



Application for Disbursements Only Fund (DOF)

Application Checklist

A covering letter from solicitors for applicant must:	☐
Set out summary of matter including names of other parties and whether proceedings on foot.	☐
Address all issues relevant to assessing the matter's prospects of success.	☐
Attach copies of all documents in applicant's / solicitors' possession relevant to assessing the matter's prospects of success.	☐
Itemise the funding sought at this stage of the matter (what amounts and for what purposes).	☐
If required, attach a cheque covering the application fee (or if preferred, contact us to arrange electronic payment of this). This application fee is \$100 (or \$250 for an urgent decision) but the fee is waived for holders of a Pension Card or an Automatic Issue Health Care Card.	☐
Applicant or solicitors to complete Means Test section below (page 2). For corporate applicants, please contact us on (08) 8229 0263.	☐
If applicable, applicant and solicitors to sign respective certificate / declaration sections (page 3).	☐

Just for noting

Sometimes the proceeds ultimately obtained in matters funded by LAF will be far lower than anticipated and/or see the claimant receive little to no money 'in their pocket'. In these instances, solicitors may ask LAF to agree to a reduction or waiver of LAF's 'uplift'. This will be a decision entirely at the discretion of LAF, but factors considered would include the following:

- The size of the proceeds and the ways in which they will be disbursed, including the 'in pocket' amount for the claimant (including any reduction in the fees charged by solicitors/counsel).
- The reason/s the matter was not capable of a better resolution.

Application to be sent to:

Annie MacRae
Litigation Assistance Fund
GPO Box 2066, ADELAIDE SA 5001
annie.macrae@lawsocietysa.asn.au
(08) 8229 0263



Application for Disbursements Only Fund (DOF)

Means Test:

Full Name:

Address:

Phone Number:

Marital Status:

Date of Birth

Occupation:

Employer:

Does the applicant hold a government Pension Card? If so, please attach a photocopy of this and proceed to the certificate and declaration sections. You do not need to complete the remainder of this Means Test section. If not, please complete the remainder of this Means Test section.

Gross weekly income:

Please attach most recent tax return and most recent statement for each bank account held.

Detail re possible assets:

Please circle Yes or No	Value \$	Owned solely? Or jointly, what % share?	Borrowings \$
House living in? Y N			
Further property/s? Y N			
Cash? Y N			
Car/s? Y N			
Any other asset, eg: interest in a will? Y N			

Any other liabilities?

If so, please provide details:

If there is a spouse/partner or other person(s) with financial interest in claim, please complete below.

Full Name:

Address:

Occupation:

Employer:

Gross weekly income:

Please attach most recent tax return and most recent statement for each bank account held.

Detail re possible assets:

Please circle Yes or No	Value \$	Owned solely? Or jointly, what % share?	Borrowings \$
House living in? Y N			
Further property/s? Y N			
Cash? Y N			
Car/s? Y N			
Any other asset, eg: interest in a will? Y N			

Any other liabilities?

If so, please provide details:



The Law Society

OF SOUTH AUSTRALIA

Litigation Assistance Fund

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Solicitor's Certificate

I, _____ of _____

Certify that:

- i. I have explained to the applicant/s the operations of LAF's Disbursements Only Fund.
- ii. I believe that this application has merit for the reasons given in the covering letter.
- iii. All particulars and documents known to me and relevant to this application are being provided.

I undertake to promptly notify the Fund Manager upon becoming aware of any significant changes in the applicant's means or in the prospects of the matter.

I agree that in the event of the matter being unsuccessful I will not charge the applicant, but in the event that the applicant's action is successful, I will be entitled to charge fees. If section 26(4)(b) of the Legal Practitioners Act applies, any uplift on these fees will not exceed 25% of the legal costs (excluding disbursements) otherwise payable.

Solicitor's signature: _____

Date: _____

Declaration by Applicant

I, _____ of _____

Acknowledge that:

- i. I have received and read a copy of the Disbursements Only Fund Rules. ("the DOF Rules").
- ii. If assistance is granted, LAF may withdraw assistance at any time in accordance with the DOF Rules.
- iii. If assistance is not granted to me, or if it is granted and later withdrawn in accordance with the DOF Rules, I shall have no right of action against LAF, the Law Society of South Australia, the LAF Advisory Board, any Assessment Panel or the Fund Manager.

I agree that if I sign a Fund Agreement I shall undertake to:

- i. Abide by the DOF Rules;
- ii. irrevocably authorise my solicitor or any subsequent solicitor to pay to LAF any monies payable pursuant to the Funding Agreement from monies received in relation to my matter, without any prior disbursement of such monies.

I declare that all of the facts asserted as part of my application are true and correct to the best of my knowledge, information and belief.

Applicant's signature: _____

Date: _____



The Law Society

OF SOUTH AUSTRALIA

Litigation Assistance Fund

The LAF Complaint Process

Our Commitment

You have the right to make a complaint where you are dissatisfied with our services or the way that we have handled your enquiry or complaint.

We are committed to ensuring that any concerns are resolved quickly and effectively. We treat every complaint seriously and fairly.

Our complaint procedure is free of charge.

How to make a complaint

You can provide feedback or make a complaint in any of the following ways:

- In person at;

The Law Society of South Australia
Level 10, 178 North Terrace ADELAIDE SA 5000

- By calling us on (08) 8229 0263
- By emailing us at annie.macrae@lawsocietysa.asn.au
- By writing to us at:

The Fund Manager
Litigation Assistance Fund
The Law Society of South Australia
GPO Box 2066 ADELAIDE SA 5001

How your complaint will be dealt with

We will acknowledge receipt of your complaint immediately when you are speaking to a LAF staff member or, in all other cases, as soon as reasonably practicable.

We will aim to resolve your complaint in 5 business days. If your complaint requires further investigation it may take up to 30 days for us to provide you with a final written response. We will notify you prior to the end of the 30-day period if we will not be able to provide you with a response within this timeframe.

If you would like written confirmation of the resolution to your complaint, you may request this after the complaint has been resolved.

If you are dissatisfied

If you are dissatisfied with our response to your complaint or your complaint has not been resolved within the timeframes set out above, you may request that we escalate your complaint to the Society's Chief Executive.

You are entitled to seek independent legal advice about your complaint and your rights at any time.