CIV APP3

		OFFICIAL	CIV APP
Legal Aid Agency	in Family		igs
Granted under delega		Yes No	
CIVAPP6?	ertificate been granted of		lease give reference:
Is this an application funding?	for exceptional case		ou must supply an exceptional nding form (ECF1).
0	are making an ECF ar		ave delegated functions to
	s details common	ion of this section is c	
i our chefte			
c		Initials:	
	Address:		
			ode:
Phone	Number:		
•			
Date	e of birth:/ _/	NI Number:	
-		_	
Sex:		Female Prefer r	not to say
Marital status:	Single	Married/Civil Partner	Cohabiting
	Separated	Divorced/dissolved CP	Widowed
	Client is a child		
Client Secur	rity Password:		
your solicitor unles	s your identity can be ve	-	er over the telephone with you or uld be provided by the applicant
Password (in Block	Capitals) Pr	ompt (a word that will he	lp you remember your password)

Equal Opportunities Monitoring

Please tick the boxes which your client would describe themselves as being:

Ethnicity

White	Mixed	Asian or Asian British
🗌 (a) British	\Box (a) White and Black Caribbean	🗌 (a) Indian
🗌 (b) Irish	\Box (b) White and Black African	🗌 (b) Pakistani
(c) White Other	\Box (c) White and Asian	🗌 (c) Bangladeshi
	\Box (d) Mixed Other	(d) Asian Other
Black or Black British		
🗌 (a) Black Caribbean	☐ Chinese	Other
🗌 (b) Black African	☐ Gypsy/Traveller	Prefer not to say
☐ (c) Black Other		

Disability

The Equality Act 2010 defines disability as: a physical or mental impairment which has a substantial and long-term adverse effect on a persons ability to carry out normal day-to-day activities.

П

Not Considered Disabled

If a client considers himself or herself to have a disability please select the most appropriate definition.

Definitions:

Mental health condition	Blind	
Learning disability/difficulty	Long-standing physical illness or health	
Mobility impairment	condition	
Deaf	Other	
Hearing impaired	Unknown	
Visually impaired	Prefer not to say	

4 Completion of this section is voluntary. This will be treated in the strictest confidence and will be used purely for statistical monitoring and research.

Provider details			
Account number:			
Name of organisation:			
Phone: F			
E Mail:			
Name of authorised litigator instructed:			
4 The authorised litigator instructed must have a valid practising certificate. The Legal Aid Agency (LAA) will not pay for any work done during the period in which the authorised litigator does not have a practising certificate.			
Your case reference:			
Contact name for enquiries:			
Type of case			
4 Please tick all boxes relevant to this case. This will assist us in sorting applications on receipt.			
4 Please ensure that you answer all relevant questions for each case type on the pages indicated. These questions are based on the criteria set out in the merits regulations for each type of case and you should refer to the relevant provisions when answering each question.			
4 For cases not within the scope of funding permitted under Part 1, Schedule 1 of the Legal Aid Sentencing and Punishment of Offenders Act 2012, the type of case should be specified on the accompanying ECF form.			
Divorce, Judicial Separation, Dissolution of Civil Partnership, Nullity	Injunction and committal		
Financial and property	Merits tested S31 proceedings		
Actions involving children including child abduction	Merits tested other public law proceedings		
Form of civil legal services applied for:			
Family help (higher)	Legal representation		

Previous legal help or family help and any other legal aid If you have already provided legal help or family help to this client on the same matter,		
please supply the following information:		
Date your client first visited your firm about this case: / / /		
Costs and disbursements to date: £:		
Have you used: Legal help Family help (lower) Help with family mediation		
Description of work done:		
If you have not provided legal help or family help (lower) please state why your client is applying for legal aid for family help (higher)/legal representation at this stage:		
Give full details of other current or previous legal aid (other than legal help or family help (lower)) for issues involving the same relationship (a client can normally only hold one current certificate relating to private law family proceedings). We need any LAA reference and details of the issues and outcome.		
Scope of services applied for Applicant Respondent 1		
Costs Estimate Estimate of legal aid costs of doing the work under the certificate applied for (including disbursements/counsel, at LAA rates, excluding VAT) £:		
Prospects of Success You do not need to complete this section where the Merits Regulations do not require an assessment of the prospects of success. Which of the following best describes the prospects of achieving a successful outcome for your client?		
A 50% or B Marginal C Borderline D Uncertain E Poor better 45 - 50% Image: C Borderline D Uncertain E Poor		
4 If you have ticked box B, C or D above, please say what factors lead you to make this assessment and why legal aid should nevertheless be granted in the statement of case.		

Opponent/Other parties/organisations/people

•• •	5 1 1
authority)? Include partie an interest in the issue(s) proceedings.	is case (e.g. spouse or cohabitant, children's guardian or local s to the proceedings as well as those who are not parties but have . This may include a local authority which could fund adoption nformation as you can for each person/organisation:
1. Title: Initials:	Surname/organisation name:
First name:	Date of Birth: / _/
Involvement in the proc	eedings
2. Title: Initials:	Surname/organisation name:
	Date of Birth:/ /
Involvement in the proc	eedings
3. Title: Initials:	Surname/organisation name:
First name:	Date of Birth:/ /
Involvement in the proc	eedings
Why does your client ne	eed separate representation?
Have any of the other p Yes	arties applied for legal aid?
L	
	name(s) and if known the LAA reference number
	LAA ref number:
	LAA ref number:

Attempts at settlement

4 Do no complete this section for applications to register foreign orders or judgments as described in Regulation 11(9) of the Merits Regulations.

Please state what attempts have been made so far to settle the matter through negotiation, mediation or otherwise and the outcome of these. **Copies of any relevant correspondence must be attached.**

Please state exactly what has been offered by the other party to settle the matter and what your client is seeking:

Court details		
Has any court action started?	☐ Yes	□ No
If yes, please answer the following:		
Name of court 4 State whether Family Court, High Court or	Court of Appeal	
Date divorce or judicial separation petition of civil partnership issued ///		f
Date any other court action/application star		
Date of next hearing / /	-	
Purpose of next hearing:		
Court Case Number Has your client attended court on any family months? If yes, please give details.	y matter in the last 12	Yes No
Injunction and Committal		
What is the application for legal aid for?	Depresentation on or	version of neuror of arrest
Non-molestation order		xercise of power of arrest
Occupation order	Forced Marriage Pro	otection Order
Warrant of arrest		so what type of order has
Other Injunction	been breached:	
Is the injunction or committal being sought	under:	
Part IV Family Law Act 1996	Protection from Harassme	nt Act 1997 (family case)
Other 4 please give details		
Are the proceedings in relation to a 'family o	dispute' as defined in the I	Merits Regulations?
Yes	No No	
If there is an existing order, tell us the date	e: <u>///</u> (at	tach a copy)

Injunction and Committal continued Details of most recent incident
Has a warning letter been sent? Yes No
Have the police been notified? Yes No
Are there any criminal charges? Yes No
Have bail conditions been set? Yes No If yes, please give details including date conditions are likely to end, if known:
 Financial and property 4 Legal aid is only available under paragraph 12 of Part 1 of Schedule 1 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 if the domestic abuse evidence requirements set out in regulation 33 of the Civil Legal Aid (Procedure) Regulations 2012 are satisfied. 4 One of the required pieces of evidence must be attached to the application. Please state what evidence has been attached and submitted:
What is the application for legal aid for? An order to freeze assets Periodical payments order for your client Periodical payments order for the child(ren) Variation of an existing periodical payments order Order for a lump sum payment for your client Order for a lump sum payment for the child(ren) Order transferring property or changing your client's rights to the property Order transferring a tenancy Proceedings under Section 14 Trusts of Land & Appointment of Trustees Act 1996 Proceedings under Schedule 1 Children Act 1989 Enforcing an order Other 4 please give details

Financial and p	roperty continued	
If the application to the	court is in matrimonial proceedi	ngs are they for:
divorce	judicial separation	artnership nullity
	mplete this section where the m ring individual test to be met - g	erits regulations do not require the o to page 10.
Please tell us about th	e existing and proposed arrang	ements:
•	ude money in bank/building soc	erty or other items in this action? iety accounts, a business, shares,
	Yes No	
Address of Property:		
-	PcPc	ost Code:
Unless the property is re	ented, who owns it?	
Your client	The other party	Your client and the other party
Others (please tell	us who they are)	
The value of the proper	ty:	£
The amount outstanding	g on any mortgage or secured le	pans: £
Give an estimate in valu	e of the other assets and desc	ribe them e.g. shares, bank account.
Asset		Value

Actions involving children				
The application for legal aid is for:				
Child Arrangements Order (who the children will spend time with)		Arrangements Order (where the n will live)		
A specific issue order	🗌 A proh	ibited steps order		
A parental responsibility order	Chang	ing a section 8 order		
An adoption order		ship/Inherent jurisdiction		
Section 31 care or supervision order	Section 31 care or supervision order			
An order under the Child Abduction and	d Custody Act 198	5		
Other				
The case will be dealt with under:				
Children Act 1989	Adoption and Chil	dren Act 2002		
4 Note that for most private law application of domestic abuse or that the child is at r the Civil Legal Aid (Procedure) Regulation	isk of abuse as se			
4 For cases concerning the unlawful remover requirements but full details of the case		•		
Where evidence is attached please state th	·	on page 10.		
4 This should be completed in any case while in relation to financial issues and propert		of children is relevant, including		
Children's details				
Name:		Who they live with:		
Your client's relationship to the children: _				
The other party's relationship to the childre	en:			
If your client is a child applying to be joine on page 10.	d give full details v	why this is justified in the statement		
If there is an existing order, tell us the date (attach a copy of the order and any rele				
How will any existing order be affected e.g	-			

Statement of case

4 It is not necessary to complete this section in full for applications to register foreign orders or judgments as referred to on page 5 but you must attach the confirmation from the child abduction unit or REMO section at the office of Official Solicitor and Public Trustee and, in maintenance/enforcement cases, confirm that the application falls within regulation 11(9) of the merits regulations 2012.

Background information and history

You will need to include what has happened so far, personal information including the parties involved, their relationship and all key dates. If previous proceedings involve the same relationship or children, please provide details of these and explain why these current proceedings are necessary.

What is the client's position, what they are seeking and why? You must provide sufficient information to satisfy the criteria set out in the merits regulations and criteria applicable to the case including the benefit likely to be obtained.

Exercise of Delegated Functions

Why is this case considered to satisfy the emergency criteria in the procedure regulations	\$
2012.	

Tell us the date you granted a certificate for emergency representation to your client:
Give a brief description of the proceedings and the wording code(s) you used for them:
Give us a brief description of the scope, limitations/condition(s)and tell us the wording code(s) you used for them. The standard cost limitation will apply unless a higher figure is provided and can be justified.
Costs (£1350) or costs non standard - insert figure £
Time limitation (4 weeks or earlier grant of full certificate)
Scope Limitation (what urgent steps you have covered):
Part IV Family Law Act - applicant - including representation on the return date (AA010)
Part IV Family Law Act - respondent limited to all steps up to and including representation at a specific hearing - give the date / / /
Children Act - applicant - apply for interim order, including representation on the return date where the application is made without notice.
Children Act - respondent - limited to all steps up to and including representation at a specific hearing - give the date / / /
Other (please give details and code(s))
Note: an emergency certificate must not be granted where there is an existing certificate capable of amendment to cover the additional work required.

LEGAL AID AGENCY PRIVACY NOTICE

Purpose

This privacy notice sets out the standards that you can expect from the Legal Aid Agency (LAA) when we request or hold personal information ('personal data') about you; how you can get access to a copy of your personal data; and what you can do if you think the standards are not being met.

The LAA is an Executive Agency of the Ministry of Justice (MoJ). The MoJ is the data controller for the personal information we hold. The LAA collects and processes personal data for the exercise of its own and associated public functions. Our public function is to provide legal aid.

About personal information

Personal data is information about you as an individual. It can be your name, address or telephone number. It can also include the information that you have provided in a legal aid application such as your financial circumstances and information relating to any current or previous legal proceedings concerning you.

We know how important it is to protect customers' privacy and to comply with data protection laws. We will safeguard your personal data and will only disclose it where it is lawful to do so, or with your consent.

Types of personal data we process

We only process personal data that is relevant for the services we are providing to you. The personal data which you have provided in your legal aid application will only be used for the purposes set out below.

Purpose of processing and the lawful basis for the process

The purpose of the LAA collecting and processing the personal data which you have provided in a legal aid application is for the purposes of providing legal aid. Our lawful basis is 'the performance of a task carried out in the public interest or in the exercise of official authority' as set out in Article 6(1)(e) of UK GDPR. The tasks are those set out in the Legal Aid, Sentencing and Punishment of Offenders Act 2012. Specifically, we will use this personal data in the following ways:

- In deciding whether you are eligible for legal aid, whether you are required to make a contribution towards the costs of this legal aid and to assist the Legal Aid Agency in collecting those contributions, if appropriate.
- In assessing claims from your legal aid Provider(s) for payment from the legal aid fund for the work that they have conducted on your behalf.
- In conducting periodic assurance audits on legal aid files to ensure that decisions have been made correctly and accurately.
- In producing statistics and information on our processes to enable us to improve our processes and to assist us in carrying out our functions.

Were the LAA unable to collect this personal information, we would not be able to conduct the activities above, which would prevent us from providing legal aid.

We collect 'special categories of personal data'. This data is collected where necessary for the purposes set out above. The condition under which we process this data is Article 9(g) of UK GDPR – Reasons of substantial public interest. Our associated Schedule 1 condition is Statutory and Government purposes. We also collect this data for the purposes of monitoring equality, this is a legal requirement for public authorities under the Equality Act 2010. Special categories of personal data will be treated with the strictest confidence and any information published under the Equality Act will not identify you or anyone else associated with your legal aid application.

We collect 'personal data relating to criminal convictions and offences or related security measures'. This data is collected where relevant for the purposes set out above. The LAA is an Executive Agency of the MoJ, an Official Authority for the purposes of Article 10 of UK GDPR.

Who the information may be shared with

We sometimes need to share the personal information we process with other organisations. When this is necessary, we will comply with all aspects of the relevant data protection laws. The organisations we may share your personal information include:

- Your instructed legal aid Provider(s), including any advocate instructed by a legal aid solicitor;
- Public authorities such as: HM Courts and Tribunals Service (HMCTS), HM Revenue and Customs (HMRC), Department of Work and Pensions (DWP), Home Office and HM Land Registry;
- Non-public organisations such as: Credit reference agencies Equifax and TransUnion and our debt collection partners Advantis Credit Ltd;
- If false or inaccurate information is provided or fraud identified, the Legal Aid Agency can lawfully share your personal information with fraud prevention agencies to detect and to prevent fraud and money laundering. We may specifically share data with HMRC and DWP for fraud prevention, investigation and prosecution purposes; and
- Where a debt is owed to the Legal Aid Agency, we may share your data with public authorities such as HMRC and DWP and with debt collection partners such as Advantis Credit Ltd for the purposes of tracing, debt collection and enforcement.

You can contact our Data Protection Officer for further information on the organisations we may share your personal information with.

Data Processors

We may contract with third party data processors to provide email, system administration, document management and IT storage services. Any personal data shared with a data processor for this purpose will be governed by model contract clauses under data protection law.

We contract with Advantis Credit Ltd as a data processor for the collection and enforcement of criminal legal aid contributions. Any personal data shared with the data processor for this purpose is governed by model contract clauses under data protection law.

Automated decision making

We do not use solely automated decision making within the definition of Article 22(1) of UK GDPR. The overall decision on an application for legal aid or a claim for costs in a legal aid case will always be made by a human decision maker. This could be a member of our staff, or a staff member of a legal aid Provider acting under delegated authority from the LAA.

Details of transfers to third country and safeguards

Personal data may be transferred to locations in the European Economic Area (EEA) where required by our data processors for hosting, storage and secure backup of our IT services. Such transfers are made on the basis of Adequacy decisions between the UK and EEA in accordance with Article 45 of UK GDPR.

Retention period for information collected

Your personal information will not be retained for any longer than is necessary for the lawful purposes for which it has been collected and processed. This is to ensure that your personal information does not become inaccurate, out of date or irrelevant. The Legal Aid Agency have set retention periods for the personal information that we collect, this can be accessed via our website:

https://www.gov.uk/government/publications/record-retention-and-disposition-schedules

You can also contact our Data Protection Officer for a copy of our retention policies.

While we retain your personal data, we will ensure that it is kept securely and protected from loss, misuse or unauthorised access and disclosure. Once the retention period has been reached, your personal data will be permanently and securely deleted and destroyed.

Access to personal information

You can find out if we hold any personal data about you by making a 'subject access request'. If you wish to make a subject access request please contact:

Disclosure Team - Post point 10.25 Ministry of Justice 102 Petty France London SW1H 9AJ

Data.access@justice.gov.uk

When we ask you for personal data

We promise to inform you why we need your personal data and ask only for the personal data we need and not collect information that is irrelevant or excessive.

When we collect your personal data, we have responsibilities, and you have rights, these include:

- That you can withdraw consent at any time, where relevant;
- That you can lodge a complaint with the supervisory authority;
- That we will protect and ensure that no unauthorised person has access to it;
- That your personal data is shared with other organisations only for legitimate purposes;
- That we don't keep it longer than is necessary;
- That we will not make your personal data available for commercial use without your consent; and
- That we will consider your request to correct, stop processing or erase your personal data.

You can get more details on:

- Agreements we have with other organisations for sharing information;
- Circumstances where we can pass on personal information without telling you, for example, to help with the prevention or detection of crime or to produce anonymised statistics;
- Our instructions to staff on how to collect, use or delete your personal information;
- How we check that the information we hold is accurate and up-to-date; and
- How to make a complaint.

For more information about the above issues, please contact the;

The Data Protection Officer Ministry of Justice 102 Petty France London SW1H 9AJ

dataprotection@justice.gov.uk

Complaints

When we ask you for information, we will comply with the law. If you consider that your information has been handled incorrectly, you can contact the Information Commissioner for independent advice about data protection. You can contact the Information Commissioner at:

Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF Tel: 0303 123 1113 www.ico.org.uk

Declaration to be signed by the applicant

My solicitors have given me to keep:

4 The Legal Aid Agency's leaflet 'Paying for your Legal Aid'.

My solicitors have explained the legal aid statutory charge to me. In particular, my solicitors have advised whether there is a risk that at the end of my case, I will have to accept an interest - bearing charge on my home.

As far as I am aware, all the information I have given is true and I have not withheld any information. I understand that if I give false information or withhold relevant information the services provided to me may be cancelled at which point I will become liable to pay all the costs that have been incurred and I may be prosecuted.

Signed: Date: / / This declaration must be signed by the applicant		
Certification		
 4 I have explained to the client their obligations and the meaning of their declaration. 4 I have given to the client to keep the LAA's leaflet referred to in their declaration and the statutory charge to them. 4 I have provided as accurately as possible all the information requested on this form 	d have explained	
4 My offices Standard Civil Contract authorises Licensed Work in the proceedings to which this application relates (or a Standard Crime Contract and the application relates to Civil Work).		
Signed: Date:/	/	
Name:		

Representative Nomination Section

Consent for disclosure of information to a client's nominated representative.

4 Please complete this section in block capitals if you wish to nominate someone other than your solicitor to contact the Legal Aid Agency to discuss your case on your behalf.

Your Full Name: ______Date of birth: _____

The full name of your nominated representative:

The relationship between you and your nominated representative:

Nominated representative's date of birth: ___/

4 Your nominated representative **MUST** give their date of birth when contacting the Agency.

Authority

I hereby give authority for the Legal Aid Agency to disclose any information about my legal aid to the above nominated representative when contacting the Agency on my behalf. I undertake to advise the Agency if, at any time, I wish to withdraw this authority.

Signed: _____ Date: __/ /

Enclosures Any enclosures should not be the originals, except the means The enclosures sent in support of this application are:	assessment and L17 forms.	
relevant expert's opinion memoranda of		
correspondence understanding court order(s) CIVMEANS1 CIVMEANS1 CIVMEANS1A	CIVMEANS1B	
CIVMEANS1C CIVMEANS1P CIVMEANS2	CIVMEANS3	
CIVMEANS4 CIVMEANS5 client's L17	partner's L17	
ECF1 3 months bank statements		
Evidence of domestic abuse as set out in the Procedure Regulations		
Central Authority Letter, registration of foreign orders/judgments, European convention or Brussels II A only.		
other (give details)		