

Application for approval to provide legal aid services

PART 1

When to use this form

Use this form to apply for approval as a provider of legal aid services (lead provider, supervised provider or an employment advocate) or specified legal services under section 77 of the Legal Services Act 2011.

To be approved, you must give us enough information to satisfy the criteria set out in the Legal Services (Quality Assurance) Regulations 2011.

If you're applying for approval as a lead provider or as a provider of specified legal services, please give us:

- A copy of your valid Legal Aid Provider Certificate of Standing
- *This form – Part 1: Information about you, your systems and your work experience history*
- Part 2: Areas of Law
A completed Area of Law form for each area of law you're seeking approval in with information about your experience and competence, case examples and work samples
- Part 3A: References
If you're applying for approval in 1 area of law, you'll need at least 2 references. If you're applying for approval in more than 1 area of law, you'll need at least 1 reference for each area of law

If you're applying for approval as a supervised provider, please give us:

- A copy of your valid Legal Aid Provider Certificate of Standing
- *This form – Part 1: Information about you, your systems and your work experience history*
- Part 3B: References
If you're applying for approval in 1 area of law, you'll need at least 2 references. If you're applying for approval in more than 1 area of law, you'll need at least 1 reference for each area of law
- Part 4: Supervision arrangements
Evidence of employment as a lawyer or evidence of adequate supervision arrangements
Your employer or lead provider will need to fill in part of this form (undertaking supervision arrangements).

If you're applying for approval as an employment advocate, please give us:

- Documentary evidence of membership of the Employment Law Institute of New Zealand
- *This form – Part 1: Information about you, your systems and your work experience history*
- Part 3A: References
You'll need at least 2 references

Getting more information

If you need help filling in this form, please email legalaidprovider@justice.govt.nz

More information for Queen's Counsel applicants is available on page 7.

1. Give us your details

Title Mr Ms Mrs Miss Dr Other _____

Surname _____

First name(s) _____

Preferred first name _____

Name of your practice/employer _____

Contact details

Email Direct business email for all correspondence _____

Alternate email _____

Phone Direct dial _____

Mobile _____

Fax _____

Street address _____

Postal address _____

If you're applying for Police Detention Legal Assistance (PDLA), please also give us:

After-hours phone _____

Police stations covered _____

Current legal aid approval status

Have you been approved as a legal aid provider?

No

Yes, I'm currently approved as a legal aid provider. My provider number is _____

Yes, I've previously been approved as a legal aid provider, but my approval isn't current. My provider number was _____

2. Which areas of law do you want approval for?

I'm applying for approval as a **lead provider** in the following area(s) of law:

- | | |
|---|---|
| <input type="checkbox"/> Civil | <input type="checkbox"/> Mental Health |
| <input type="checkbox"/> Criminal Provider Approval Level 1 | <input type="checkbox"/> Māori Land Court and Māori Appellate Court |
| <input type="checkbox"/> Criminal Provider Approval Level 2 | <input type="checkbox"/> Waitangi Tribunal |
| <input type="checkbox"/> Criminal Provider Approval Level 3 | <input type="checkbox"/> Refugee and Protected Persons |
| <input type="checkbox"/> Criminal Provider Approval Level 4 | <input type="checkbox"/> Court of Appeal and Supreme Court |
| <input type="checkbox"/> Family | <input type="checkbox"/> Employment Advocate |

I'm applying for approval in the following **specified legal services**:

- Duty Lawyer Police Detention Legal Assistance (PDLA) Family Legal Advice Service (FLAS)


I'm applying for approval as a **supervised provider** in the following areas of law:

- | | |
|--|---|
| <input type="checkbox"/> Civil | <input type="checkbox"/> Māori Land Court and Māori Appellate Court |
| <input type="checkbox"/> Criminal | <input type="checkbox"/> Waitangi Tribunal |
| <input type="checkbox"/> Family | <input type="checkbox"/> Refugee and Protected Persons |
| <input type="checkbox"/> Mental Health | |

3. Do you have the professional entry requirements?

Are you applying for approval as a lawyer?

Do you have a current practising certificate?


- No. You must have a valid practising certificate issued by the New Zealand Law Society (lawsociety.org.nz) to be a legal aid lawyer (lead provider, supervised provider or provider of specified legal services).
- Yes.  Please attach a copy of your Legal Aid Provider Certificate of Standing. It must be valid when we get your application. *If you're a current legal aid provider, you don't have to give us a copy (unless notified otherwise).*

Is your practising certificate subject to any conditions or any undertakings made to the NZ Law Society?

- No
- Yes. Please give us details:

Are you applying for approval as an employment advocate?

Are you a member of the Employment Law Institute of New Zealand (ELINZ)?

- No. You must be a member of ELINZ. Visit employmentlawinstitute.co.nz for more information.
- Yes.  Please attach evidence of your membership.

4. Do you meet the 'fit and proper' person criteria?

Criminal record


Have you ever been convicted of any offence not covered by the Clean Slate Act 2004?

- No
- Yes. Please give us details:

Complaint

Has the NZ Law Society (NZLS), Lawyers and Conveyancers Disciplinary Tribunal, the Legal Complaints Review Officer or the Ministry of Justice upheld or substantiated any complaints about you?

- No
- Yes. Please give us details and any remedial action you have taken:

 If you have upheld complaints, please give us a copy of the decision.

Previous approvals

Have your approvals ever been suspended or cancelled?

- No
- Yes. Please give us details and any remedial action you have taken:

Bankruptcy

Have you ever been declared bankrupt or been the director of a company that has been put into receivership or liquidation?

- No
- Yes. Please give us details:

5. Tell us about your service delivery systems

Are you an existing legal aid provider? *You might not have to fill in this section.*

If there haven't been any changes to your service delivery systems (except those included in section 1 of this form) go to section 6. If there have been changes and you've already given us a Change of Details form, go to section 6.

Do you have an office? No Yes

Do you have indemnity insurance? No Yes

Do you have a trust account?

No, I don't operate a trust account

Yes, I operate a trust account

I have access to a trust account in another way.

(For example, you have an instructing solicitor who operates a trust account.) Please give us details:

Do you have support personnel and systems?

Administration support (such as a secretary, receptionist or PA)

Practice or office manager

Law clerk or paralegal or legal executive

Nominated alternate to cover extended absences or scheduling conflicts

Research facilities (such as Brookers, Lexis Nexis, law libraries)

What do you use to manage client contact?

Email

Office phone Answer phone Mobile phone

Electronic diary or manual diary for checking scheduling conflicts


Please describe your time recording system

Electronic Manual

Please describe your accounting (invoicing) system

Electronic Manual

Client care letters

 Please attach copies of your client care and standard terms of engagement letters.

Please make sure they refer to the Ministry of Justice (not the Legal Services Agency) and clearly refer to any legal aid obligations that you, or your client, must comply with, such as submitting invoices to the Ministry of Justice, repayment or changes to financial circumstances obligations.

If you're a current legal aid provider, you don't have to give us copies (unless notified otherwise).

6. Give us your admission details and work experience history

Are you an existing legal aid provider? *You might not have to fill in this section.*

- If you're applying to increase your ligation level, please fill in this section.
- If there haven't been any changes to your admission details and work experience history, go to section 7.

Admission

Date of admission as a barrister and solicitor in New Zealand / /

Date your first practising certificate was issued / /

Total years practice in New Zealand

Date of admission if first admitted in overseas jurisdiction / /

Country of admission

Total years practice overseas

Relevant legal employment history

Tell us about your relevant work experience. Only work experience representing clients, undertaken while holding a practising certificate, is considered *litigation experience*. Start with your most recent experience and work back.

Information required from Queen's Counsel applicants

If a lawyer has been appointed as a Queen's Counsel, they can be expected to have met the experience and competence requirements in the Schedule of the Legal Services (Quality Assurance) Regulations 2011. The Secretary has therefore decided that Queen's Counsel who apply for approval within their usual areas of practice **do not** need to provide:

- Employment history (in this part of the application form)
- Work samples (part 2 of the application form) or
- References (part 3 of the application form).

Please tick the box to confirm that you meet the experience and competence criteria in the Schedule the Legal Services (Quality Assurance) Regulations 2011 for the approval(s) you are applying for.

*If you do not meet the requirements in the Schedule – for example because you are seeking approval in an area you do not usually practice in or have not practiced in for the last 5 years – you should talk to Provider Services about your application.

Describe your relevant work experience (position held)

Did you hold a practising certificate? Yes No

Did you represent clients as a barrister or solicitor? Yes No

Employer _____

Start date / / End date / /

Describe your relevant work experience (position held)

Did you hold a practising certificate? Yes No

Did you represent clients as a barrister or solicitor? Yes No

Employer _____

Start date / / End date / /

Describe your relevant work experience (position held)

Did you hold a practising certificate? Yes No

Did you represent clients as a barrister or solicitor? Yes No

Employer _____

Start date / / End date / /

Describe your relevant work experience (position held)

Did you hold a practising certificate? Yes No

Did you represent clients as a barrister or solicitor? Yes No

Employer _____

Start date / / End date / /

Tell us about any publications you've written

Title of your article (or other work) _____

Name of the journal (or publication) _____

Date / /

Title of your article (or other work) _____

Name of the journal (or publication) _____

Date / /

Title of your article (or other work) _____

Name of the journal (or publication) _____

Date / /

7. Privacy statement and declaration

The information you've supplied helps us assess whether you meet the criteria for approval. We may verify information from the people referred to in your application. We hold the information that we collect securely. You may access this information and request any personal information be corrected.

Please read the following [privacy statement and declaration](#).

Privacy statement

- I accept that the Ministry of Justice needs this information to assess whether I meet the criteria for approval.
- I accept that the Ministry of Justice needs this information to assess whether I will be offered a contract.
- I accept that the Ministry of Justice may verify the information I have provided in this application.
- I note that the information is retained for as long as the information is required taking into account the purpose for which it was obtained and the record keeping obligations of the Ministry of Justice.

Declaration

- The information I have provided in this application is accurate and complete.
- I consent to receive all notices, documentation and correspondence from Legal Aid Services by email.
- I consent to this information being used to assess whether I may be approved in the areas of law for which I have applied and for the functions associated with being an approved provider under the Legal Services Act 2011.
- I understand that for the purposes of considering this application the Ministry of Justice may request further information, and make whatever enquiries the Ministry of Justice considers are relevant, in determining whether there are any grounds for declining my application for approval as a provider of legal aid services or specified legal services.
- I understand that I must disclose, to the Ministry of Justice, as soon as practicable, information about any matter that might affect my continuing eligibility to be recognised as a provider of legal aid services or specified legal services.

Please add the date to show you've read and agreed with these statements.

First name(s) _____

Surname _____

Date

D	D	/	M	M	/	Y	Y	Y	Y
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8. Send in your application

Please email this form, the other forms needed for your application (see page 1) and any supporting documents (such as your Legal Aid Provider Certificate of Standing) to legalaidprovider@justice.govt.nz

Please give us copies (not originals) of any supporting documents, as we won't be sending them back to you.

What happens next?

We'll confirm receipt of your application within 3 working days. Your application will be assessed under the Provider Approvals Operational Policy.

You can't provide legal aid or specified legal services until you've been approved (section 75 of the Legal Services Act 2011) and have entered into an agreement to do so (section 69 (b) of the Legal Services Act 2011).

If your application is incomplete or not in the prescribed format it will be sent back to you.

This doesn't mean your application has been declined.