

SECTION C

SPECIAL URGENCY

i If you have not carried out any special urgency work before sending us this application and are not making a special urgency application in this CIV/SOL/NON-FAMILY form **⇒ go to Section E – Declarations and mandates.**

You only need to give us one notification of work done under regulation 18 (1) (a) to cover all work done under this part of the regulation throughout the lifetime of this case.

1 If you have done work under regulation 18 (1) (a), please put a cross in the appropriate box(es).

<input type="checkbox"/>	a	Such steps as may be appropriate to intimate an intention to oppose proceedings.	<input type="checkbox"/>	m	Moving for or opposing a power of arrest.
<input type="checkbox"/>	b	Such steps as may be appropriate to state the basis upon which proceedings are opposed.	<input type="checkbox"/>	r	Obtaining warrant for inhibition on the dependence or arrestment on the dependence, including (where not already done) initiating proceedings containing an application for such warrant, and taking steps to have the warrant executed.
<input type="checkbox"/>	c	Such steps as may be appropriate to repone or otherwise recall a decree in absence.	<input type="checkbox"/>	s	Initiating proceedings for suspension or suspension and interdict.
<input type="checkbox"/>	d	Moving to sist further procedure or opposing the recall of a sist.	<input type="checkbox"/>	t	Initiating or opposing appellate proceedings other than such proceedings in the House of Lords or the Judicial Committee of the Privy Council.
<input type="checkbox"/>	e	Moving to prorogate the time for compliance with any order or rule.	<input type="checkbox"/>	u	Initiating such proceedings as are necessary to enable an application to be made for interim liberation in an immigration matter.
<input type="checkbox"/>	f	Moving or opposing a motion for discharge of any diet.	<input type="checkbox"/>	w	Initiating an application to the Court of Session for review of a decision of the Asylum and Immigration Tribunal under section 103A of the Nationality, Immigration and Asylum Act 2002.
<input type="checkbox"/>	g	Moving for or opposing decree by default.	<input type="checkbox"/>		
<input type="checkbox"/>	h	Moving for or opposing a motion for summary decree.	<input type="checkbox"/>		
<input type="checkbox"/>	i	Initiating proceedings to avoid time-bar.	<input type="checkbox"/>		Other – please specify – refer to Board guidance.
<input type="checkbox"/>	k	Opposing interim orders of any kind.	<input type="checkbox"/>		

2 When did the special urgency work start? DAY MONTH YEAR

3 Where you are asking for approval to do work under regulation 18 (1) (b) give details of the work and the reason for the urgency.

Answer continued at Section I, More Information. *(please indicate with an “x”)*

4 Is this the first special urgency submission for your client in relation to this application? (please indicate with an “x”)

Yes **⇒ go to Section D – Special Urgency Mandate.**

No **⇒ go to Section E – Equality.**

SECTION D

SPECIAL URGENCY MANDATE

- i** Only complete this section where this is the FIRST special urgency submission for the application.
- i** Use the current Keycard to state the correct allowances – also available on our website www.slab.org.uk
- i** For ease of calculation, round figures up or down to nearest pound in Questions 3-6.

1 Does the applicant directly or indirectly receive income support, income-based jobseeker's allowance or income-based employment support allowance? (please indicate with an "x")

Yes ⇒ go to Section E – Equality.

No

2 Does the applicant have a partner? (please indicate with an "x")

i By partner, we mean someone the applicant normally lives with as a couple, whether or not they are married and of the same or different sex.

Yes No

If Yes, the partner's resources should also be taken into account unless they have a contrary interest in the case for which legal aid is sought or the applicant and partner are separated.

3 Income

The following must be included under income:

	Applicant	Partner
a) Net annual wage/salary ¹ , or net drawing or profits from own business ²	£ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	£ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
b) Maintenance payments – either from an individual or through the CSA	£ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	£ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
c) Child benefit	£ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	£ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
d) Other state benefits or tax credits <small>(state which)</small>		
<input type="text"/>	£ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	£ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
<input type="text"/>	£ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	£ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
e) Any other sources of income (such as pension, house-keeping, maintenance, student grants etc – state what the income is from and for how much).		
<input type="text"/>	£ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	£ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
<input type="text"/>	£ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	£ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
f) Totals	£ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	£ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
g) Total income	(Total (A)) £ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	

Notes

i ¹ Calculate the NET annual wage(s) from a payslip or bank statement. (Check if employment is seasonal, or subject to "laying off" annually, for example, for school holidays).

i ² Take into account the net profit earned from the latest set of accounts. In the absence of accounts, accept the figure the applicant says he/she draws from the business weekly/monthly. (See notes for guidance for more detail).

4 Deductions from Income

The following deductions from income can be made:

Applicant

Partner

a) Annual rent or mortgage for main or only dwelling £ £

This amount should be net of any housing benefit received. An annual mortgage figure should include premiums payable for any related life assurance policies.

b) Council tax, water charges £ £

Allow the annual figure for council tax payable, subject to any reductions or council tax benefit applicable.

c) Dependant's allowance for partner living with applicant £ £

If the applicant is living with a partner whose resources have been included in this assessment, a statutory allowance is made to cover their dependency on the applicant. (See current Keycard for this allowance).

d) Dependents' allowance for children living with applicant £ £

An allowance can be made for children resident with the applicant on a full-time basis, whether his/her own, his/her partner's or any other children wholly dependent on the applicant/partner. (See current Keycard for this allowance). If the applicant has care of a child on a part-time basis, work out the allowance pro-rata.

e) Maintenance payments for separated partner, or children living apart £ £

An allowance can be made for sums actually being paid to a separated partner or children, whether under a court order, through the CSA or voluntarily.

f) Work expenses £ £

Allowance can be made for work expenses such as the annual cost of home to work travel and childcare.

g) Other expenses £ £

Allow for expenses such as legal fees already incurred and fines.

h) Totals £ £ i) Total deduction from income (Total **(B)**) £

5 Capital

Exclude any capital which could be described as forming part of the subject matter of dispute.

All resources of a capital nature held must be taken into account, including:

Applicant

Partner

a) Money in the bank, building society, national savings certificates, etc £ £

The balance in any bank account held by the applicant at the date of application should be taken into account. Care should be exercised if taking figures from a bank statement to exclude any payment of income which may be inflating the credit balance. If income is included, take the balance as at the date before the last credit of income was added.

House (other than main dwelling)

b) Market value £ £ c) Less mortgage £ £

Include the capital value of any property or land owned (but not occupied as a main residence) less any borrowings secured on it.

d) Items of value (approximate value) £ £

The regulations require that the value of any asset of a capital nature held by the applicant at the date of application should be taken into account, such as shares, the value of any life assurance policies held etc. (See guidance notes for more examples).

e) Totals £ £ f) Total disposable capital (Total **(X)**) £

SECTION D (CONTINUED)

SPECIAL URGENCY MANDATE

6 Calculation of financial eligibility (for solicitor's use only)

Income

a) Total income
(Total (A)) £

b) LESS Total deduction
from income (Total (B)) £

c) Total disposable income
(Total (C)) £

Capital


d) Total disposable
capital (Total (X)) £

If these figures exceed the current upper limits, it is unlikely your client will qualify financially. If you have any doubts about the assessment you have carried out, consider discussing it with a member of our staff. If you carry out work under regulation 18, you run the risk that the Board will not be able to make payment to you for that work. An application for civil legal aid can still be made. If these figures are lower than the current upper limits you need to tell your client what their total probable contribution will be.

SECTION E

EQUALITY

 Your solicitor will give you the Equality Card and ask you to write in your answers.

 The Scottish Legal Aid Board has to collect information to monitor equality of access of people applying for legal aid. Your answers help to do this. Your answers are not used to decide if you qualify for legal aid.

1 If you, the applicant, do not wish to answer any questions in this section, please put a cross in this box and return the form to your solicitor.

2 How would you describe your ethnic origin? If other:

3 Do you consider yourself to have a disability? (please indicate with an "x")

Yes No Do not wish to answer

SECTION F

DECLARATIONS AND MANDATES

APPLICANT'S OR REPRESENTATIVE'S DECLARATION

If you knowingly make a false statement you may be prosecuted.

I certify:

for applicants:

- a) the information given in this application is to the best of my belief and knowledge correct. I understand that if I give false information I may be prosecuted.

for a representative acting on behalf of the applicant, for example mother or guardian:

- a) I declare that as far as I know, the information I have given is true, based on reasonable enquiries I could make, exercising due care and diligence.

for applicants and representatives:

- b) I consent to the Scottish Legal Aid Board making enquiries of any person or bodies including my solicitor as it may consider necessary. I authorise these persons or bodies including my solicitor to provide the information required by the Board.
- c) I understand that I must inform the Board immediately if any information given in this application changes.
- d) I have been given a copy of the booklet "Civil legal aid – information for applicants".
- e) I consent to the disclosure of this application, associated documentation and my case file held by my solicitor for quality assurance purposes including peer review and stage reporting, at any stage during or after the proceedings.
- f) Where I have asked my solicitor to do specially urgent work for me, I understand that the Scottish Legal Aid Board may ask me to pay a contribution towards the cost of that work. I will pay the Board that sum. I agree to give the Board any further information to allow it to work out the correct contribution.

 Signature of applicant/representative

Date signed

DAY	MONTH	YEAR
<input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>

 Remember to also sign and date the statutory statement (memorandum)

 Your solicitor will complete other questions on this form. You should also:

- sign the statutory statement, in which your solicitor gives information about your case.
- complete Financial Eligibility Form 1 or Form 2.
- read "Civil legal aid – information for applicants".

Data Protection Act 1998 – Access to Personal Data

The personal information provided by you or on your behalf will be used in accordance with the Data Protection Act 1998 and for the purpose of the Board's functions under the Legal Aid (Scotland) Act 1986. You have the right to make a formal request in writing to see the personal information we hold about you, to inspect it and to have it corrected if it is wrong. The Board may receive information about you from certain third parties (for example, some government departments and agencies), or give information to them. However, we will not pass on information about you unless the law allows us to do so.

SECTION G

APPLICATION DETAILS

1 Please describe the nature of the case for which the applicant is seeking legal aid by putting a cross in the box of any appropriate category code(s). You should give ONE primary category code (P) by putting a cross in one box in the primary column, and then indicate any other ancillary codes (A) that apply. If you are defending an action, please do not select any boxes for categories that your client is not defending in the action – for example, if not defending an interdict crave, do not select the interdict category box.

P	A	CODE	DESCRIPTION	P	A	CODE	DESCRIPTION
REPARATION/DAMAGES PROCEEDINGS				HOUSING			
<input type="checkbox"/>	<input type="checkbox"/>	BOC	Breach of contract	<input type="checkbox"/>	<input type="checkbox"/>	HDREP	Housing disrepair – non-reparation
<input type="checkbox"/>	<input type="checkbox"/>	MEDNE	Reparation – medical negligence	<input type="checkbox"/>	<input type="checkbox"/>	MRAM	Mortgage Rights (Scotland) Act 2001 – minute
<input type="checkbox"/>	<input type="checkbox"/>	REP	Reparation – personal injury	<input type="checkbox"/>	<input type="checkbox"/>	MRAR	Mortgage Rights (Scotland) – repossession
<input type="checkbox"/>	<input type="checkbox"/>	REPD	Reparation – Disability Discrimination Act	<input type="checkbox"/>	<input type="checkbox"/>	RHPRA	Recovery of heritable property – rent arrears
<input type="checkbox"/>	<input type="checkbox"/>	REPH	Reparation – housing disrepair	<input type="checkbox"/>	<input type="checkbox"/>	RHP	Recovery of heritable property – other
<input type="checkbox"/>	<input type="checkbox"/>	REPO	Reparation – other/damages	APPEALS			
<input type="checkbox"/>	<input type="checkbox"/>	REPPN	Reparation – professional negligence (non-medical)	<input type="checkbox"/>	<input type="checkbox"/>	APPL	Appeal
DEBT/PAYMENT PROCEEDINGS				<input type="checkbox"/>	<input type="checkbox"/>	APPSP	Appeal to Sheriff Principal
<input type="checkbox"/>	<input type="checkbox"/>	ADJUC	Adjudication	<input type="checkbox"/>	<input type="checkbox"/>	APPIH	Appeal to the Inner House
<input type="checkbox"/>	<input type="checkbox"/>	CIVIM	Civil imprisonment	<input type="checkbox"/>	<input type="checkbox"/>	APPHL	Appeal to the House of Lords
<input type="checkbox"/>	<input type="checkbox"/>	CREPA	Count/reckoning/payment	<input type="checkbox"/>	<input type="checkbox"/>	APPPC	Appeal to the Judicial Committee of the Privy Council
<input type="checkbox"/>	<input type="checkbox"/>	DBT	Debt	<input type="checkbox"/>	<input type="checkbox"/>	CGA	Civic Government (Scotland) Act
<input type="checkbox"/>	<input type="checkbox"/>	DELGD	Delivery of goods	<input type="checkbox"/>	<input type="checkbox"/>	COMAP	Appeals to Social Security Commissioner
<input type="checkbox"/>	<input type="checkbox"/>	FORTH	Forthcoming	<input type="checkbox"/>	<input type="checkbox"/>	EMAP	Employment Appeal Tribunal
<input type="checkbox"/>	<input type="checkbox"/>	MULPG	Multiple poinding	<input type="checkbox"/>	<input type="checkbox"/>	POAC	Proscribed Organisations Appeal Commission
<input type="checkbox"/>	<input type="checkbox"/>	PAY	Payment	OTHER PROCEEDINGS			
<input type="checkbox"/>	<input type="checkbox"/>	RECOM	Recompense	<input type="checkbox"/>	<input type="checkbox"/>	AISA	Adults with Incapacity (Scotland) Act 2000
<input type="checkbox"/>	<input type="checkbox"/>	RESTT	Restitution	<input type="checkbox"/>	<input type="checkbox"/>	AISAW	Adults with Incapacity with a welfare or welfare and financial component
<input type="checkbox"/>	<input type="checkbox"/>	SEQ	Sequestration	<input type="checkbox"/>	<input type="checkbox"/>	AJA	Administration of Justice Act
<input type="checkbox"/>	<input type="checkbox"/>	UNEN	Unjustified enrichment	<input type="checkbox"/>	<input type="checkbox"/>	ASBO	Anti-social behaviour orders – defence
				<input type="checkbox"/>	<input type="checkbox"/>	BOI	Breach of interdict
				<input type="checkbox"/>	<input type="checkbox"/>	DDA	Disability Discrimination Act – relation action non-reparation

categories continued overleaf.../

SECTION G (CONTINUED)

APPLICATION DETAILS

P	A	CODE	DESCRIPTION
OTHER PROCEEDINGS (CONTINUED)			
<input type="checkbox"/>	<input type="checkbox"/>	DEC	Declarator
<input type="checkbox"/>	<input type="checkbox"/>	DEFAM	Defamation
<input type="checkbox"/>	<input type="checkbox"/>	DISCM	Discrimination – other
<input type="checkbox"/>	<input type="checkbox"/>	EDUC	Education (Scotland) Act
<input type="checkbox"/>	<input type="checkbox"/>	EXE	Executry
<input type="checkbox"/>	<input type="checkbox"/>	FAI	Fatal Accident Inquiry
<input type="checkbox"/>	<input type="checkbox"/>	FORF	Forfeiture
<input type="checkbox"/>	<input type="checkbox"/>	INTND	Interdict – neighbour disputes
<input type="checkbox"/>	<input type="checkbox"/>	INTNF	Interdict – other non-family
<input type="checkbox"/>	<input type="checkbox"/>	JR	Judicial review
<input type="checkbox"/>	<input type="checkbox"/>	JRASB	Judicial review against the Scottish Legal Aid Board
<input type="checkbox"/>	<input type="checkbox"/>	JRH	Judicial review – housing/homelessness
<input type="checkbox"/>	<input type="checkbox"/>	JRIM	Judicial review – immigration proceedings

P	A	CODE	DESCRIPTION
OTHER PROCEEDINGS (CONTINUED)			
<input type="checkbox"/>	<input type="checkbox"/>	JRSM	Judicial review – against Scottish Ministers
<input type="checkbox"/>	<input type="checkbox"/>	LIC	Licensing Act
<input type="checkbox"/>	<input type="checkbox"/>	MEN	Mental Health Act
<input type="checkbox"/>	<input type="checkbox"/>	PCRIM	Proceeds of crime – civil recovery
<input type="checkbox"/>	<input type="checkbox"/>	PETOT	Petitions (other than for judicial review)
<input type="checkbox"/>	<input type="checkbox"/>	REDUC	Reduction
<input type="checkbox"/>	<input type="checkbox"/>	SPEIM	Specific implement
<input type="checkbox"/>	<input type="checkbox"/>	SOPO	Sexual Offences prevention orders under the Sexual Offences Act 2003
<input type="checkbox"/>	<input type="checkbox"/>	SRI	Statutory review – immigration
<input type="checkbox"/>	<input type="checkbox"/>	SUSIT	Suspension and Interdict
OTHER – PLEASE SPECIFY – REFER TO BOARD GUIDANCE			
<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>		

2 What is the applicant’s interest in the proceedings? (please indicate with an “x”)

- Pursuer
 Defender
 Petitioner
 Respondent
 Appellant
 Minuter
 Third party
 Other – please specify below:

3 Is the applicant concerned in the proceedings in a representative, fiduciary, official or other capacity? (please indicate with an “x”)

- Yes
 No ➔ go to Question 5.

4 If Yes, what is the capacity? (please indicate with an “x”)

- Representatives
 Fiduciary
 Official
 Other – please specify:

SECTION G (CONTINUED)

APPLICATION DETAILS

5 What is the court in which proceedings have been, or are to be, brought? (please indicate with an "x")

Sheriff court (first instance)

Sheriff court (Sheriff Principal)

at

Court of Session (Outer House)

Court of Session (Inner House)

House of Lords

Other – please specify:

6 Have the proceedings already been raised: (please indicate with an "x")

by the applicant? Yes No

by another party? Yes No

7 How many opponents and other interested parties are involved in the action?

Please give details of opponents and/or other interested parties in the action.

8 Opponent or interested party 1

Provide details of the first opponent or interested party.

Where the applicant is a third party minuter, you must provide details of the pursuer and defender.

NAME

HOUSE NUMBER FLAT NUMBER

HOUSE NAME/STREET

TOWN/CITY

COUNTY POSTCODE

COUNTRY

If the opponent is an organisation, give any file of reference numbers or the name of the department.

SECTION H

DETERMINATION OF STATUTORY TESTS

1 Is the applicant a party to any connected civil proceedings in the United Kingdom or elsewhere? (please indicate with an "x")

Yes No ➡ go to Question 3.

2 If Yes, give details.

Empty text box for providing details for Question 2.

Answer continued at Section I, More Information. (please indicate with an "x")

3 Has the applicant at any time been given advice and assistance for this matter? (please indicate with an "x")

Yes No ➡ go to Question 5.

4 If Yes, please give the advice and assistance reference number. A A

5 Is there any other person or body jointly concerned with or having the same interest in these proceedings as the applicant? (please indicate with an "x")

Yes No ➡ go to Question 7.

6 If Yes, please provide details:

Empty text box for providing details for Question 6.

7 Has your client made any attempts so far to settle the matter through negotiation, mediation or otherwise? (please indicate with an "x")

Yes No

8 If Yes, please state what attempts have been made and the outcome of these. If No, please explain why no attempts to settle have been made.

Empty text box for providing details for Question 8.

Answer continued at Section I, More Information. (please indicate with an "x")

SECTION H (CONTINUED)

DETERMINATION OF STATUTORY TESTS

9 Has the other party made any offer in an attempt to resolve the matter? (please indicate with an "x") Yes No

10 If Yes, give us details of the offer made, and explain why your client is not prepared to accept it. If the other party has not made an offer, explain why not and what their current position is on the dispute, if known.

Answer continued at Section I, More Information (please indicate with an "x")

11 What is your assessment of the prospects for achieving a satisfactory outcome for your client? (please indicate with an "x")

Excellent Good Fair Poor

12 Please explain your assessment.

Answer continued at Section I, More Information (please indicate with an "x")

13 What is your estimate of the costs of any proceedings, including fees, outlays and counsel's fees? (please indicate with an "x")

£0-£1,000 £1,001-£2,000 £2,001-£3,000 £3,001-£6,000

£6,001-£10,000 £10,001-£15,000 £15,001 or more

If £15,001 or more, please give an estimate of the total costs. £

14 If the estimated costs are £6,001 or more, identify the main areas of expenditure – e.g. court report, counsel's fees, experts' involvement.

Answer continued at Section I, More Information. (please indicate with an "x")

15 Does the case include a claim for money or property? (please indicate with an "x") Yes No ➞ go to Question 20.

SECTION J

DETAILS OF SOLICITORS ACTING

SOLICITOR ACTING DIRECTLY FOR THE APPLICANT

1 Solicitor's code number 2 Firm's code number 3 Branch code 4 Your reference 5 Solicitor's name 6 Firm's name 7 Town/city

EDINBURGH OR OTHER AGENT INSTRUCTED TO ACT

8 Solicitor's name 9 Firm's name 10 Address

11 Your reference

SECTION K

SOLICITORS DECLARATION

I certify:

- a) to the best of my knowledge and belief the information given is correct.
- b) any opinion expressed above represents my professional opinion as at this date.
- c) I have given the applicant a copy of the booklet "Civil legal aid – information for applicants".
- d) I have retained a copy of this application.
- e) I consent to the disclosure of this application, associated documentation and client case file for quality assurance including peer review and stage reporting purposes, at any stage during or after the proceedings.

 Solicitor's signature

Date signed

DAY

MONTH

YEAR

 I am the Solicitor acting directly for the applicant (*please indicate with an "x"*) I am the Edinburgh agent or other agent instructed to act (*please indicate with an "x"*)

SECTION L

ATTACHMENTS

You must complete this section to describe which documents are attached. These documents are necessary in all cases for us to consider the application fully.

 Which documents are attached? Please enter a cross in the appropriate box to show attached documents.

	Attached
Financial Eligibility Form 1 or Form 2	<input type="checkbox"/>
Statutory statement (memorandum) – if not completed at Section K	<input type="checkbox"/>
Applicant’s statement	<input type="checkbox"/>
Supporting documentation	<input type="checkbox"/>
Copy writ – defending case only	<input type="checkbox"/>
Medical report – personal injury cases only	<input type="checkbox"/>
Other – please specify below	<input type="checkbox"/>
None – please specify below	<input type="checkbox"/>

Details of other documentation or reasons why there are no supporting documents.

 When sending us additional information, please send copies of the document and NOT originals.

For help with the form please call 0131 240 2067 or email: general@slab.org.uk

Help us to process this application quickly. Check that:

- you have given us true and complete answers to all the questions in this form
- both you and the applicant have signed the statutory statement
- you have signed and dated the application
- all documents shown are attached

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