

HOW TO APPLY FOR LEGAL AID IN CHILDCARE CASES

Applying for legal aid can be a daunting and confusing experience for parents. This guide will help you to understand what the application form is asking and how to apply.

- 1 When filling out your personal details, make sure all information is correct and easy to read.
- 2 A correspondence address is where you receive your post. You only need to add this if you do not receive your post at the same place you live.
- 3 When applying for legal aid in a childcare case, you tick the box for family law.
- 4 Provide some details on why you're applying. It helps if you know what kind of care order is being applied for and the reasons why. The Legal Aid Board put childcare cases at the top of their list, so make sure to make it clear that this is a childcare matter.
- 5 If another person or organisation is involved, give their details. This can be your partner, Tusla, or your social worker, for example.
- 6 If you know your court date, provide this on the form. This is important for the solicitors to know so that they can plan.



How to complete this form

- Please print letters and numbers clearly and answer all questions that apply to you. If a question does not apply to you, please insert N/A (not applicable).
- Incomplete forms may be returned and may delay processing your application.
- Should you require assistance, a member of the Board's staff will be pleased to help you complete this form.
- Tá leagan Gaeilge den fhoirm seo ar fáil freisin.

1. PERSONAL INFORMATION AND DETAILS OF APPLICATION

You must complete this part fully.

Name	Mary Smith		
Previous surname (if any)		Telephone No.	1800 333 355
Mobile No.	1800 333 355	Email	marysmith@email.com
Date of Birth	31/11/1990	PPS No.	1234567A
Address (give correspondence address also, if different)	4 Christchurch Square, Dublin 8		

Why am I applying for legal services?



Please provide some details on the subject matter, e.g. for Family Law: seeking a divorce, separation, looking to agree custody/maintenance arrangements.

For Non-family Law provide details of the issue for which you are seeking legal services.

- 4 Family Law Non-family Law

I've received a letter from Tusla, the Child and Family Agency (CFA).
They want to take my child into care...

- 5 Is another person or organisation involved? Yes No
If yes, what is their name, address and relationship to you?

Tusla, the Child and Family Agency. My child's father. The social worker... etc

- 6 Do you have a Court date, and if so what is the date? Yes on 13/12/2024 No
Include copies of any proceedings/court orders

If you have applied for legal services before give details, including whether the Board referred you to a private solicitor

Law centre:

7 If your only source of income is social welfare, and you have no assets over €4000, then you only need to fill out section A - not B and C.

8 If you receive income outside of social welfare and you have assets worth more than €4000, you will have to fill out sections B and C.

9 To fill out sections B and C, it will help to have a payslip/P60, social welfare receipt, or Notice of Assessment from Revenue/Audited Accounts. These will have your details of your income tax, PRSI, and USC payments.

10 If you receive any other income, such as maintenance payments from a child's parent, you will need to provide details of this.

11 You will need to give details of your rent or mortgage payments.

12 If you pay for childcare and/or maintenance, give details.

7 **2. STATEMENT OF INCOME AND ASSETS** - Complete either Part A or Parts B & C

Part A: My only source of income is social welfare and I have no assets over €4,000

Attach a social welfare receipt

1. Is social welfare your only source of income? Yes No
2. Are your assets worth less than €4,000 in total? Yes No

Assets include your car or other motor vehicle, any cash on hand or savings that you have in a bank, or any jewellery that you own. It does not include the house you live in.

(If you are not sure if this part applies to you, please ask a member of staff in the law centre.)

If you have answered "Yes" to both questions proceed to the Declaration on the back page of this form. If you have answered "No" to either question, complete Parts B & C below.

8 **Part B: Details of my income**

Details of my employment/pension: I get paid: Monthly Fortnightly Weekly Attach a payslip

Pay before deductions (gross)	€	Pay period (omit if you do not know)	
PAYE	€	PRSI	€
USC	€	Pension Levy (PRD)	€

Social Welfare

Attach a social welfare receipt

Name of payment		Weekly amount	€
Name of payment		Weekly amount	€
Name of payment		Weekly amount	€
Name of payment	Fuel allowance	Weekly amount (during winter)	€

10 **Other Sources of Income**

Please indicate how often you receive each amount:

Maintenance received	€	Business Attach a Notice of Assessment	€
Other source (e.g. CE Scheme, children living at home, SOLAS course - please specify)	€	Benefit-in-Kind (e.g. company car, accommodation paid for by company)	€

11 **Cost of my accommodation**

I pay € Monthly Fortnightly Weekly

Mortgage interest supplement/Rent supplement/Rent allowance €

12 **Other allowances**

I pay € in childcare costs for children

I have a spouse/partner and they live with me

or

I have a spouse/civil partner who does not live with me but I pay € in maintenance each week/month (delete as appropriate)

I have children who live with me (or whom are in full time education and live in student accommodation)

and/or

I have children who do not live with me and I pay € per child in maintenance each week/month (delete as appropriate)

I have other dependents who live with me

Details:


13 In Part C, you will have to give details of your capital assets. A capital asset is something you own that has a significant value - for example, property, a car, or stocks.

14 You will have to provide the approximate values of all of your capital assets, except the house you live in.

15 You will have to provide the details of any savings you may have.

16 You will have to provide the details of any outstanding amounts on any loans or debts that you may have


13 **Part C: Details of my assets**

 **You must declare details of all your assets of a capital nature, anywhere in the world, except for the house you live in.**

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Examples of capital assets can be found in our information note "How to Complete your Application for Legal Services" and include your car, any property you own (other than the house you live in), savings (including cash), shares, or expensive jewellery.


I do not own any capital assets and have total savings/cash on hand of less than €4,000.

 If you do not have space on this sheet to detail your assets, include further details on a separate sheet.

My car


Make and model		Year first registered	
Estimated value	€	Car loan amount outstanding	€

15 **My cash on hand or in the bank**

 If you have substantial cash on hand, write "on hand" in the Bank/Building Society/Credit Union name column.


Bank/Building Society/Credit Union name	Amount
	€
	€
	€

Other assets that I own

 Include details of properties (other than the house you live in), shares in companies, jewellery and works of art that you own. If there is a loan (including a mortgage) outstanding that you took out to purchase them, include details of the amount outstanding.

Name of asset	Estimated value	Amount of loan outstanding
	€	€
	€	€
	€	€

16 **Other loans outstanding**

 Include details of other loans or debts that you have not already declared above. You should include the name of the lender and the purpose of the loan in the "Details of loan" column. You do not need to declare the mortgage on your family home.

Details of loan	Amount of loan outstanding	Monthly repayment
	€	€
	€	€
	€	€

Other debts due to be paid within the next year

Details	Amount
	€
	€
	€

17 Please read the declaration section carefully before signing your name and providing the date.


18 The application form provides a helpful checklist to make sure that you haven't missed anything in your application. Make sure you read this carefully and don't forget anything, as this can delay your application being processed.

Remember, the application form determines if you are eligible for legal aid. Eligibility means who qualifies - if you're qualified for something or allowed to take part in it, you have eligibility. For example, having a valid driver's license means you have the eligibility to drive a car. If you are unsure of your eligibility, there is an eligibility estimator on the Legal Aid Board website.

It can take time to process a legal aid application and to determine someone's eligibility, however priority is often given to childcare cases.


If you need help filling out your legal aid form or if you have any questions while filling out your legal aid form, you can call the Legal Aid Board's helpline or the Barnardos Parental Advocacy and Information Service freephone.



 parent.advocacy@barnardos.ie

 info@legalaidboard.ie

 1800 333 355

 0818 615 200

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DECLARATION - Please read carefully before you sign

1. I confirm that all the information I have given on this form is correct and I have not deliberately left anything out.
2. I understand that if it is later found that I gave incorrect information on this form or have left out any information asked for on this form, the Legal Aid Board can take away my legal aid and I can be held liable for the cost of the service it provided up until that point.
3. I give the Board permission to obtain any details or other information about my case which the Board might require.
4. I understand that the Board may contact the Department of Social Protection to obtain or verify any details of payments they make to me or any other information about my means that they might have on file.
5. If any details on this form change I will inform the Board.
6. I understand that the Board may re-assess my means and capital at any time while it is providing me with legal services, until my case is concluded and my file is closed. They may, based on the outcome of that re-assessment, decide to withdraw my legal aid, or increase the contribution they will charge me towards legal services.
7. I acknowledge that at the end of my case, in certain circumstances the Board may charge me up to the full amount it cost them to provide me with legal services. I note that this will be explained to me in detail by my solicitor.
8. I note that if my application relates to a family law matter, the law centre may pass my information to a family mediation office of the Board if it is considered appropriate to do so.

Signed

Date

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Checklist

 Please check that you have included with your application, copies of:

- A recent payslip, if you work
- A recent Social Welfare receipt or other proof of payment, if you claim Social Welfare
- Your most recent Notice of Assessment from Revenue or recent set of accounts, if you are self-employed
- Court applications or orders made in the past year

Photo ID and proof of address are required where there is a financial or property element to your case. There will be a financial or property element to most cases. If in doubt, ask the law centre you are applying to.

- Photo ID
- Proof of Address

Data Protection and Freedom of Information
The Legal Aid Board will treat all information and personal data you give as confidential.
The Board will only disclose it to other people or bodies according to the law.

AN BORD UM CHÚNAMH DLÍTHÍUIL



This application should be sent to your nearest law centre, addresses are available on www.legalaidboard.ie