

PRO BONO CLEARING HOUSE APPLICATION FORM

The Law Society of Tasmania Pro Bono Clearing House (“the Clearing House”) is a legal referral service which refers eligible applicants to private law firms and barristers for free legal assistance. However, our members are not obliged to accept a referral so [we cannot guarantee](#) that [legal assistance will be provided in all matters that meet our eligibility criteria](#).

To apply for assistance:

Step 1 Complete this application form. Please make sure that you complete ALL applicable sections.

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 **GPO Box 1133 HOBART TAS 7001**
- by fax to **(03) 6223 8240**, or
- by email to info@taslawsociety.asn.au

Step 3 The Clearing House will assess your application for referral. While the Clearing House tries to assess applications as quickly as possible, it may take us some time to get back to you.

Step 5 If your matter is successfully referred to a lawyer for pro bono assistance, the Clearing House will advise you of the lawyer’s details for you to contact the lawyer to make an appointment.

Step 6 If your matter cannot be referred or we cannot assist you, we will write to you explaining why we are unable to assist you.

The Clearing House will acknowledge receipt of your application by letter or email.

For more information about the Clearing House, please see the Law Society of Tasmania website at www.taslawsociety.asn.au or please contact us on (03) 6234 4133, 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.

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YOUR DETAILS

Name		
Postal Address		
Suburb	State	Postcode
Telephone		Mobile
Fax		Email
Have you previously sought assistance from the Clearing House in relation to this matter?		<input type="checkbox"/> No <input type="checkbox"/> Yes

IF YOU ARE AN INDIVIDUAL

Gender Male Female Date of birth _____ / _____ / _____

What is your family/marital status? Couple Single Number of dependants: _____

Do you require an interpreter? No Yes (please specify what language) _____

Do you have a disability? No Yes (please provide details if you need assistance) _____

YOUR FINANCIAL INFORMATION

IF YOU ARE AN ORGANISATION

What is the organisation name? _____

Who is the organisation's contact person? _____

How many members does the organisation have? _____

IF YOU ARE AN INDIVIDUAL

Income source

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

What is your household's* current before-tax weekly income? _____

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

If you are employed, please provide copies of your last three payslips.

Do you have a Healthcare Card? If yes, please provide the number: _____

Do you receive financial support from any other person? No

Yes (please provide details of relationship with the person providing support and amount of support)

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)

No Yes 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, a copy of your rules and a copy of your last annual report (if you have one).

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

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 or other professional advice for this matter? No Yes

If yes, please provide the lawyer or other professional advisor's details.

Name _____

Firm/Organisation _____

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

Why is the legal representative no longer assisting you? _____

CURRENT PROCEEDINGS (if applicable)

Court or Tribunal

- Federal Court of Australia Supreme Court of Tasmania
 Family Court of Tasmania Magistrates Court

Proceeding has been commenced with the court?

- No Yes Please provide your file number _____

I have been to a hearing and have a decision

- No Yes Please provide a copy of the decision

Which party are you?

- Plaintiff Defendant Applicant Respondent

Please list the names and details of the other people involved in your dispute:

Role	Name	Legal Representative	Relationship to you (if applicable)
<input type="checkbox"/> Plaintiff			
<input type="checkbox"/> Defendant			
<input type="checkbox"/> Applicant			
<input type="checkbox"/> Respondent			
<input type="checkbox"/> Other			

YOUR LEGAL PROBLEM

Please briefly describe your legal problem and what assistance you require.

Please attach separate sheets if you need more space.

What are the relevant facts of your matter (including key dates, in date order starting with the earliest date)?

What result are you seeking?

Is there anything else you consider relevant?

ACKNOWLEDGEMENTS AND SIGNATURE

I, _____ confirm that:

1. the information contained in this form is correct; and
2. I have been given and have read the Law Society of Tasmania’s Privacy Policy and agree to the Clearing House managing my personal information in accordance with its policies as issued from time to time.

I authorise the Clearing House to:

1. collect and collate all documents necessary to assess whether or not this matter complies with the Clearing House guidelines;
2. receive, request and transfer personal information and documentation in relation to me for the purpose of providing assistance without waiving any legal professional privilege;
3. use my personal information anonymously to compile statistical data for the purpose of analysing and evaluating Clearing House services;
4. 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
5. destroy my file and all documents contained within it **12 months** after it has been closed.

My authority continues until I withdraw it in writing.

I acknowledge and agree that:

1. the Clearing House does not grant assistance to applicants but acts merely as an intermediary between the public and the legal profession;
2. while it is the intention of the Clearing House that the lawyer to whom I am referred conducts my matter on a pro bono basis, it is my responsibility to negotiate the precise terms upon which I engage any lawyer introduced to me by the Clearing House, including any terms requiring payment by me for disbursements or other costs;
3. I shall have no right of action against the Clearing House or the Law Society of Tasmania in any event arising from this application or its referral by the Clearing House;
4. I am aware of any time limits that apply to the matter for which I have applied to the Clearing House and I will take the steps necessary to protect my interests and will not harm or prejudice those interests by awaiting a decision of the Clearing House;
5. the Clearing House possesses the information in or provided with my application and that the Clearing House could be compelled to present some or all of that information to a court for use in legal proceedings against me or another person;
6. my application may be refused if I have provided false information or failed to provide documents requested;
7. the Clearing House is authorised to provide any information set out in or provided with or in connection with this application or the matter to which it relates, to
 - a. any person volunteering to assist the Clearing House to assess my application for assistance; and
 - b. any lawyer that the Clearing House considers may agree or has agreed to act for me;
8. the Clearing House may retain my name and contact details for its records; and
9. the Clearing House has no legal responsibility or liability to me where my application is declined by the Clearing House 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 the Clearing House on the progress and outcome of the matter on a confidential basis and without waiving any legal professional or other privilege, but to enable the Clearing House to monitor its referral programme.

Signed _____ Date _____

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
- 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 THE CLEARING HOUSE - OFFICE USE ONLY

File open date _____ Clearing House File No. _____

Conflict check Done by _____ Date _____

LAW SOCIETY OF TASMANIA PRO BONO CLEARING HOUSE PRIVACY POLICY

The Law Society of Tasmania Pro Bono Clearing House (“the Clearing House”) 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 the Clearing House 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 gain access to your information if you wish.

We request that 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, 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 check our files at random. Your file, or information held by the Clearing House 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 the Clearing House, 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 six years from the date the information was last updated.

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 Clearing House 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 info@taslawsociety.asn.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:

- by post to **GPO Box 1133 HOBART TAS 7001**
- by fax to **(03) 6223 8240**, or
- by email to info@taslawsociety.asn.au

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.taslawsociety.asn.au.