

## Notes to Assist You in Completing the Legal Help and Help at Court Form

### PAGE 1

Completion of the first box is voluntary but you must complete the second box.

Fill in YOUR details, not those of your child.

### PAGE 2

Ignore the Suppliers box.

Are you in receipt of income support or income-based job-seeker's allowance, or included in your partner's benefit claim?

If **Yes**            complete Part A only

If **No**             complete Parts A and B

Are you in receipt of NASS payments? - tick "Yes" or "No".

### Part A – Capital

List the capital of your partner (someone with whom you live as a couple) in the separate column on the form.

#### Capital to include

Any equity in your home above £100,000 after deducting the amount of any mortgage or charge registered on the property, up to a maximum of £100,000. To work out the net market value of your property, obtain the current market value and then deduct 3% from this figure to reflect notional sale cost.

If you have more than one property, the value of all other properties should be taken into account. There is no equity disregard for second properties and the maximum mortgage allowance which can be applied against all properties is £100,000.

Any savings (bank, building society etc.)

Any investments (including shares and insurance policies)

Valuable items (eg. Boat, caravan, jewellery etc.)

Capital from a bank loan or borrowing facility

Any money owed to you

Capital not to include

Household furniture and effects (unless of exceptional value)

Clothes

Tools and implements of trade

Jobseekers' back to work bonus

Community Care payments

Capital value of your business if you are self-employed

Capital held in trust funds which you cannot access

Cars or other vehicles in regular use (unless of exceptional value)

**If your disposable capital exceeds £8,000 you will NOT get Legal Help funding.**

**Part B - Income**

**NB If you are directly or indirectly in receipt of Income Support or Income Based Jobseeker's Allowance, you do not need to complete this section. Please supply a copy of your Benefit Book.**

Your GROSS income is calculated first

List your partner's gross income in the separate column on the form

Use monthly figures

If paid weekly, multiply by 52 and divide by 12

If paid four weekly, multiply by 13 and divide by 12

Add together the GROSS income from all sources which you've received or can reasonably expect to receive in respect of the '**Computation Period**',

which is the calendar month up to and including the date of your application for Legal Help funding.

Gross income means income BEFORE any deductions for Tax, National Insurance or any other deductions made by the employer.

Do NOT include an annual bonus received in the calendar month before applying for Legal Help here – include it in the Capital section instead.

Do NOT include any of the following state benefits:

Disability Living Allowance

Attendance Allowance

Constant Attendance Allowance

Invalid Care Allowance

Council Tax Benefit

Housing Benefit

Any payment made out of the Social Fund

Any Jobseekers Back to Work Bonus

Any Community Care direct payment

Exceptionally Severe Disablement Allowance

Any War or Widows Pension

Any Fostering Allowance

If you are self-employed, your income is counted as drawings taken from the business for personal use. If you have received any income or assistance from other sources, treat this as income as well.

**If the total amount of your monthly Gross income is over £2,435 you will NOT get Legal Help funding.**

**This gross income limit will increase by £205 per month for each additional dependant child in excess of 4 you have (ie, if you have 5 children, the gross income limit will be £2640).**

**N.B. A dependant child is one for whom you and/or your partner (if both your resources are being counted) receives Child Benefit.**

### **PAGE 3**

#### Step 2 – Page 3

Deduct the following monthly allowances:

- a) Housing costs  
mortgage or rent payable for the period of calculation
- the amount allowed should be net of housing benefit
- mortgage repayments should include monthly premiums of any linked life insurance / endowment policies, PEPs / ISAs or other instruments which will be used to repay the capital sum borrowed.

- **NB. Housing cap for those without dependants - £545**

- b) Dependants' Allowances
- |         |   |
|---------|---|
| £146.62 | if you have a partner   |
| £206.75 | for each dependant child (including a foster child) or dependant relative who is living in the same household as you and is aged 15 or under. |
| £206.75 | for each such dependant who is aged 16 or over.   |

**NB.** It is the age of your child at the start of the Computation Period (see page 2 of these notes).

- c) Income tax
- If you are self-employed, include a notional income tax figure based on one twelfth of your income tax liability for the preceding year ie one twelfth of your last income tax bill.
- d) National Insurance
- If you are self-employed, you can include a deduction of £8.67 per month (the Class 2 payment).

e) Standard Allowance for Employment Expenses

If you or your partner are receiving a wage, then you can each put down a deduction of £45.

f) Maintenance Payments

Made by you to a spouse or former spouse, a child or relative who is not a member of your household. These can be included whether they are made under a court order, CSA ruling or voluntary agreement.

g) Childcare costs because of work

If you are receiving a salary, you can include your actual monthly expenditure on childminding charges for any dependant child aged 15 or under( or an older dependant child, if they have a disability), unless your partner is available to look after your child. If you spend more than £600 per month on childcare costs and are working 35 hours or more per week (or part-time equivalent), then you will need to attach documentary evidence such as a copy bank statement showing the payments made or a copy of the agreement/contract with your childcare provider.

**NB. If your monthly disposable income exceeds £672, you will NOT get Legal Help funding.**

Evidence

Please attach copies of bank statements, benefit statements, etc. in support of your means.

**PAGE 4**

Data Protection Act Notice – Acknowledge notice (for your information)

**PAGE 5**

If you are satisfied that you are eligible for Legal Help, complete the Client's Certification box.

**PAGES 6 and 7**

Ignore