Lodging a new Application

Overview

Introduction   This chapter explains how to complete and submit a new application for legal aid.

Introduction

When you complete a new application for legal aid, you usually save it and submit it straight away so that Legal Aid NSW can assess it and make a determination.

However, in some cases, you may be waiting for further information from your client and so may not be able to lodge the application straight away. In these situations, you can save the application with as much information as you have to hand, and then complete and submit it later.

Application status

An application remains in Draft status until it is Submitted.

New Application

The New Application menu item allows you to create a new application from scratch.

View and Edit

This option allows you to view, edit and submit a saved application, or view a submitted application.

Legal Aid NSW can only process an application once you submit it.

Note that Legal Aid NSW cannot process applications that you save but do not submit.

You have 60 days to submit an application once you have created and saved it.

Introduction, Continued

File ID

When you create a new application, the **Grants Online** system will assign it a **File ID**. Use this number to locate and track the application throughout the entire application process.

| File ID | 09F009626 | ALICE WONDERLAND |
| Extension | 0 | |

Extension ID

Along with the **File ID**, the **Grants Online** system assigns an **Extension ID** whenever you save an application. The **Extension ID** acts as a sequence number for the different requests relating to an application for a grant of aid.

Example
When you create the original application, the Extension number will be zero (0). If you need to request legal aid for further work, you will need to lodge an extension to the original application. In this case, the Extension number for this next request will be one (1), and so on.

Completing a new application form

Application templates

Grants Online offers a number of different application templates depending on the area of law and the type of application. Select the application type that is appropriate for your case by clicking on the name. This will ensure that the appropriate questions for this matter type are added to the application form.

Create Application Request
Hide Menu

Please contact the Grants Support Desk on (02) 9219 5999 if you have any questions about using Grants Online or completing any of the web forms

Select Application Template

Please select the area of law from the list below.

For more details see Policy On Line. The policies set out the types of matters for which legal aid is available in criminal, family and civil matters.

CRIMINAL LAW

- Criminal Law State – Summary Crime (Adult)
- Criminal Law State – Children's Court Crime
- Criminal Law – Appeals

FAMILY LAW

- Family Law Commonwealth – Family Dispute Resolution – Early Intervention
- Family Law Commonwealth – Independent Children's Lawyer

CIVIL LAW

- Civil Law – Mental Health
- Civil Law – Mental Health (Means Tested matters)
- Civil Law Commonwealth – General
- Civil Law Commonwealth – Veterans
- Civil Law State – General

Client

Search for the client to see if they are on record. If they are an existing client of your firm, their details will be automatically inserted into the new application form. If no client record is found, you will need to create a new client.

Create Application Request [Search] [Clear] [New Client]
Hide Menu

Please contact the Grants Support Desk on (02) 9219 5999 if you have any questions about using Grants Online or completing any of the web forms

Search for Client

First Name / Surname

Client ID

Date of Birth

Gender

Suburb or Town

State

Questions   The number of questions you will answer depends on the type of matter for which you are applying. Although not every section will appear in each application, the various sections are outline below.

The Grants Online system will guide you through the application and display error messages if any mandatory information is missing or inappropriate.

Applicant details   The applicant details are collected on four labelled tabs. To move between the tabs, click on the arrow, or directly on the required tab.

The **Grants Online** system will use information entered in the Income and Assets section to automatically calculate the means test. You will see the outcome of this calculation in the **Means test outcome** page later.

Note: If you are intentionally leaving out information because it is not currently on hand, you can still proceed to the remaining pages of the application form, despite the error messages displaying at the top of the page.

Entering addresses

To enter or edit an address, click Edit. You will be taken to another screen.

Choose the appropriate address format from the drop down list.

Choose the street type from the drop down list.

You may type in the suburb and postcode or use the picklist to choose them.

Click on the picklist icon to bring up a search screen. Enter the suburb and click Search. If there is more than one match they will all be displayed. Click on the correct option to continue.

Address Details

Australian Address:

Address Format	STANDARD
Address Line 1	
Address Line 2	
Unit/Flat	3
Street Number	39
Street Name/Other	WAVERLEY ST
Suburb/Town	NEWTOWN State NSW Postcode 20
DX Exchange	

International Address:

Ok Cancel

Then click Ok to return to the application form.

Note: Enter postal address details only if they differ from the home address.

Navigating around the application form

There are two ways of navigating between the sections of the application form.

You can click Previous or Next at the bottom of the page to move to the next or prior section.

Previous   Next
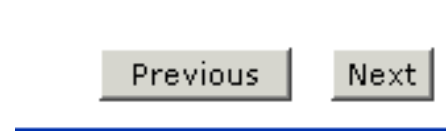
Or you can use the menu to move directly to any step of the application.

You can jump around without following the steps in order, but note that if you change answers, such as the matter and hearing type, you may have to answer other questions again. This is because the application form is interactive, and adapts with

✔ Applicant details
✔ Verification of Means
✔ Means not verified
✔ Matter & Court details
✔ Means test outcome
✔ **Other party details**
➜ Family Law details
➜ Children's Matters
➜ Property Matters
➜ Checklist: Solicitor Fees
➜ Checklist: Disbursements
➜ Scope of work
➜ Applicant declaration
➜ Practitioner certification
➜ Submit
➜ Submitted
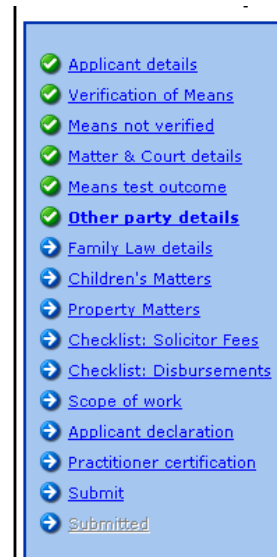
different questions depending on the information you provide.

The blue arrows indicate that you have not yet visited that step.

Green ticks indicate that you have completed the step.

Red crosses indicate that you have visited but not successfully completed the step.

Sometimes you may be directed to pass by a question which is not relevant, for instance the verification of means.
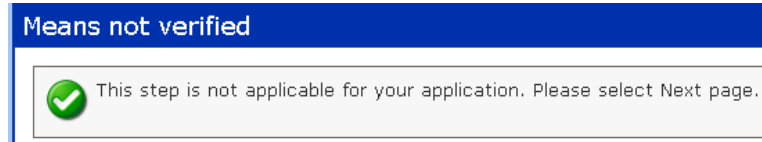
Matter group and type

In this section you select the matter group and type and enter details of any upcoming court appearances.

To add another matter, click the Add button. If you have more than one matter to add, you can enter the number required in the box before clicking Add.
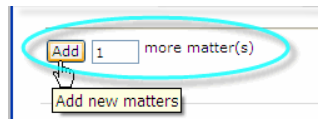
Nominate one matter as the primary matter by clicking the **This is the primary matter** button.

Note:
If you need to delete a matter group and type, click the **Delete** button.
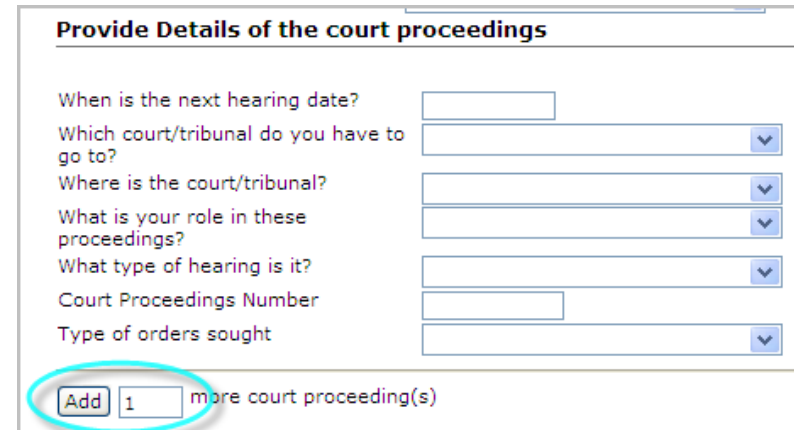
Court details

If there are no court proceedings, select **No** from the drop-down list and continue to the next step.

Otherwise select **Yes – Current** or **Yes – Intended,** as required.

- Answer the additional questions that display by:
  - Typing the next **hearing date** and the **Court Proceedings Number** into the required boxes
  - Selecting the remaining answers from the corresponding drop-down lists.
- If you need to add details of another court proceedings, click the **Add** button, and enter the details accordingly. For example, if there is a mention in one week and a hearing in one month, add two sets of court proceedings.
- Continue to the next step.

Provide Details of the court proceedings

When is the next hearing date?

Which court/tribunal do you have to go to?

Where is the court/tribunal?

What is your role in these proceedings?

What type of hearing is it?

Court Proceedings Number

Type of orders sought

Add 1 more court proceeding(s)

Means test outcome

The **Means test outcome** page will display the results from the means test that the *Grants Online* system has automatically calculated from the information you entered earlier in **Applicant details**.

If you wish to ask for discretion in relation to your client's eligibility under the means test, or regarding the contribution levied, select Yes from the drop-down list and enter the reason into the box provided.

Means Test outcome

This page sets out your eligibility for legal aid based on the means test and also the amount of contribution that you must pay.

Click here to see details of the means test including allowable limits and deductions.

In exceptional circumstances, Legal Aid may exercise discretion to grant legal aid to a person whose means exceeds allowable limits, or to reduce the amount of a contribution.

If you are asking Legal Aid to exercise discretion, you must set out your reasons for asking for discretion on this page.

If you have previously asked for and been granted discretion regarding eligibility or contribution on this file, and the applicant's financial circumstances have not changed, you do not need to ask for discretion again. If you do request discretion where discretion has previously been exercised in the same circumstances, this may slow down the processing of the extension.

Eligibility

Eligibility on Income	ELIGIBLE
General Asset Eligibility	ELIGIBLE
Overall Eligibility	ELIGIBLE

Contribution

Contribution on Income	$75
Contribution on Assets	$0
Total Contribution	$75

Request Discretion

Are you requesting discretion? YES

Provide the reasons for requesting discretion

Specific legal questions

Specific legal questions will be asked in relation to the matter type chosen.

- B. Summary Crime Qs
- Co-accused Details
- Checklist: Professional Fees
- Checklist: Disbursements
- Scope of work
- Applicant declaration
- Practitioner certification
- Submit
- Submitted

SCA1 – * Were these proceedings commenced by the police?
If proceedings were commenced by the police then please ensure you have entered the CAN number

SCA2 – * Does the offence carry a term of imprisonment?

SCA3 – * Is the offence a motor traffic offence?

SCA4 – * Are you applying for aid to apply for, or defend an apprehended vi

Checklists

This is where you select the type of grant you require and request any disbursements.

Checklist: Professional Fees

PC01 - ☐ Local Court - Representation to defend criminal proceedings up to 1 d

PC02 - ☐ Local Court - Representation to defend criminal proceedings more tha

PC05 - ☐ Local Court - Representation for a sentence hearing up to 1 day

PC06 - ☐ Local Court - Representation for a sentence hearing - 2 days or more

PC21 - ☐ Preparation & Disbursements - Including the initial solicitor/client con

Scope of work

This is a summary of the scope of work you have requested. Where any of the work items are unit based (eg a number of hours or days) you must specify the number of units you are seeking.

Local Court - Representation to defend criminal proceedings more than 1 day

COURT TIME   0.000   DAYS

Preparation & Disbursements - Including the initial solicitor/client conference

DISBURSEMENTS GENERAL
PREPARATION

Medical Report

MEDICAL REPORTS   0.000   DOLLARS

Applicant declaration

You should retain a copy of the application signed by the client. Enter the date the client signed the application on the electronic form.

Applicant Declaration

Payment of Fees

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

Nomination of Service Provider

Do you want this application to be assigned to another law firm? NO

Applicant Declaration

I, JACK HARKNESS, of

declare that all the information I have given is true and correct.
I understand that it is an offence to

- fail to provide information which is relevant to this application for Legal Aid
- provide a document to Legal Aid NSW that is false or misleading
- make a false or misleading oral or written statement in relation to this application

Applicant's Signature

Date

Practitioner certification

Where you as the practitioner indicate your details and certify that the application satisfies relevant Legal NSW merit tests and policy guidelines.

If you wish to assign the application to another firm, indicate this at the Nomination of Service Provider question and select the practitioner's name using the pick list.

Keep a signed copy of the form on your file.

Practitioner Declaration

If you certify that the applicant's matter satisfies Legal Aid NSW guidelines and merit tests for family dispute resolution, you are also certifying that you have consulted with the applicant and considered section 60I of the Family Law Act 1975, and that the applicant's matter is suitable for family dispute resolution.

Please note that if you choose merit not satisfied and/or policies and guidelines not satisfied then the application will be refused. For the application to be assessed by Grants staff please choose "discretion required".

LIVE WITH *

Merit Outcome	SATISFIED
Guidelines Outcome	SATISFIED
Outcome Reason	PRACTITIONER ASSESSED

* Primary matter.

I (practitioner's name)
of the firm
of address

CERTIFY as to the following:

A. The application does not meet the merit test

B. The matter does not come within Legal Aid NSW's policies and guidelines

C. If the application is subject to the means test

- The applicant has produced verification of means documents in accordance with Legal Aid NSW's Means Test Guidelines and copies of th documents are stored on the applicant's file, or
- The applicant has sought a waiver of verification of means, or
- The applicant seeks an extension of a grant of aid and there has been no change to the applicant's means.

A hard copy of this application signed by the applicant and myself is retained on the applicant's file. (NB: the applicant is not required to sign child representation matters or for extensions.)

Practitioner's Signature

Date

Practitioner's Reference

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Saving the application

The application can be saved at any time as long as the minimum details have been entered. The minimum details for a save are contained in the first two tabs of the applicant details.

When you save an application you then have 60 days in which to submit it. If you have not submitted it after 60 days, the application will be deleted from the system.

Attaching documents

Some application templates allow you to attach documents to submit as annexures.

If attachments are permitted on the application template you're using, the box shown at the right will appear upon hitting Submit.

To attach a document, click on Show File Upload Area.

The File Upload Area displays. Click Browse and the Choose file dialogue box appears, allowing you to find and select the file you wish to attach.

Choose Add Another if you wish to attach more than one document. Then click Upload File.

If you want to amend your attachment click the **Edit** button.
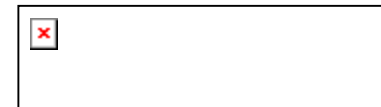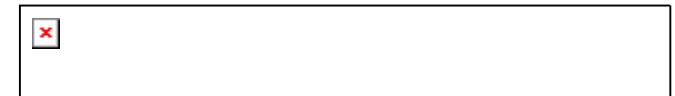
If you want to delete your note, click the ☒ **Delete** button.

Note: Once you have saved your attachment, you cannot delete it.

Click Continue to submit the application.

> **Tip**: Do not attach documents to your applications unless the information is essential for the determination of the grant of aid. Otherwise your application could take slightly longer to process.

Submitting the application

Click the **Submit** button.
A message will display at the top of the page, stating that your application has been successfully submitted.
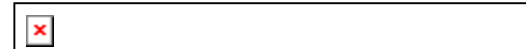
View and print

An application can be viewed and printed in 'flat' format or as a PDF.

Update Application Request   Save | Submit | Delete | Print | View as PDF
Hide Menu

Family Law Commonwealth - Children and/or Property and Maintenance - External

| File ID | 09F007864 | Status | DRAFT |
| Extension | 0 | Submitted by | |

Notification

A notification is received in your inbox once the application has been submitted successfully.

Inbox

Hide Menu

Unread Messages: 33 of 39

	Status	Document	Attachments	Date Receive
☐	READ	APPLICATION APPROVAL TO ASSIGNED SP PERSON (102 KB)		21/03/2009 13
☐	READ	APPLICATION APPROVAL TO ASSIGNED SP PERSON (63 KB)		20/03/2009 10
☐	READ	APPLICATION APPROVAL TO CLIENT (34 KB)		20/03/2009 10
☐	UNREAD	APPLICATION REQUEST PDF (41 KB)		20/03/2009 10:01
☐	UNREAD	APPLICATION REQUEST PDF (38 KB)		19/03/2009 15:47
☐	UNREAD	EXTENSION APPROVAL TO ASSIGNED SP PERSON (107 KB)		19/03/2009 15:26
☐	UNREAD	APPLICATION APPROVAL TO ASSIGNED SP PERSON (97 KB)		19/03/2009 13:40
☐	UNREAD	APPLICATION REQUEST PDF (38 KB)		19/03/2009 13:38
☐	UNREAD	APPLICATION REQUEST PDF (41 KB)		19/03/2009 13:01
☐	UNREAD	APPLICATION REQUEST PDF (39 KB)		19/03/2009 11:53

Overview: Navigation in the application form

You can save your application at any stage of the completion process, by clicking the Save button.

The blue links to the left indicate the steps of the application form, and which of those steps have been completed correctly.

Create Application Request   Save | Submit | Delete | Print | View as PDF

Hide Menu

UAT Civil Law General

| File ID | 08G035528 | Status | DRAFT |
| Extension | 0 | Submitted by | |

Applicant details

- Applicant details
- Verification of Means
- Matter & Court details
- Means test outcome
- A. Civil Law Q
- B. Civil Law Qs
- Checklist
- Disbursements
- Scope of work
- Applicant declaration
- Practitioner certification
- Submit
- Submitted

Applicant 1

Tabs: Personal Details | Additional Details | FAP / Dependants | Income | Assets

Title*
First Name*
Middle Names
Surname*
Gender*
Date of Birth*

Home Address
Even if you are in custody

Postal Address
Leave blank if same as Home Address

Edit Clear   Edit Clear

Are you currently homeless?*   NO

Would you prefer to be contacted by email?*   YES
Email Address
☐ Send all my correspondence to my lawyer only

Home Phone   Work Phone
Mobile Phone   Other Contact Phone

Next

The tabs indicate the five sections of the Applicant details part of the application form.

Click the arrow button to move between the tabs of the Applicant Details section.

Clicking the Next button will validate the answers provided so far, and assess whether all boxes on the page have been completed correctly. If not, an error message will appear.

Continued on next page

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Correcting errors

If mandatory information is omitted or if information is entered incorrectly, a red error message appears at the top of the page

You will need to go back to the relevant page in the application form and correct the identified errors, and then click the **Next** button again.

(Note that you will only be told what question needs to be corrected, but not the exact page – you will need to scan through the pages in the **Applicant details** section to find the location of the question that contains the error.)

Example – error message
The following example shows an error regarding the date of birth, and the home phone number.

Example:
The following example shows the message that will display when you submit the application with all the information correctly entered.

[484] The Application has been submitted successfully

Example – error message, continued

To correct this error, you need to:
- Return to the page where the date of birth and telephone number boxes are listed (using the **Next** or arrow buttons, or clicking on the tabs)
- Re-type the correct information over the existing values in the date of birth and phone number boxes.
- Click the **Next** button.
  If the data is now correct, no red error message will display.
  Otherwise, you will need to repeat these steps, until no more error messages display.