



HIGGINS MILLER SOLICITORS

Legal Aid is still available for representation in family cases but it is greatly restricted. Higgins Miller Solicitors are one of the few firms left who still undertake family work that is funded by legal aid.

Details of those family cases where legal aid is available can be found at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/444189/scope-family-proceedings-laspo.pdf

For those Private Law Proceedings where evidence of domestic abuse or child abuse is required only certain specific documents will satisfy those evidence requirements.

Details of the documents that are sufficient evidence of domestic abuse (schedule 1) or child abuse (schedule 2) can be found at: <http://www.legislation.gov.uk/ukxi/2017/1237/schedules/made>

The Legal Aid Agency guidance on this evidence can be found at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/672143/evidence-requirements-private-family-law-matters-guidance-version-8.pdf

To help you obtain the evidence that is needed there are template letters that can be used by you to request the evidence, they can be found at:

<https://www.gov.uk/government/collections/sample-letters-to-get-evidence-of-domestic-violence>

There are also template letters that organisations can complete to assist them in providing the evidence required. Those templates can be found at:

<https://www.gov.uk/government/collections/legal-aid-cases-of-domestic-violence-and-child-abuse-letters-for-professionals>

If you are a parent who has received a letter from social services asking you to attend a meeting about the possibility of your child being taken in to care or you are a parent involved in Public Law Court Proceedings (Emergency Protection Order, Care or Supervision Proceedings, Secure Accommodation Order etc) then you will be entitled to Legal Aid automatically regardless of your financial position. For other cases provided that your case merits it you will also have to be financially eligible for Legal Aid. A financial eligibility assessor can be found at:

<http://civil-eligibility-calculator.justice.gov.uk/>

The Legal Aid Agency will require you to produce documentation to verify your financial position such as:

- Last three months bank statements for all accounts that are in your name (even if dormant)
- Your last three wage slips
- Proof of benefits
- Proof of rent or mortgage
- Proof of child care costs

They may ask for additional documents or for you to explain unusual transactions on you bank statements.

Checking if you are eligible for legal aid can be confusing which is why we are happy to speak to people over the telephone on 0161 429 7251 to work out if they might be eligible and what documents will be needed in support of that application.