



Information for Applicants

The Law Aid Scheme is set up to help all Victorians access justice in civil litigation with their out of pocket expenses, known as disbursements.

Law Aid can provide disbursement funding to successful applicants who are clients of Victorian solicitors to take on civil cases, such as medical negligence and public liability matters.

The types of disbursement that may be considered for funding include:

1. Medical records and treating medical practitioner reports
2. Experts' fees (such as those of specialist medical practitioners)
3. Court fees
4. Jury fees
5. Witness expenses

The Law Aid Scheme was established with the assistance of the Victorian Government and the legal profession. Law Aid is a charitable trust managed by the Law Institute of Victoria and the Victorian Bar Council, who each appoint 4 Trustees. The 8 Trustees are assisted by Law Aid staff. It is a not for profit scheme, and the Law Aid Trustees are volunteers.

A successful applicant must demonstrate that they cannot afford to meet the up front disbursement costs of their case. Law Aid pays pre-approved disbursements which solicitors consider necessary to progress their clients' claims.

The solicitors, and barristers if briefed, must agree to act on a 'no win no fee' basis for you.

Applications can only be accepted from solicitors and must be made on the Law Aid Application form available from Law Aid's website at www.lawaid.com.au. Your solicitor will help you complete this.

Both the solicitor and you must provide all the information sought in the application form, and the application form must be signed by both. The granting of funding assistance is entirely at the Trustees' discretion.

Funding is usually granted in stages, and at the request of your solicitor. The trustees meet monthly to consider applications and any ongoing funding requests from your solicitor.

If your case is **successful**, you must refund the amount paid by Law Aid for funded disbursements plus a percentage (currently 5%) of any award or settlement (after all fees, disbursements and charges are deducted).

If the matter is **not successful**, no payment is required by you or your solicitor.

Eligibility for disbursement funding assistance is assessed case-by-case, based on two criteria; your financial means and the legal merits of the case.

Again, applications must be made on the Law Aid Application Form and can only be accepted from legal practitioners.