Ms
- Miss
- Master
- Dr
- Mr/Mrs
- Estate of
- Mx
- None

First name:

Middle name:

Last name:

Gender:

- Male
- Female
- Self-described:
 - Trans or gender diverse
 - Prefer not to say

Date of birth:

Is this date of birth an estimate only?

- Yes
- No

Your home address (even if you are in custody):

Your postal address (leave blank if same as home address):

Are you homeless?

Yes

No

Would you prefer to be contacted by email?

Yes

No

Email address:

Send all correspondence to lawyer only?

Yes

No

Contact number:

Home:

Mobile:

Work:

Other contact phone:

2. Additional details

Have you used any other names with Victoria Legal Aid (VLA)?

Yes

No

If **YES**, please list any other name(s) used:

3. Your background

Australian citizen:

Yes

No

Country of birth:

If you were not born in Australia, which year did you arrive here?

Are you of Aboriginal or Torres Strait Islander origin?

No

Yes, Aboriginal

Yes, Torres Strait Islander

Yes, Aboriginal and Torres Strait Islander

4. Language

Do you speak a language other than English at home?

- Yes
- No (Go to [Questions 5](#))

If **YES**, what is the main language you speak at home?

How well do you speak English?

- Very well
- Well
- Not well
- Not at all

Do you need an interpreter?

- Yes
- No

Which language?

5. Disability

Do you have a disability?

- Yes
- No (Go to [Question 6](#))
- Not stated

What kind of disability?

- Acquired brain injury
 - Hearing
 - Intellectual
 - Mental health
 - Physical
 - Speech
 - Visual
 - Not disclosed
 - Other: Enter other disability.
-

6. Employment status

What is your employment status?

- Full time
 - Not employed
 - Casual
 - Part time
 - Self-employed
-

7. Benefit details

Do you receive a Centrelink benefit or income support?

- Yes
- No (Go to [Question 8](#))

What is your Centrelink reference number?

What type of benefit do you receive?

- ABSTUDY*
- Disability support pension*
- Partner allowance*
- Widow allowance*
- Age pension*
- Newstart allowance*
- Sickness allowance*
- Window B pension*
- Austudy*
- Youth allowance*
- Special benefits*
- Wife pension*
- Carer payment*
- Parenting payment*
- Veterans / war payment
- COVID-19 related payment*
- Other: Enter other benefits

If you receive one of the benefits marked with an asterisk:

Do you receive the maximum rate of benefit?

- Yes
- No

8. Custody details: VLA use only

Are you in custody or detention?

- Yes
- No (Go to [Question 9](#))

Custody/detention location:

Date remanded into custody or detention:

Corrective services ID (not compulsory):

9. Relationship status

What is your relationship status?

- Single
 - Married
 - Living with partner
 - Separated from partner
 - Married but separated
 - Divorced
 - Widowed
 - Not applicable
-

10. Are you currently experiencing or fleeing family violence?

- Yes
 - No
-

11. Partner details

In this form **'Partner'** means spouse or defacto partner, where you have lived together in a genuine domestic relationship for at least 6 months.

The following are examples of when we don't consider you to have a partner for the purpose of the application for legal assistance:

- they have an opposing interest in your legal proceedings; or
- you have recently separated from them; or
- they live overseas and aren't earning income or don't have assets; or
- they are in prison or detention and don't have assets; or
- they have allegedly used family violence against you either in this matter or in the past; or
- you have allegedly used family violence against them either in this matter in the past; or
- your relationship with them may be damaged if they knew about your legal issue.

Do you have a partner?

- Yes
- No

Does your partner receive a Centrelink benefit or income support?

- Yes
- No

If yes, what type of benefit do they receive?

- ABSTUDY*
-

- Disability support pension*
- Partner allowance*
- Widow allowance*
- Age pension*
- Newstart allowance*
- Sickness allowance*
- Window B pension*
- Austudy*
- Youth allowance*
- Special benefits*
- Wife pension*
- Carer payment*
- Parenting payment*
- Veterans / war payment
- COVID-19 related payment*
- Other: Enter other benefits

If they receive one of the benefits marked with an asterisk*:

Do they receive the maximum rate of benefit?

- Yes
 - No
-

12. Dependant details

In this form, '**dependant**' means:

A person who relies on you for financial support including children or elderly parents.

Do any dependants live with you?

- Yes
- No

When answering this question, you need to:

- List those people that are not listed as your partner in [Question 11](#); and
- Include only those people who live with you.

Names of dependants:

First name	Last name	Relationship to you	Date of birth

Do you or your partner pay child support/maintenance?

- Yes
- No

How many children/maintenance dependants is the payment for? Enter number.

13. Your income (before tax)

Income type	You	Your partner	Frequency
Pensions/benefits/allowances (excluding Family Tax Benefit)	Enter amount.	Enter amount.	Enter income frequency.
Income – employment	Enter amount.	Enter amount.	Enter income frequency.
Business/self-employed	Enter amount.	Enter amount.	Enter income frequency.
Child support	Enter amount.	Enter amount.	Enter income frequency.
Other	Enter amount.	Enter amount.	Enter income frequency.
Total income	Enter applicant’s total income.	Enter partner’s total income.	

14. Expenses

Expense type	You	Your partner	Frequency
Income tax	Enter amount.	Enter amount.	Enter expense frequency.
Rent	Enter amount.	Enter amount.	Enter expense frequency.
Mortgage	Enter amount.	Enter amount.	Enter expense frequency.
Board	Enter amount.	Enter amount.	Enter expense frequency.
Rates	Enter amount.	Enter amount.	Enter expense frequency.
Business expenses	Enter amount.	Enter amount.	Enter expense frequency.
Childcare	Enter amount.	Enter amount.	Enter expense frequency.
Child support/Child maintenance/Spousal maintenance	Enter amount.	Enter amount.	Enter expense frequency.
Total expenses	Enter applicant's total expenses.	Enter partner's total expenses.	

15. Assets

Asset type	You	Your partner
Home	Enter amount.	Enter amount.
Home mortgage	Enter amount.	Enter amount.
Other real estate	Enter amount.	Enter amount.
Other mortgage	Enter amount.	Enter amount.
Farm / business	Enter amount.	Enter amount.
Farm / business mortgage	Enter amount.	Enter amount.

Asset type	You	Your partner
Motor vehicle	Enter amount.	Enter amount.
Motor vehicle loan	Enter amount.	Enter amount.
Cash / savings	Enter amount.	Enter amount.
Other assets (please specify)	Enter amount.	Enter amount.
Total assets	Enter applicant's total assets.	Enter applicant's total assets.

Have any of your assets been seized, frozen or restrained by the police or the court?

- Yes
 No

Please provide copies of all relevant court orders.

Please provide full details of the assets in the above table.

Business

Are you or your partner:

Self-employed?

- Yes
 No

A shareholder in a private company?

- Yes
 No

Receiving money from a trust?

- Yes
 No

A partner or director in a business or company?

- Yes
 No

Receiving any other benefit from a business or company?

- Yes
 No

If yes to any of the above, please provide details:

Enter details.

If you have any interest in a business or a farm, you will need to provide the following:

- Profit and loss accounts for the past 12 months
- Tax returns for the last financial year
- Bank statements for the past three months

16. Other parties

For some disputes (for example, a family law matter) VLA may use the information provided in this section to contact the other party to attempt appropriate dispute resolution.

Are there other parties to this matter?

- Yes
- No (Go to [Question 17](#))

If YES, specify whether the other party is:

- A person
- An institution

If the other party is AN INSTITUTION, please provide details:

Name of institution:

If the other party is A PERSON, please provide details:

Title:

- Mr
- Mrs
- Ms
- Miss
- Master
- Dr
- Mr/Mrs
- Estate of
- Mx
- None.

First name:

Middle name:

Last name:

Gender:

- Male
- Female
- Self-described:
- Not applicable

Date of birth:

Is this date of birth an estimate only?

- Yes
- No

Please describe the other party's relationship to you:

- Spouse/partner
- Child
- Ex-spouse
- Sibling
- Grandparent
- Grandchild
- Parent
- Co-accused
- Other:

Please describe the other party's role in these proceedings:

- Applicant/plaintiff/appellant
- Accused/defendant/respondent
- Interested party
- No court proceedings
- Other:

Details of other party's lawyer

Name of firm:

Phone:

Fax:

Email address:

Postal address: Enter lawyer's postal address.

17. Court hearings

Are there any proceedings?

- No (Go to question 18)
- Yes, current
- Yes, intended

When is the next hearing date?

Which court/tribunal do you have to go to?

What is your role in these proceedings?

- Applicant/plaintiff/appellant
- Accused/defendant/respondent
- Interested party
- No court proceedings
- Other:

What type of hearing is it?

- Appeal
- Summary hearing
- Indictable hearing
- Family law hearing
- Civil application
- Mediation/alternative dispute resolution (ADR)
- No hearing
- Other (please specify):

Court proceedings number (not mandatory):

18. Payment of fees

Have you or any other person paid any of your legal fees for this case?

- Yes
 - No
-

If **YES**, name of the person who paid the legal fees:

Relationship to you:

Amount paid:

If another person has paid previous fees in this matter, please fully outline the reason why this person cannot continue to pay your legal costs:

Enter reason/s.

Please provide copies of receipts and bank statements if you have paid any legal fees for this case.

19. Your lawyer

Who do you want as a lawyer?

Firm's name and details:

TP Legal and Associates

If you have a lawyer assisting you with this application, we recommend that you ask the lawyer to submit the application on your behalf.

20. Your legal problem

What type of law applies to your legal problem?

- Criminal law
- Family law
- Family violence
- Civil law (please specify, e.g. Inquest, discrimination): Enter details.

Are any of the following factors relevant to your legal problem?

- Family violence – victim / survivor
- Family violence – alleged perpetrator
- Ice
- Alcohol
- Drugs – other
- COVID-19
- Other: Enter details.

21. Describe your legal problem:

Please provide details of your legal problem:

For criminal matters, please provide details of the charges; for family matters and family violence matters, please specify the issue(s), the background, and the orders being sought (e.g. residence of children).

Describe applicant's legal problem here.

Please provide copies of any relevant documents

If you have a lawyer that you wish to act on your behalf, [Questions 21](#), [22](#), [23](#) and [24](#) must be completed by that lawyer. If you do not have a lawyer, you are not required to complete [Questions 21](#), [22](#), [23](#) and [24](#).

22. Please identify and address the VLA guideline under which assistance is being sought

Identify and address VLA guideline here.

Help: please see the VLA Handbook at <http://handbook.vla.vic.gov.au>

23. Please set out the merits of the application

(This question does not need to be completed in indictable matters)

Set out the merits of the application here.

24. Please outline the detriment to the applicant if this application is refused

Outline details here.

Help: please see the VLA Handbook at <http://handbook.vla.vic.gov.au>

25. Criminal prosecutions only

Do you have any prior convictions?

- Yes
 No

If yes, please outline:

Year of prior convictions:

Prior Convictions Offence:

Prior Convictions Penalty:

Please provide **charge sheets**, **prosecution summary** and **conviction history sheets** if available.

26. Criminal appeals only

Do you wish to appeal a conviction?

Yes

No

Do you wish to appeal against a sentence?

Yes

No

Please provide details:

Enter details.

Which court made the decision?

What was the date of the original decision?

27. Family law matters only (including child protection matters)

Details of children

Are there any children relevant to your legal problem?

Yes

No

If yes, give details:

Child 1

First name:

Middle name:

Last name:

Male/female/other:

Date of birth:

Relationship to you:

Who does the child live with?

Since when?

Child 2

First name:

Middle name:

Last name:

Male/female/other:

Date of birth:

Relationship to you:

Who does the child live with?

Since when?

Child 3:

First name:

Middle name:

Last name:

Male/female/other:

Date of birth:

Relationship to you:

Who does the child live with?

Since when?

Child 4:

First name:

Middle name:

Last name:

Male/female/other:

Date of birth:

Relationship to you:

Who does the child live with?

Since when?

Child 5:

First name:

Middle name:

Last name:

Male/female/other:

Date of birth:

Relationship to you:

Who does the child live with?

Since when?

Existing orders

Are there any current family law or child orders in relation to this matter?

- No
- Yes, interim
- Yes, final

If yes, date of order:

Court or tribunal which made the order?

- Children's court
- Family court
- Federal Magistrates Court
- Magistrates' Court of Victoria

Type of order:

- Family law
- Child support
- Family violence
- Child welfare

Please provide copies of these orders

Details of dispute

Did you live with the other party?

- Yes
- No

If yes:

Date of marriage:

Date of separation:

Date de facto relationship started:

Date of divorce:

Have you attended family dispute resolution with a registered family dispute practitioner?

- Yes

No

VLA offers a service called Victoria Legal Family Dispute Resolution Service. We usually require applications for family law assistance to attend this service.

If you do not wish to attend Victoria Legal Aid family Dispute Resolution Service before starting court proceedings, please provide reasons as to why you consider the service is not appropriate:

Enter reason/s.

Safety fears

Do you fear for your safety?

Yes

No

Do you fear for the safety of your children?

Yes

No

Are there any current investigations about child abuse?

Yes

No

Is there a family violence order in place for your protection?

No

Yes, interim

Yes, final

Is there any family violence order in place for the protection of the children relevant to these proceedings?

No

Yes, interim

Yes, final

If yes, what is your role in the family violence order for the protection of the children?

Applicant/plaintiff/appellant

Accused/defendant/respondent

Interested party

No court proceedings

Other:

28. Applicant declaration

I, [REDACTED]

of [REDACTED]

- i) Acknowledge that it is an offence to:
- Fail to disclose information required of me which I know to be relevant to this application for legal assistance
 - Provide false information to Victoria Legal Aid directly or via my legal practitioner in connection with this application for legal assistance
 - Make false statement either or orally or in writing in relation to this application for legal assistance
- ii) Have received a copy of Victoria Legal Aid's privacy statement
- iii) Consent to the submission of the application for legal assistance by electronic means to Victoria Legal Aid via the ATLAS grants management system.

Applicant signature: [REDACTED]

Date: [REDACTED]

Centrelink consent and authority

I,

Authorise:

- Victoria Legal Aid to use Centrelink Confirmation eServices to perform a Centrelink enquiry of my customer details and concession card status to enable the business to determine if I qualify for a concession, rebate or service
- The Australian Government Department of Human Services (the department) to provide the results of that enquiry to Victoria Legal Aid.

I understand that:

- The department will disclose my personal information to Victoria Legal Aid including my name, address, payment status, payment type and amount to confirm my eligibility for legal assistance
 - This consent, once signed, remains valid while I am a customer of Victoria Legal Aid unless I withdraw it by contacting Victoria Legal Aid or the department
 - I can obtain proof of my circumstances/details from the department and provide it to Victoria Legal Aid so that my eligibility for legal assistance can be determined
 - If I withdraw consent or do not alternatively provide proof of my circumstances/details, I may not be eligible for the grant of aid provided by Victoria Legal Aid
-

Applicant signature:

Date:

29. Proof of means

Please note, the means test does not apply if you are seeking a grant of a review of a crimes mental impairment matter; or seeking a grant for a war veteran’s matter; or are 18 years or younger and are seeking a grant of a Children’s Court or Commonwealth Family Law matter.

Are you seeking a waiver of the obligation to provide proof of means?

- Yes
- No

If yes, I seek a waiver on the following basis: (please tick whichever applies)

- I am in custody or detention and have savings and investments less than or equal to \$1095
- I am in custody or detention and I am applying for assistance for a bail application
- I am in custody or detention and I am applying for the assistance for a summary crime proceeding that will be heard and determined within seven days of the date of my application for legal assistance
- I am of Aboriginal or Torres Strait Islander origin
- I am experiencing or fleeing family violence
- I am homeless
- I live in a remote location*

Your checklist

Before you send in the application, check you have:

- Answered all relevant questions
- Attached copies of all financial documents relevant to your case (e.g. bank statements, payslips, tax returns, pension or health care cards)
- Attached copies of all other/court/legal documents relevant to your case (e.g. court orders, charge sheets)
- Signed the ‘Application declaration’ and ‘Centrelink consent and authority’

*Remote location is described by the Australian Taxation Office as being more than 100km from a large metropolitan area with more than 130,000 people and more than 40km from a large regional town of more than 14,000 people, as of the 1981 census.

The following is the list of Victorian towns that are classified as remote:

Alexandra

Ararat

Avoca

Bairnsdale

Beaufort

Benalla

Bright

Camperdown

Casterton

Charlton

Cobden

Cobram

Cohuna

Colac

Coleraine

Corryong

Cowes

Dimboola

Donald

Echuca-Moama

Euroa

Foster

Hamilton

Heathcote

Heyfield

Heywood

Horsham

Inverloch

Kerang

Koondrook-Barham

Korumburra

Lakes Entrance

Leongatha

Lorne

Maffra

Mansfield

Maryborough

Mirboo North

Mortlake

Mount Beauty

Myrtleford

Nagambie

Nathalia

Newhaven

Nhill

Orbost

Ouyen

Paynesville

Portland

Robinvale

Rochester Rutherglen

St Arnaud

Sale

Seymour

Stawell

Stratford

Swan Hill

Terang

Tongala

Wahgunyah-Corowa

Warracknabeal

Wonthaggi

Yarram

Yarrawonga-Mulwala