



Thinking Criminal Law – Eligibility for Legal Aid

What do you do, if your teenage son or daughter gets involved in a 'punch-up' at school or commits another offence, that results in the laying of police charges? What happens, if your teenage son or daughter has a family law issue – for example, becomes a mother or father, and needs orders to ensure that your new grandchild gets financial support from the other parent, or that your grandchildren have an opportunity to develop loving relationships with both sides of their family?

These scenarios would be scary for any parent of teenagers, to contemplate – however, they can also be very expensive, especially if your teenager is still depending on you, for financial support.

Under these circumstances, it is worth considering whether your son or daughter might be eligible, for a grant of assistance from the Legal Aid Commission of New South Wales.

A private lawyer can apply for a grant of Legal Aid assistance, on your behalf. In most cases, there would be a requirement to pay a contribution fee (usually \$75), towards the Legal Aid grant, however a successful application could mean that this would be the only legal costs you might have to pay.

The Legal Aid Commission of New South Wales have a number of criteria that they apply, when they have to assess whether an applicant should be given a grant of Legal Aid assistance or not.

For criminal charges, these criteria could include whether the applicant has the capacity to pay the costs of private legal representation, as well as the seriousness of the charges being faced, and likelihood of a custodial sentence.

For family law matters, an applicant's capacity to pay for representation must also usually be considered, as well as the seriousness and urgency of the matter. Although Legal Aid assistance is usually limited

to parenting matters, it is sometimes possible to get assistance to deal with some property settlement matters.

Depending on the circumstances of your case, there may be other areas of law, for which it might be possible to get a grant of assistance, from Legal Aid. A lawyer can help you to determine your eligibility for Legal Aid assistance, as well as make the application on your behalf, and then provide you with the legal assistance that you need, without you having to incur substantial costs.



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It is a good idea to collect documents – such as bank statements, Centrelink income statements and/or copies of court documents – that can be used, to prove your eligibility for Legal Aid assistance. Again, your lawyer can advise you about what documents you might need to access.

Also, because the Legal Aid Commission of New South Wales may have a large number of matters to consider, it is strongly recommended that you apply for their assistance, as soon as possible, after you become aware that you have a legal problem. This will help to ensure that you get the assistance you need.

For the sake of your own peace of mind, it is worth asking your lawyer if you, or your son or daughter, might be eligible for some assistance from the Legal Aid Commission of New South Wales, to help you to pay the sometimes substantial costs of going to court, for any legal issue. Talk to us – you will be inspired!

Thinking litigation



Your goals

All the experience, skill and tenacity needed to get you there.

Our know-how

Solicitors

From commercial, insurance and business transactions to family, employment and estate matters.

Conveyancers

Fast, accurate detailing of all property transactions.

Mediation

Sensitive dispute negotiation to help you avoid going to court.

Notary Public

Witnessing and certifying the validity of documents, affidavits and depositions.

Migration Agent

Negotiating with government on your behalf for family, lifestyle or career reasons.



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thinking together

www.legalminds.com.au

T 1300 642 166

E contactus@legalminds.com.au

157 Beardy Street Mall, Armidale