



Application for Civil Legal Aid

CIV/SOL
CIVIL

ISSUED 09/03

SOLICITOR'S SECTION

REMEMBER

All questions must be completed for your application to be processed

If there are any questions in this form that are not applicable please still write 'N/A' in the box provided or 'NOT KNOWN' if you do not have the answer.

Have any specially urgent steps been certified under Regulation 18(1)(b)?

Yes No

➡ If Yes, please give the legal aid reference number and the date of certification.

Legal aid reference number

Date of Certification

DAY MONTH YEAR

SECTION A

DETAILS OF APPLICANT

KEY TO SYMBOLS



indicates what the next question you should answer is



further information on a specific question is provided



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1 Applicant's personal identifier (if known)

2 Applicant's National Insurance number. This must be given if the applicant is receiving benefit(s)

3 Male Female

4 Applicant's forename

5 Applicant's middle name(s)

6 Applicant's surname

7 Known as

8 Applicant's surname at birth if different from surname above

9 Maiden surname of applicant's mother

10 Date of birth

DAY MONTH YEAR

11 Age

12 Place of birth

Town, city or district

FOR INTERNAL USE ONLY

DATE RECEIVED

REMEMBER

SECTION B

DETAILS OF SOLICITORS ACTING

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SOLICITOR ACTING DIRECTLY FOR THE APPLICANT

1 Practitioner's code number

2 Branch code

3 Firm's code number

4 Your reference

Telephone number

NAME

FIRM

ADDRESS

POSTCODE

LP/DX NO

EDINBURGH OR OTHER AGENT INSTRUCTED TO ACT

1 Practitioner's code number

2 Branch code

3 Firm's code number

4 Your reference

Telephone number

NAME

FIRM

ADDRESS

POSTCODE

LP/DX NO

SECTION C

SPECIAL URGENCY REQUIREMENTS

I confirm I have commenced work under Regulation 18(1)(a) and that my client financially qualifies for civil legal aid.

Yes No

If Yes, I attach the following mandatory documents:

Mandate Statutory statement Sufficient copies of statutory statement for intimation purposes

Date the special urgency work commenced

DAY MONTH YEAR

SECTION D

DOCUMENTS NECESSARY FOR FULL CONSIDERATION OF THE APPLICATION IN ALL CASES (TICK AS APPROPRIATE)

	Attached	To follow (Reg. 18 only)
Applicant Form A or Form B	<input type="checkbox"/>	<input type="checkbox"/>
Statutory statement and sufficient copies for intimation	<input type="checkbox"/>	<input type="checkbox"/>
Supporting documentation:		
Applicant's statement	<input type="checkbox"/>	<input type="checkbox"/>
Statement by third party	<input type="checkbox"/>	<input type="checkbox"/>
Copy writ (defender only)	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify below)	<input type="checkbox"/>	<input type="checkbox"/>
None (please specify below)	<input type="checkbox"/>	<input type="checkbox"/>
Details of other documentation or reason why there are no supporting documents	<input type="text"/>	

- 1 Please describe the nature of the case for which the applicant is seeking legal aid by using the appropriate category code.

Category code

Primary

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Ancillary

- 2 What is the applicant's interest in the proceedings?
Where several parties are involved, please use "Other" to show that the applicant is, for instance, first pursuer, third defender

<input type="checkbox"/> Pursuer	<input type="checkbox"/> Defender	<input type="checkbox"/> Petitioner
<input type="checkbox"/> Respondent	<input type="checkbox"/> Appellant	<input type="checkbox"/> Minuter
<input type="checkbox"/> Third Party	<input type="checkbox"/> Other (please specify)	

- 3 Is the applicant concerned in the proceedings in a representative, fiduciary, official or other capacity?

Yes No

If Yes, please specify the capacity

- 4 Court in which proceedings have been, or are to be, brought

Sheriff Court (First instance)
 Sheriff Court (Sheriff Principal)

at

Court of Session (Outer House)
 Court of Session (Inner House)
 House of Lords
 Other (please specify)

- 5 Have the proceedings already been raised by the applicant? Yes No
by another party? Yes No

Space has been provided to give details of one opponent only. If this case involves more than one opponent, please give details of the other opponent(s) in Appendix A. For each opponent, please give the information requested in questions 6 - 8.

- 6 Name and address of opponent

NAME

ADDRESS

TOWN

POSTCODE

- 7 Name and postal or LP/DX address of opponent's solicitor

NAME

ADDRESS

TOWN

POSTCODE

LP/DX NO

- 8 What is the opponent's interest in the proceedings?
Where several parties are involved, please tick all boxes that apply

<input type="checkbox"/> Pursuer	<input type="checkbox"/> Defender	<input type="checkbox"/> Petitioner
<input type="checkbox"/> Respondent	<input type="checkbox"/> Appellant	<input type="checkbox"/> Minuter
<input type="checkbox"/> Third Party	<input type="checkbox"/> Other (please specify)	

- 9 Is there any other person, firm, body or organisation jointly concerned with or having the same interest in these proceedings as the applicant?

Yes No

- If Yes, give details

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10 Is the applicant at present a party to any other civil proceedings in the United Kingdom?

Yes No

If Yes, give details

Form with 4 horizontal lines for details.

11 Are the proceedings covered by this application to be regarded as a cross-action in relation to other proceedings?

Yes No

If Yes, give details of the other proceedings

Form with 4 horizontal lines for details.

12 Has the applicant previously applied to the Scottish Legal Aid Board for civil legal aid?

Yes No

If Yes, give details of the Legal aid case reference number(s) and proceedings

Form with 10 horizontal lines for details.

13 Has the applicant at any time been given advice and assistance under Part II of the Legal Aid (Scotland) Act 1986 in connection with the subject matter of this application?

Yes No

If Yes, please give the advice and assistance reference number

Form with 10 small boxes for reference number.

14 Does the applicant have any right of indemnity, whether by insurance or otherwise, directly or indirectly, in respect of any of the expenses of the proceedings or any part of the proceedings whether or not included in the application?

Yes No

If Yes, give details, and explain why legal aid is being applied for

Form with 6 horizontal lines for details.

15 Is the applicant a member of a trade union, or of a professional or other body which provides for financial or other assistance in connection with the proceedings?

Yes No

If Yes, give details, and explain why legal aid is being applied for

Form with 6 horizontal lines for details.

16 Has the applicant any other rights or facilities for financial or other assistance in connection with the proceedings?

Yes No

If Yes, give details, and explain why legal aid is being applied for

17 a) What steps have been taken to avoid proceedings?

b) Has any offer to settle the issues been made by any party?

Yes No

If Yes, give details of the offer and why it has been refused

18 What is your assessment of the applicant's prospects of success in pursuing/defending these proceedings?

excellent good fair poor

Please give an appropriate explanation and, if the prospects of success are only fair or poor please explain why you consider it is reasonable for legal aid to be granted.

19 Does the case include a claim for money or property?

Yes No

If Yes, how much money or what is the value of the property claimed?

£

20 Where it is the applicant who is claiming money or property, how do you rate the prospects of recovery?

excellent good fair poor

Please give an appropriate explanation and, if the prospects of recovery are only fair or poor, please explain why you consider that legal aid should nonetheless be granted.

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21 As presently advised (and including the cost of any expert and/or counsel identified at 26 or 27 overleaf), what is the likely cost of seeing the litigation to a conclusion?

- Less than £1,000
- £1,000 - £2,500
- £2,501 - £5,000
- over £5,000

(If over £5,000 please explain and provide an estimate of the total costs)

Blank lined area for providing an estimate of total costs if over £5,000.

Estimated cost

£ [input field]

22 Do you consider this case has a wider public interest?

- Yes
- No

➡ If Yes, please explain

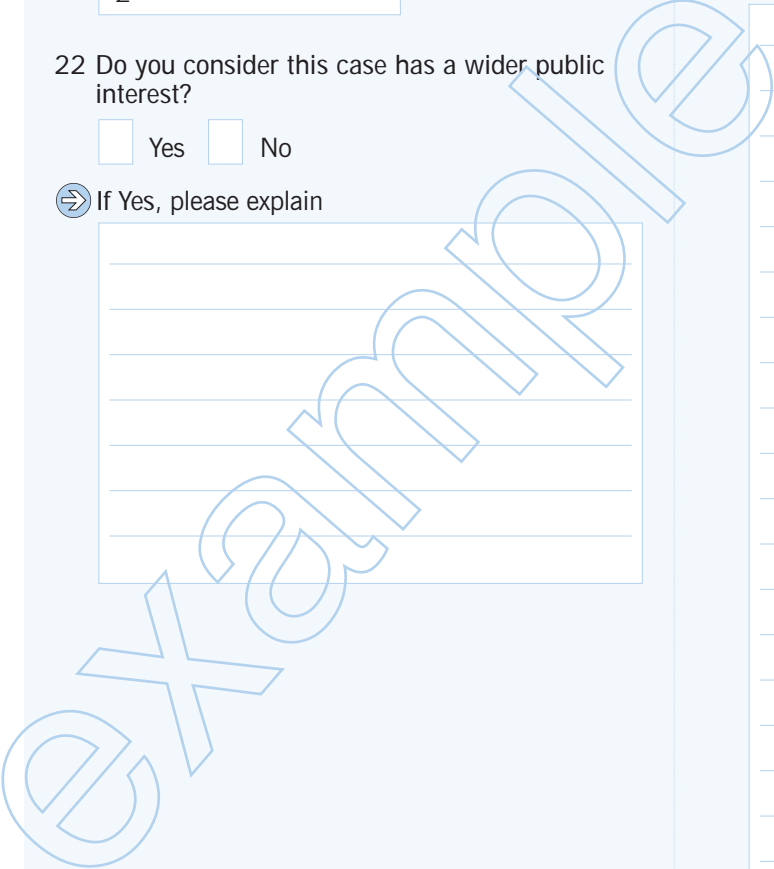
Blank lined area for explaining wider public interest if Yes.

23 Why do you consider that there is probable cause? Please refer to the Board's guidance on probable cause.

Blank lined area for explaining probable cause.


24 Why do you consider that it is reasonable for legal aid to be made available? Please refer to the Board's guidance on reasonableness.

Blank lined area for explaining reasonableness for legal aid.



- 25 What resources, if any, of the applicant should in your opinion be regarded as forming part of the subject matter of the dispute between the parties in relation to which legal aid is now sought? Please give an appropriate explanation.

- 26 a) Do you believe at this stage in the proceedings that you may need sanction to instruct counsel?
- Yes No
- b) Please indicate whether it is proposed to instruct counsel for:
- a note or opinion
- a consultation
- drafting or revising papers
- a preliminary plea, debate or like hearing
- the trial or proof
- an appeal
- other (please specify)
-
- c) Please indicate whether it is proposed to instruct:
- one junior
- two juniors
- senior acting alone
- senior acting with junior

- 27 a) Do you believe at this stage in the proceedings that you may need to instruct an expert?
- Yes No  go to Question 28


- b) If Yes, what is the name, address and field of expertise of the expert you now wish to employ?

NAME

ADDRESS

EXPERTISE

- c) Please indicate whether it is proposed to instruct the expert to:
- provide a report based on papers only
- provide a report based on a site examination
- provide a report based on examination of a person
- attend a consultation with legal representatives
- attend court to give evidence
- other (please specify)
-

 If you believe that you may need to instruct more than one expert, please give full details of any additional experts in Appendix A.

- d) Please indicate the likely costs charged by the expert:

Fees £

Outlays £

Travel £

Other (please specify) £

Total £

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28 Indicate the likely costs and show how they have been arrived at

Reports

The number of hours

Rate

@ Expert's hourly charge out rate

£

=

£

Travel

The number of hours

Rate

@ Expert's hourly charge out rate

£

=

£

Total cost of travel fares or mileage

£

=

£

Meeting

The number of hours

Rate

@ Expert's hourly charge out rate

£

=

£

Court

The number of hours

Rate

@ Expert's hourly charge out rate

£

=

£

Outlays

=

£

Total

£

29 Please give detailed reasons why you think instructing counsel and/or an expert may be required.

SOLICITOR'S DECLARATION

I certify:-

- to the best of my knowledge and belief that the information above is correct.
- any opinion expressed above represents my professional opinion as at this date.
- I have given the applicant a copy of the booklet "Information for Applicants".
- I have retained a copy of this application.
- I consent to the disclosure of this application and associated documentation for quality assurance and stage reporting purposes.

Signature of solicitor

Date



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APPLICANT'S DECLARATION

If you knowingly make a false statement you may be prosecuted.

I certify:-

- the information given in this application form is true and correct.
- I consent to the Scottish Legal Aid Board making enquiries of any person or bodies as it may consider necessary, including my employer, my bank or the Inland Revenue in relation to this application. I authorise such other persons or bodies, including my employer, my bank, the Department for Work and Pensions or the Inland Revenue to provide such information as may be required by the Board.
- I have been given a copy of the booklet "Information for Applicants".
- I understand that I must inform the Board immediately if my capital increases by £500 or my disposable income over the year increases by £500 or decreases by £200.
- I consent to the disclosure of this application and associated documentation for quality assurance purposes and stage reporting.
- I give such permission and authorisation in relation to all personal data including sensitive personal data in terms of the Data Protection Act 1998.

Signature of applicant

Date



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Data Protection Act 1998 – Access to Personal Data

The personal information provided by you or on your behalf will be used in accordance with the Data Protection Act 1998 and for the purpose of the Board's functions under the Legal Aid (Scotland) Act 1986. You have the right to make a formal request in writing to see the personal information we hold about you, to inspect it and to have it corrected if it is wrong. The Board may receive information about you from certain third parties (for example, some government departments and agencies), or give information to them. However, we will not pass on information about you unless the law allows us to do so.

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Please provide any further information required here, including details of opponents not noted at Section E question 6 and details of experts not noted at Section F question 27.

Lined writing area for providing further information.

Example Only

Please provide any additional information here. Do not use a separate sheet.

Lined area for providing additional information.

example only

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Please detail nature of the case and the interest of the applicant.
Do not use a separate sheet.

Lined area for detailing the nature of the case and the interest of the applicant.

Example Only

Signature of applicant

Signature box for applicant

Signature of solicitor

Signature box for solicitor