



QUEENSLAND PUBLIC INTEREST LAW CLEARING HOUSE INCORPORATED (QPILCH)

Incorporating the QLS and Bar Pro Bono Schemes

APPLICATION FORM

QPILCH **CANNOT** PROVIDE ASSISTANCE IN **CRIMINAL OR FAMILY LAW MATTERS, IN COMPLEX COMMERCIAL OR BUILDING DISPUTES OR NATIVE TITLE CLAIMS.**

QPILCH is a community legal centre which coordinates the provision of pro bono assistance in civil law matters.

We refer eligible applicants to private law firms and barristers for pro bono representation. Our members are not obliged to accept a referral so we cannot guarantee that legal representation will be provided in all matters that meet our referral criteria.

Where we are unable to refer a matter, we may provide direct advice and assistance through our Homeless Persons' Legal Clinic; Refugee Civil Law Clinic; Administrative Law Clinic; Mental Health Law Clinic; IP & Technology Law Clinic and Self Representation Service.

To apply for assistance:

- Step 1** Complete this application form. Please make sure you complete ALL applicable sections. **Please contact us if you need help.**
- Step 2** Return this form along with **photocopies** (not originals) of any relevant information and supporting documents. In particular, please provide copies of any court or tribunal documents.
- by post to **PO Box 3631 SOUTH BRISBANE BC QLD 4101**
 - by fax to **(07) 3846 6311**, or
 - by email to administration@qpilch.org.au
 - self represented parties can hand their application to a QPILCH staff member at the State Courts office (level 1, Brisbane Courts Complex, George Street, Brisbane) or QCAT office (level 11, Bank of Queensland Building, 259 Queen Street, Brisbane) Tuesday – Thursday, or Federal Court office (Level 6, Sir Harry Gibbs Commonwealth Law Courts Building, 119 North Quay, Brisbane) Mondays and Wednesdays.
- Step 3** If you seek assistance from the Self Representation Service, please also complete and return the signed Self Representation Service *Terms and Conditions* (see page 8 below).
- Step 4** QPILCH will assess your application for referral for pro bono representation or for assistance through one of our direct advice services. While QPILCH tries to assess applications as quickly as possible, it may take us more than two weeks to get back to you.
- Step 5** If your matter is successfully referred to a lawyer for pro bono representation, QPILCH will advise you of the lawyer's details for you to contact the lawyer to make an appointment.
- Step 6** If we can assist you in one of our direct advice services, we will contact you to arrange an appointment.
- Step 7** If your matter cannot be referred or we cannot assist you through one of our direct advice services, we will write to you explaining why we are unable to assist you.

QPILCH will acknowledge receipt of your application by letter, email, or telephone call.

For more information about QPILCH, please see the QPILCH website at www.qpilch.org.au, or please contact us on (07) 3846 6317, if you have any questions about completing this form.

TIME LIMITS

Please provide details of any deadlines, limitation dates or trial or hearing dates for your proceedings.

YOUR DETAILS

Name _____

Postal Address _____

Suburb _____ State _____ Postcode _____

Telephone _____ Mobile _____

Fax _____ Email _____

Have you previously sought assistance from QPILCH in relation to this matter?

Yes No

IF YOU ARE AN INDIVIDUAL

Gender

Male Female

Date of birth _____ Country of birth _____

What is your family/marital status?

Couple Other (please specify) _____

Single parent

Number of dependants: _____

Indigenous status (if applicable)

Aboriginal
 Torres Strait Islander
 Both

Do you require an interpreter?

Yes (Please specify what language) _____

No

Do you have a disability?

Yes (Please provide details if you need assistance) _____

No

IF YOU ARE AN ORGANISATION

What is the organisation name? _____

Who is the organisation's contact person? _____

How many members does the organisation have? _____

YOUR FINANCIAL INFORMATION

IF YOU ARE AN INDIVIDUAL

Income source

- Full time employment Self-employed
 Part time employment Self-funded
 Casual employment Self-funded
 Centrelink (please specify type of benefit) _____

What is your *household's annual income (before tax)?**

- \$0 - \$26,000 \$52,000 - \$80,000
 \$26,000 - \$52,000 \$80,000 +

* **Household** means you and other income earners with whom you live.

Do you receive financial support from any other person?

- Yes (please provide details of relationship with the person providing support and amount of support)
 No

Do you own any assets, either by yourself or jointly? (For example, a home, other real estate, motor vehicle, cash in bank accounts or trusts, shares or other assets of a significant value)

If yes, please provide details of these assets.

Asset	\$ Value	Amount owing

Do you have any other debts? (For example, credit card debts, personal loans, bank loan)

- Yes No

If yes, please provide details of these debts _____

IF YOU ARE AN ORGANISATION

What is the source and amount of your funding? _____

Please provide a separate list of committee/board members or prospective members, a copy of your rules and a copy of your last annual report (if you have one).

LEGAL AID (TELEPHONE 1300 651 188)

Have you applied for Legal Aid for this matter? Yes
 No

If yes, what was the result? Legal Aid was granted
 Legal Aid was refused
 No decision yet
 Refusal is being appealed

Please provide a copy of the refusal letter from Legal Aid (if applicable).

CURRENT AND PREVIOUS LEGAL ADVISORS (IF APPLICABLE)

Have you engaged a lawyer or received legal advice for this matter?

Yes

No

If yes, **please provide** the lawyer's details.

Name _____

Firm/Organisation _____

If you received written legal advice on your issue, **please provide** copies of any relevant advice.

Why is the legal representative no longer assisting you?

WHO REFERRED YOU TO QPILCH?

Please tick one

- Bar Association of Queensland
- Community legal centre
- Community support service
- Court Information Network
- Dispute resolution service
- Family, friend or colleague
- Law firm
- Legal Aid Queensland
- Queensland Law Society
- Private legal practitioner

- Local, State or Federal Government Department, Agency, Authority or Solicitor (please specify) _____
- Judge or Tribunal Member
- Queensland Court or Tribunal staff (e.g., Judge's Associate, Bailiff, Lists Clerk)
- QCAT Registry
- State or Federal Courts Registry
- Other (please specify) _____

CURRENT PROCEEDINGS (IF APPLICABLE)

Court or Tribunal

- Queensland Court of Appeal
- Brisbane Supreme Court
- Brisbane District Court
- QCAT
- Magistrates Court
- Federal Court

Proceeding has been commenced with the court or QCAT?

- Yes: Please provide your file number _____
- No

I have been to a hearing and have a decision

- Yes: Please provide a copy of the decision _____
- No

Which party are you?

- Plaintiff
- Defendant
- Applicant
- Respondent

If we are unable to refer your matter for pro bono representation, would you like us to consider your eligibility for assistance through our Self Representation Service?

- Yes
- No

ACKNOWLEDGEMENT AND SIGNATURE

I, _____ (you or an authorised person) confirm that:

- the information contained in this form is correct; and
- I have been given and have read QPILCH's privacy policy and agree to QPILCH managing my personal information in accordance with its policies as issued from time to time.

I authorise QPILCH to:

- assist me to collect and collate all facts and documents necessary (including sensitive information) to assess whether this matter complies with QPILCH guidelines;
- request, transfer and receive personal information and documentation in relation to me for the purpose of providing assistance without waiving any legal professional privilege;
- use my personal information anonymously to compile statistical data for the purpose of analysing and evaluating QPILCH services;
- give this information to member law firms and barristers and other organisations for the purpose of assessing my eligibility for assistance, providing assistance and reporting; and
- destroy my file and all documents contained within it **6 years** after it has been closed.

My authority continues until I withdraw it in writing.

I acknowledge that QPILCH has no legal responsibility or liability to me where:

- my application is declined by QPILCH; or
- my application is referred to a member law firm or barrister. In this case I authorise the member firm or barrister to report to QPILCH on the progress and outcome of the matter on a confidential basis and without waiving any legal professional or other privilege, but to enable QPILCH to monitor its referral program.

Signed _____ Date _____

This form was completed by:

- | | |
|---|---|
| <input type="checkbox"/> You | <input type="checkbox"/> QPILCH |
| <input type="checkbox"/> Community Legal Centre | <input type="checkbox"/> Legal Aid |
| <input type="checkbox"/> Solicitor or barrister | <input type="checkbox"/> Other (please specify) _____ |

RELEVANT DOCUMENTS AND CHECKLIST

Please attach **copies** of any documents, letters, files, agreements, contracts or reports which you think are relevant to your legal problem. It is particularly important that you provide us with **copies** of any court or tribunal documents which relate to your matter. Please attach **copies** not originals.

Have you:

- Signed this form
- Signed the Self Representation Service Terms and Conditions if involved in court or tribunal proceedings
- If you are an organisation – provided a copy of your last annual report, rules and the names of the members of your management committee.
- Provided copies of all relevant documents, including court or tribunal documents.

COMPLETED BY QPILCH – OFFICE USE ONLY

File open date _____ QPILCH File No. _____

Conflict check Done by _____ Date _____



Self Representation Service *Terms & Conditions*

1. The Queensland Public Interest Law Clearing House (**QPILCH**) operates the Self Representation Service in the Supreme and District Courts (Brisbane), QCAT, the Federal Court of Australia and Federal Magistrates Court (Brisbane registry) (**the Service**).
2. The Service provides free legal advice and assistance to people who are involved in civil proceedings. Please see our website (www.qpilch.org.au) or ask for our factsheets which describe the specific guidelines for each arm of the Service. The Service does not assist with criminal or family law proceedings.
3. Once both you and the Service have signed these terms and conditions and you have provided the information and documents requested by the Service, the Service will make a 45 minute appointment for you with a solicitor. The Service will provide legal advice and assistance to the extent possible in a 45 minute appointment.
4. The Service might, in its discretion, provide further appointments or further legal advice and assistance following completion of an appointment to finalise a matter raised in an appointment. The Service does not guarantee that the same solicitor will be provided in subsequent appointments (if any).
5. The Service and its solicitors will provide the kind of legal advice and assistance which they consider appropriate having regard to the issues raised by you and the time available. However, in no circumstances will they:
 - a. provide full representation;
 - b. take over conduct of any proceeding on your behalf;
 - c. represent you in any hearing or trial;
 - d. sign any document on your behalf;
 - e. communicate with members of QCAT or the Judiciary, other parties or legal representatives on your behalf; and
 - f. pay any fees, disbursements or costs on your behalf.
6. You (and **not** the Service or its solicitors) will at all times remain responsible for the conduct of your proceeding, including:
 - a. appearing on your own behalf;
 - b. communicating with the other parties;
 - c. filing any documents you wish to rely on;
 - d. completing any documents which the solicitor has assisted in drafting in an appointment; and
 - e. meeting the deadlines imposed by law, the Court or Tribunal, or the other parties.
7. It is often important that a proceeding is commenced or some other step taken before a limitation period expires. Priority will be given to identifying any relevant limitation period, but it might not be possible to deal with the issue in the available time. Accordingly, you (and **not** the Service or its solicitors) are responsible for taking any steps necessary before a limitation period expires.
8. To the extent that the law permits, you agree to exclude any liability of any nature whatsoever which QPILCH, the Service or its solicitors, or any of QPILCH's or the Service's other servants or agents, might otherwise have to you in respect of any matter arising out of or in any way connected with the provision to you of legal advice and assistance pursuant to these terms and conditions.
9. We understand that it may be necessary for you to cancel your appointment in certain circumstances; however we ask that you notify the Service at least 24 hours in advance if you are unable to attend a scheduled appointment. The Service has the right to terminate its provision of legal advice and assistance to you if you are unable to attend an appointment and provide inadequate notice to us.
10. The Service's provision of legal advice and assistance to you will terminate:
 - a. at the end of the appointment referred to in paragraph 3 above;
 - b. if a further appointment or further legal advice and assistance is given as referred to in paragraph 4 above, at the end of the further appointment or when that advice is given (as the case may be); or
 - c. if, at any earlier time, the Service elects to terminate its provision of legal advice and assistance to you.
11. The Client Care Officer for the Service is the QPILCH Director, Tony Woodyatt. If you have any concern or query about the operations of the Service please contact Tony Woodyatt on (07) 3846 6317 or contact@qpilch.org.au.

I confirm that I have read the above Terms and Conditions and agree to the provision of legal advice and assistance by the Service on those terms.

Signature: Date:



QUEENSLAND PUBLIC INTEREST LAW CLEARING HOUSE INCORPORATED (QPILCH)

PO Box 3631 SOUTH BRISBANE BC QLD 4101
T: 3846 6317 / F: 3846 6311 / E: contact@qpilch.org.au

PRIVACY POLICY

QPILCH recognises the importance of your privacy and understands your concerns about the security of your personal information. This privacy policy describes generally how we manage your personal information and safeguard your privacy.

At QPILCH we aim to make sure that:

- your privacy is protected when using our service;
- any personal information we collect is up to date; and
- you are able to access your information if you wish.

We request you endorse your consent of our privacy policy by signing the application form.

The National Privacy Principles

From 21 December 2001, most private sector organisations in Australia must by law comply with the National Privacy Principles ("NPPs") pursuant to the *Privacy Act 1988* (Cth). We are bound by the NPPs.

Collecting personal information about you

We only collect personal information that is necessary for us to perform our functions. If you do not provide us with this information it is unlikely your matter will be accepted by a member law firm.

The kinds of personal information we collect and hold will depend upon the services you request from us. However, it may include:

- information you give us when you request a service from us. This information will include your name, address and contact details;
- information about individuals we collect in the course of assessing your application and compiling a brief for referral;
- communications between us and you; and
- Information that may be considered sensitive, for example any other legal matters you are or have been involved in.

Use of your personal information

To perform our function we will forward the information we have collected from you to our member law firms and other organisations, such as Legal Aid Queensland, so that your application can be assessed for pro bono status.

To ensure that all our privacy policies follow tough confidentiality guidelines, and for insurance purposes, we may need to allow other legal agencies or organisations to randomly check our files. Your file, or information held by QPILCH about you, may be included in this check. The legal agencies or organisations carrying out this check will also keep your information confidential.

Storage and security of your information

At QPILCH, all reasonable efforts are taken to ensure that any information about you is protected from misuse, loss, unauthorised access, modification or disclosure in any way other than in accordance with this policy or the Privacy Act 1988.

The information collected by us is stored either in electronic or hard copy form in files or computer systems for 7 years from the date the information was last updated. QPLICH is located in a protected building where all computer systems and hard copy files are safely locked away.

Our computers are regularly updated for viruses and all electronic information saved on computer is protected from system break downs. All computer systems are also protected by passwords only known to employees and volunteers.

All QPLICH employees and volunteers are required, as part of their service, to treat any information held as highly confidential.

Access to your personal information

In most cases, you can gain access to personal information that we hold about you. We will handle requests for access to your personal information in accordance with the NPPs.

We encourage all requests for access to your personal information to be directed to us by email contact@qpilch.org.au or by writing to the address below.

We will deal with all requests for access to personal information as quickly as possible. Requests for a large amount of information, or information which is not currently in use, may require further time before a response can be given. In some cases, consistently with the NPPs, we may refuse to give you access to personal information we hold about you. This includes circumstances where giving you access:

- would be unlawful (for example, where a record which contains personal information about you is subject to a claim of legal professional privilege);
- would have an unreasonable impact on other people's privacy;
- would prejudice negotiations we are having with you;
- would prejudice an investigation of unlawful activity; or
- would prejudice activities carried out by, or for, a law enforcement agency.

If we refuse to give you access we will provide you with reasons for our refusal.

Keeping your information up to date

Generally, if you request us to do so we will amend any personal information about you held by us which is inaccurate, incomplete or out of date. If we disagree with your view about the accuracy, completeness or currency of a record of your personal information held by us, and you ask us to associate with that record a statement that you have a contrary view, we will take reasonable steps to do so.

How to contact us

If you would like more information about the way we manage personal information which we hold about you, or are concerned that we may have breached your privacy and wish to make a complaint, please contact us by email, fax or mail at the following addresses:

- email address: contact@qpilch.org.au;
- postal address: PO Box 3631 SOUTH BRISBANE BC QLD 4101
- facsimile number: (07) 3846 6311

We will endeavour to respond to your enquiry as soon as possible.

Changes to our privacy policy

From time to time it may be necessary for us to review and revise our privacy policy. We reserve the right to change our privacy policy at any time.

We may notify you about changes to this privacy policy by posting an updated version on our website www.qpilch.org.au.