

Figures in ○ refer to information on this form

APPLICATION FOR/DECISION ON LEGAL AID

Applicant

Legal representative

Personal identity number	Nationality (if not Swedish)	Legal representative has F-tax card <input type="checkbox"/> Yes <input type="checkbox"/> No	Postal giro	Case no.
Occupation/title	Phone, daytime	Title		Phone, daytime
Given names and surname		Given names and surname		
Full postal address		Full postal address		

① Nature of legal matter concerned

② Details of legal matter concerned etc.

Has legal aid been sought previously or granted in connection with the same matter?	State value of case
<input type="checkbox"/> No <input type="checkbox"/> Yes, state when	
Has advice been given?	
<input type="checkbox"/> No <input type="checkbox"/> Yes, state number of hours	
If advice has not been given, state why	
Is the legal matter to be dealt with abroad?	Opposing party
<input type="checkbox"/> No <input type="checkbox"/> Yes, state country	

③ Legal expenses

Do you have legal expenses insurance or similar cover that includes the legal matter concerned?
<input type="checkbox"/> Yes <input type="checkbox"/> No, state why
If there is no legal expenses insurance, state what other insurance you have

Decision *(not to be completed by applicant)*

Duty to notify, see National Courts Administration statutes DVFS 2005:1

Decision _____ given by _____
The applicant is granted legal aid in a case concerning _____
The percentage of the legal aid charge that is to be paid by the applicant is set at _____ percent and the minimum charge at <u>SEK</u> _____
The above-named legal representative is appointed as legal aid assistant.
<input type="checkbox"/> The decision is not appealable <input type="checkbox"/> Appeal instructions, see appendix
Signature _____

④ Financial circumstances – Income from employment/Income from business activity etc.

Gross income from employment (including study assistance and other assistance paid continuously)		Costs exceeding SEK 5 000/year incurred in earning income	
Nature of business	Estimated gross income/year	Estimated costs/year	Net income/deficit as per most recent assessment
Liability for maintenance of children, state number of children	Income from capital exceeding SEK 5 000/year	Annual income qualifying for sickness allowance	

⑤ Capital and debt

Do you own real property or a share in a housing cooperative or tenant owned apartment? <input type="checkbox"/> No <input type="checkbox"/> Yes, I live in the home permanently <input type="checkbox"/> Yes, but I do not live in the home permanently			
<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;">It has a tax assessment value of</td> <td style="width: 50%; text-align: center;">and debts on it amounting to</td> </tr> </table>		It has a tax assessment value of	and debts on it amounting to
It has a tax assessment value of	and debts on it amounting to		
Does your net capital exceed SEK 50 000? <input type="checkbox"/> No <input type="checkbox"/> Yes			
State value and nature of assets			
Is there net debt? <input type="checkbox"/> No <input type="checkbox"/> Yes, state amount	State repayments/year (over SEK 5 000)		
State to what the debt/s relates/relate			

⑥ Other insurance policies

Does the legal matter concern damages that may be covered by motor or third party liability insurance? <input type="checkbox"/> Yes <input type="checkbox"/> No
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⑦ Other possibilities of assistance

Can you obtain the assistance of any organization (trade union, union of tenants etc.)? <input type="checkbox"/> Yes <input type="checkbox"/> No

⑧ Other information

Other information to which you wish to refer in connection with the legal matter or your financial circumstances
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Signatures

I solemnly declare that the information concerning my financial circumstances, the existence of insurance policies, advice and legal aid previously sought or granted that I have given for the purposes of the application are correct. I also solemnly declare that in the application I have given all the information which, to the best of my belief, is relevant to the assessment of the application.

I apply for legal aid and grant power of attorney in favour of the above-mentioned legal representative to appear on my behalf in the legal aid case. I wish the representative to be appointed my assistant under the Legal Aid Act. I consent to my financial particulars being checked with the relevant authorities.

Place and date	Signature of applicant
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Place and date	Signature of representative
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INFORMATION ON COMPLETING form of application for legal aid

PLEASE READ THIS BEFORE FILLING IN THE APPLICATION FORM

The information is based on the rules on calculation of financial circumstances that are included in National Courts Administration statutes DVFS 2007:8.

① Nature of legal matter concerned

Legal aid is granted for a legal matter. Certain costs of evidence and enquiry and a part of the cost of assistance that relates to the legal matter are payable by the state. It is therefore important to specify the nature of the case as accurately as possible.

② Details of legal matter concerned etc.

Value of the case

State the value of the case if this is of relevance to the assessment. The value should be stated as precisely as possible, e.g. SEK 30-35 000.

Advice

If advice has not been given the reason for this should be given, e.g. that a legal time limit has to be observed and that there is therefore no time for giving advice or that your representative is already familiar with the matter for which you are seeking legal aid.

③ Legal expenses

Legal expenses insurance relates first and foremost to legal cover that is normally included in householder's insurance. Similar legal expenses cover may also form a part of other policies or follow from membership of an organization, e.g. certain unions.

The application should state whether you have or have had legal expenses insurance or similar legal expenses cover relevant to the legal matter concerned. If you do not, you should state the reason for this. In this case you should state what other insurance policies you have.

④ Financial circumstances

The possibility of receiving legal aid and the legal aid charge that you must pay are calculated on the basis of your financial circumstances. This means your estimated annual income after consideration of liability for maintenance, capital and debts.

Calculation of annual income

The income at the time of applying for legal aid and the income immediately before and probable income during the time immediately afterwards are your annual income in the sense of the Legal Aid Act.

The annual income is calculated in accordance with the provisions of the Income Tax Act (1999:1229) and relates to the types of income employment, business activity and capital. Certain exceptions are mentioned below.

Employment

Revenue

Travel and subsistence expenses exceeding SEK 5 000 net, i.e. after deductions in accordance with the provisions of the Income Tax Act, are shown as revenue.

Social security payments that are paid continuously are also counted as income from employment. So is study assistance. If your income varies the income qualifying for sickness allowance that has been determined may give guidance and you should therefore also state this income. You will find this shown on your most recent income statement from the Social Insurance Agency.

Costs

Costs incurred in earning income from employment may be deducted to the extent that in total they exceed SEK 5 000/year.

Business activity

The starting point is the net revenue as shown at the most recent assessment for taxation. This income is then varied if you expect any change during the year when legal aid is being sought. Such variations may be entered under the heading "Other information".

Liability for maintenance of child/ren

You must state the number of children to whose maintenance you contribute. Your estimated annual income will be reduced by SEK 15 000 for each child, although subject to a maximum of SEK 75 000.

Capital

Income from capital that exceeds SEK 5 000/year should be included in your financial circumstances. Deductible costs should first be taken into account.

Note the special provisions relating to private residential property etc. as shown below.

Other special circumstances

If your ability to pay is substantially increased or reduced by any special circumstance the estimated annual income should be adjusted by the addition or deduction of a reasonable sum. Such circumstances should be stated under "Other information".

⑤ Capital and debt

Capital should be entered at half of its value after deduction of SEK 50 000. The total is added to the annual income. Net liabilities should not be deducted from the annual income. It is the circumstances at the time of applying for legal aid that are considered. The rules of Sections 3-5 of the abolished Net Wealth Tax Act (1997:323) form the basis for the calculation.

Repayment of net debt may be deducted to the extent that the repayment exceeds SEK 5 000/year. However deduction of repayment is not allowed for debts arising from business activity.

Note the special provisions relating to private residential property etc. set out below.

Special provisions relating to private residential property etc.

Special rules apply to private residential properties and apartments that you possess as a member of a housing cooperative or tenant owned, if you live there permanently.

Deduction is not allowed for capital and running costs relating to your own home. Assets in the form of such a home should not be shown as capital assets.

Nor should liabilities attributable to any of these assets be entered. Deduction for repayment of debts relating to such a home is not allowed.

⑥ Other insurance policies

If the legal matter relates to damages on grounds of injury or other loss in combination with injury and if the matter is not pending at a court you should state whether the matter concerns compensation for traffic injury under the Road Accidents Act (1975:1410) or whether the loss may be paid from a liability policy.

⑦ Other possibilities of assistance

Here you should state whether it is possible for you to obtain assistance other than by legal expenses insurance, e.g. in the form of assistance from a representative for the union of tenants if the legal matter concerns a rent dispute or similar.

⑧ Other information

Here you can state special circumstances concerning your financial position and the legal matter that you consider relevant to your application for legal aid.

Remember

- to check that the information you have given is complete and correct,
- to sign the application.