

Next hearing date and time



MINISTRY OF  
**JUSTICE**  
*Tabū o te Ture*

Legal Aid

## Application for criminal legal aid

If you have any questions call 0800 2 LEGAL AID (253 425) or go to: [www.justice.govt.nz/legal-aid](http://www.justice.govt.nz/legal-aid)

### Personal details

**1** Title  Mr  Ms  Mrs  Miss

**2** Full name

**3** Have you ever used another name?

Yes

No

If yes, your other names used:

**4** Date of birth

*dd / mm / yyyy*

**5** Your current address

  
  

Postcode

**6** Your postal address *(if different from current address, or in custody)*

  
  

Postcode

**7** Home phone

**8** Work phone

**9** Mobile phone

**10** Other contact phone

Whose number is this?

**11** Email

## Living arrangements

**12** Do you have a partner who lives with you?

Yes

No

If yes, your partner's full name:

**13** How many children do you have under 18 years old? (including step children, foster children etc)

How many of those are living with you?

**14** Is your partner the alleged victim in the proceedings?

Yes

No

**15** Is anyone else charged with you?

Yes

No

If yes, their name(s):

**16** Are you currently subject to the Mental Health Act or the Intellectual Disability Compulsory Care & Rehabilitation Act orders?

Yes

No

## Income

**17** The income you and your partner currently receive:

Note that the following payments are excluded when we are assessing your income: Accommodation supplement, Emergency benefit, Disability allowance, Special benefit, Temporary additional support, Child disability allowance, Unsupported child benefit and, if either you or your partner are in prison (excluding on remand), your partner's income and assets.

	You \$ (before tax)	Your partner \$ (before tax)	Frequency (eg weekly)
<b>Wages or salary</b>			
<b>Employer name, phone, address:</b>			
<b>Business/self employed</b>			
<b>Working for families tax credits</b>			
<b>Income from rent(s)</b>			
<b>Interest or dividends</b>			
<b>Income from a trust – also complete questions 19-20</b>			
<b>Pension or benefit:</b>			
1. Jobseeker support			
2. Sole parent support			
3. Supported living payment			
4. NZ superannuation			
5. Student allowance			
Other			

What is your WINZ number?

**18** If you don't receive an income, how are you financially supported?


**Complete this section if you have an interest in a trust:**

**19** Does the trust owe money to you and/or your partner? Yes  No

If yes, how much? \$

**20** When will you receive this money?  I don't know

Please **attach** the original trust deed and the latest trust accounts.

**Assets and debts**

**21** Do you and/or your partner own or have an interest in a home or land and/or property? Yes  No

<b>Property address</b>		
		<i>Postcode</i>
<b>Legal owner of property</b>		
<b>Estimated value \$</b>		
<b>Mortgage balance \$</b>		

Is it in a trust? Yes  No  **What is your share of ownership of it? (eg 50%)**  %

If you and/or your partner have more than one property please provide this information on another page.

**22** Do you and/or your partner have any money or investments? (excluding KiwiSaver) Yes  No

	You \$	Your partner \$
<b>Cash, savings and term deposits</b>		
<b>Shares and bonds</b>		
<b>Retirement funds</b>		
<b>Other – eg money owed to you</b>		

**23** Do you and/or your partner have any items that have a resale value of \$3,500 or more? (eg motor vehicles, boats, other) Yes  No

Description	Value \$	Amount owing \$

**24** Do you and/or your partner have any debts? Yes  No

If yes, what is the balance owing?

	You \$	Your partner \$
Bank overdraft, personal debt, credit cards		
Fines, tax, student loans		
Hire purchase		
WINZ		
Other		

**Other financial information**

**25** Are there any other reasons why you can't pay for your own lawyer?

**Criminal charges**

**26** What are your charges, or the charges you are appealing?

Offence type	Section and Act	Max. penalty	Criminal Record Number

If you have other charges, include them on another page.

**27** If you are facing a maximum penalty of less than 6 months in prison or are applying for parole, tick the applicable statements.

<input type="checkbox"/> I have previous convictions.	<input type="checkbox"/> The proceedings involve a substantial question of law.
<input type="checkbox"/> There is a likelihood I will go to prison if convicted.	<input type="checkbox"/> There are complex factual, legal, or evidential matters.
<input type="checkbox"/> I do not understand the charges or cannot state my own case.	<input type="checkbox"/> Other reason aid should be granted. <input type="text"/>

If you have ticked a statement above, provide comment on why aid should be granted.

**Parole**

**28** What are the parole proceedings about?

<input type="checkbox"/> Postponement order	<input type="checkbox"/> Extended supervision order
<input type="checkbox"/> Recall	<input type="checkbox"/> Release ( <i>section 21</i> )
<input type="checkbox"/> Non-release order	<input type="checkbox"/> Other – section of the Act <input style="width: 150px;" type="text"/>

**Appeals**

**29** What are you appealing?

<input type="checkbox"/> Conviction	<input type="checkbox"/> Pre-trial ruling
<input type="checkbox"/> Sentence	<input type="checkbox"/> Parole Board matter
<input type="checkbox"/> Conviction and sentence	<input type="checkbox"/> Other <input style="width: 150px;" type="text"/>

**30** What are the grounds for the appeal, and why should legal aid be granted?

**Court details**

**31** Where will your case be heard?

<small>Location (town, city)</small>	<small>Court type (eg District Court)</small>	<small>Type of hearing (eg case review)</small>
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>

Complete question 32 if you are applying for **appeal or parole** proceedings, you are facing charges that have a maximum sentence of **more than 10 years in prison** or you were advised by a Police Detention Legal Assistance (PDLA) lawyer.

**32** Who do you want as your lawyer?

Name  My PDLA lawyer  I don't know

Please **sign here** to confirm that you want to choose this lawyer:

## Applicant confirmation

**By signing this application form, you agree and acknowledge that:**

- » personal information about you will be collected and/or disclosed to meet responsibilities under the Legal Services Act 2011, associated regulations and/or any other relevant statute or court order. This information may be used for statistical and/or research purposes and in this context will not individually identify you
- » you have the right to have access to all information held about you, and to request correction of that information under the Privacy Act 1993
- » we will assess your financial means and you may be required to repay some or all of your legal aid. Any assets or property that you own may be subject to a charge to cover some or the entire repayment amount
- » interest will be charged on all outstanding legal aid debt when the case has finished
- » if you receive or keep any assets, property or money from your case, they are also subject to a charge to cover some or all of your legal aid costs
- » if you don't meet your repayment obligations we may issue a deduction notice to automatically deduct payments from your benefit, employment income or bank account and/or send your debt to a third party debt collection agency with collection costs added to the amount owed
- » you must let us know immediately of changes in your address, income or assets and provide updated information about your financial means during your case
- » we may contact Work and Income or another third party to obtain verification of your financial means, income, bank account, employer, address and phone number. This could include information about your benefit and asking other third parties (including your employer, bank or other income source) to provide the information when asked
- » if you don't provide all the information requested, your application may be declined
- » your information will be saved/stored in an electronic and/or physical form
- » the information you have given in this application is true, not misleading, and completed to the best of your knowledge
- » it is an offence to produce false documents, not answer required questions or provide false/misleading information to obtain legal aid or avoid repayment
- » you have no insurance or indemnification available to cover some or all of your legal costs
- » we will provide the contact details of your lawyer to the Police Prosecution Service and/or the Department of Corrections so that your lawyer can receive disclosure and for their offices to be the address for service of any documents on your behalf to progress your case
- » you consent to having your details provided to the court, and receiving text messages from the court about the date and time of your appearances
- » If a lawyer is signing this application where the applicant appeared via audio visual link, the applicant has consented to me signing this form on their behalf; though I am not signing as agent for the applicant, nor do I provide any undertakings. I confirm this is a correct record of the information provided to me by the applicant today.

Signature of applicant/representative

Date

dd / mm / yyyy

Has this application been signed by a duty lawyer or someone other than the applicant?

Yes

No

Name

Relationship

## More information

If you have any questions call 0800 2 LEGAL AID (253 425) or go to: [www.justice.govt.nz/legal-aid](http://www.justice.govt.nz/legal-aid)

**You can email the completed form to:**

- » [wgncriminallegalaid@justice.govt.nz](mailto:wgncriminallegalaid@justice.govt.nz)
- » [aklcriminallegalaid@justice.govt.nz](mailto:aklcriminallegalaid@justice.govt.nz)

**Or post it to:**

- » Legal Aid Services  
SX10146, Wellington
- » Legal Aid Services  
BX10660, Auckland