



Getting a solicitor to help you in Children's Hearings and related court cases

Information sheet for adults and young people



What is Children's Legal Assistance?

Children's legal assistance can pay for a solicitor to do work on your behalf. This may include:

- giving you advice before or after a children's hearing
- representing you at a children's hearing
- representing you in court after a children's hearing has taken place.

You may be able to get children's legal assistance. This depends on the type of hearing – is it a children's hearing or a court hearing? It also depends on whether you qualify.

There are lots of factors affecting what kind of children's legal assistance you might get. **Speak to your solicitor and tell them about your circumstances.** They will tell you if you are likely to receive children's legal assistance.

This information sheet gives more information about the kinds of children's legal assistance that may be available to you.

How will I know if I can receive children's legal assistance?

Your solicitor will explain this in more detail.

There are tests that must be met to receive children's legal assistance. These include financial tests.

The tests are different depending on what the assistance is for - a **children's hearing** or a **related court hearing**.



Will you have to pay?

Children's legal assistance may not always be free. You may have to pay something towards the cost of it.



This is called a contribution.

Your solicitor will explain this in more detail.

Will I have to pay a contribution?

This depends on your level of income and any items of value you own or savings. Your solicitor will also explain this to you in more detail.

Where can I find a solicitor?

You can go to our website www.slab.org.uk and use the **solicitor finder tool**.



You can go to the **Law Society of Scotland's** website www.lawscot.org.uk and use their **solicitor finder tool**.

The **Scottish Child Law Centre** can give you free advice and put you in touch with a solicitor who deals with child law. You can contact them on their website: **Get In Touch | Scottish Child Law Centre**

What types of assistance can you receive?



Advice and Assistance

Advice and Assistance is used for things like giving you **general advice** before and after a children's hearing has taken place. This kind of assistance does not include a solicitor representing you at a children's hearing or related court case.

This is available to you if you **meet a financial test**. Meeting it depends on the amount of income or savings that you have. Your solicitor will work this out for you.



Assistance by Way of Representation (ABWOR)

This is a type of children's legal assistance which is used to allow a **solicitor to represent you** at a children's hearing or at certain cases in the court.

If you are **18 years or older**, this will be available to you if you meet the financial test. Meeting it depends on the amount of income and savings that you have. Your solicitor will work this out for you.

You will also need to show that you need a solicitor to help you to take part **effectively** in the hearing and that you cannot take part by yourself. Your solicitor will explain this to you in more detail.

If you are **under 18 years old**, you don't need to meet any financial test and you don't need to show any reason to have a solicitor to represent you at a children's hearing. Due to your young age, you can get to ABWOR without any tests having to be passed.



Children's legal aid

This is the type of assistance that is used if your case goes to court after a children's hearing has taken place. It is usually for an **appeal or a proof**.

You will need to pass a financial test to access this type of assistance. This will depend on your income and any savings you have. Your solicitor will advise you about this.

You will also need to show that it is **reasonable** for a solicitor to represent you in court. Your solicitor will explain this to you in more detail.

Where can you get more information?

Contact us at the Scottish Legal Aid Board:

Telephone 0131 226 7061

Website www.slab.org.uk

Email general@slab.org.uk

**Scan this QR code
for useful videos,
links and information
on legal aid**



SCAN ME

**For information about going to a hearing you can visit the
Scottish Children's Reporter Administration website
www.scra.gov.uk.**