

Guide to Legal Aid

Most people have to pay for legal advice and representation. However, the Legal Aid scheme can pay for all or some costs if you are on a low income and have low savings. Legal Aid is only available in certain areas of law, for instance it is possible to get legal aid for cases related to community care, Special Educational Needs, disability discrimination, mental health and mental capacity cases, as well as some housing, debt, family and immigration cases.

Who can get legal aid?

You qualify for legal aid if:

- You are on a low income or receive income-related benefits, such as income support, income-related ESA or JSA. If your monthly income, excluding PIP or DLA is above £2657 you will not be eligible for legal aid. If your income is less than that, your expenditure will be assessed to see if you are eligible.
- You have very little in savings, investments or property (in February 2017 the savings limit was £8,000).
- Your issue is covered by legal aid.
- You have a good chance of winning the case.

→ You can use the GOV.UK checking tool to see if you qualify for Legal Aid. You will need information about your income and savings on hand. www.gov.uk/check-legal-aid

What will Legal Aid pay for?

Legal Aid will fund all costs related to your case, including the costs of legal advice, representation, evidence gathering and court fees. It will also pay the other party's costs if you lose. However, depending on their income and savings, some people will be asked to contribute towards their legal costs. If this is the case, your solicitor should explain to you how much and when you will be asked to pay.

How to get legal advice with legal aid

Legal aid services can be provided only by organisations which have a contract with the Legal Aid Agency (LAA). These include solicitors firms, law centres and some voluntary sector organisations, such as Citizen's Advice Bureau.

How you go about getting advices funded by the Legal Aid will vary depending on what your case is about.

If your case is about community care or you want to challenge a decision made by a public body, such as local authority, you can usually chose a solicitor's firm which has experience and expertise in this area of law and offers advice funded by Legal Aid. They will usually look at your case and, if they decide to take it, apply for Legal Aid funding on your behalf.

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- You can use this website to find solicitors who offer advice under the Legal Aid scheme:
find-legal-advice.justice.gov.uk

If you struggle to find a legal adviser yourself, you can contact Civil Legal Advice helpline.

If your case is about discrimination, debt or Special Educational Needs you need to contact [Civil Legal Advice helpline](#) as advice for those cases is only available through a mandatory gateway service.

There are several ways to contact Civil Legal Advice helpline:

- Call them on 0345 345 4345: the lines are open Monday to Friday, 9am to 8pm, and Saturday, 9am to 12.30pm. Calls cost 9p per minute from a BT landline and more from a mobile. You can ask an operator to call you back.
- Use Text Relay 0845 609 6677
- Text 'legalaid' and your name to 80010. An adviser will call you back within 24 hours
- Book an appointment with BSL interpretation via video link using this website: www.interpretingline.co.uk

Civil Legal Advice helpline has free interpreting service for people who do not speak English. They also can speak with another person, who is willing to do it on your behalf.

You will have to pass through 2 stages before Civil Legal Advice Helpline puts you in touch with legal adviser.

Firstly you will speak to an operator, who will check whether

- you are financially eligible
- the issue you are calling about falls within the scope of legal aid.

You will need to be prepared to answer questions about your and your partner's income, savings and benefits as well as the problem you want legal advice for.

At the second stage you will speak to a specialist telephone adviser, who will ask further questions and check whether you are able to access advice via email and telephone or need a face to face assessment. They will then put you in touch with a solicitor. Solicitors advising through the Gateway Service will only be able to offer advice over the telephone or via email. If those options are not going to work for you, you should explain why, as you can be referred to a face to face adviser. In this case you will be given a Gateway reference number and you will be able to get advice from a local solicitor firm. Some Disabled people should be able to justify needing a face to face advice as a reasonable adjustment.

A right to ask for a review

You have a right to ask Civil Legal Advice Helpline or the solicitor's firm they connect you with to review their decision about your eligibility for Legal Aid. Each of those organisations has its own complaints procedure, so if you want them to reconsider their decision in your case, ask them what your next steps should be.

If you are not eligible for legal aid, there still may be a way to fund legal advice and representation.

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- See CAB's detailed factsheet about alternative ways to fund legal costs.
www.citizensadvice.org.uk/law-and-courts/legal-system/taking-legal-action/help-with-legal-costs-legal-aid/