Translation from Norwegian

Application form for free legal aid

(Self declaration)

Please enter all information as accurately and completely as possible

Personal information (applicant)	In immigration cases: DUF no. (Asylum seekers must state all their DUF nos.) :			
	Full name		Date of birth	Pers. ID no. / Business reg. no.
	Postal address	Post code	Town / city	Home tel. no.
	Occupation / job	Employer		Work tel. no.
	Marital status: Married ☐ Civil partnership ☐ Divorced / separated ☐ Cohabiting ☐ Widowed ☐ Single ☐			
Lawyer / legal services provider	Name	Address	Tel. no.	
	Has another lawyer or legal services provider previously worked on this case? ☐ Yes ☐ No			
	Has free legal aid previously been provided in this case? ☐ Yes ☐ No			
	The case concerns: Free legal advice ☐ Free representation ☐			
Legal aid insurance	Do you have legal aid insurance** that fully or partly covers the need for assistance in this case? ☐ Yes ☐ No ** Most people have home, home contents or car insurance that provides cover for legal expenses in private disputes. It is a condition that this has been checked before applying for free legal aid.			
Last tax assessment (for minors: of their parents)	A copy of the tax assessment for the applicant and the applicant's spouse / partner / cohabitant must be enclosed. If the applicant's current financial situation is significantly different from the information provided here, this must be documented. **The applicant** Tax assessment for Gross income (NOK) Net wealth (NOK) **Spouse / partner / cohabitant** Tax assessment for Gross income (NOK) Net wealth (NOK)			

Current financial status		Own	Spouse / partner / cohabitant
	Gross earned income per month		
	Social security / pension per month		
	Other taxable income per month		

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	Net wealth		
To the best of my knowledge the information provided here is correct. I am familiar with the income and capital limits and rules on the client's contribution (see page 2). I consent to the necessary obtaining of further information about my financial situation from the tax authorities, my employer, and the National Insurance Service (as applicable).		I have informed the applicant about the income limits and rules on reimbursement. The information is complete and correct.	
Date	Applicant's signature	Date	Lawyer / legal services provider's signature

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Regulation concerning the Act relating to free legal aid

Laid down by the Ministry of Justice and the Police on 12 December 2005 pursuant to Act no. 35 of 13 June 1980 relating to free legal aid (Legal Aid Act), sections 3, 7, 11, 12, 13, 14, 16, 19, 22 and 26. Amended by Regulation no. 1398 of 16 December 2008 and Regulation no. 1769 of 15 December 2016.

Chapter 1. Income and capital limits for eligibility for free legal aid

Section 1-1. The income limit for free legal aid is NOK 246,000 for single persons and NOK 369,000 for spouses and others living together with shared finances. The capital limit for free legal aid is NOK 100,000.

Amended by Regulation no. 1398 of 16 December 2008 (in force from 1 January 2009 and applied in cases where the application for free legal aid has been received after the amendment came into effect).

Section 1-2. For spouses and others living together with shared finances, the assessment of whether the income and capital limit has been exceeded will be based on the couple's aggregate income and capital. Aggregate income and capital will also be assessed when several persons together apply for free legal aid or when someone other than the applicant ha s a substantive interest in the matter for which assistance is sought.

Section 1-3. The assessment of income shall be based on gross income or equivalent income from self-employment. Gross income means the total of all taxable earned and unearned income, before deductions. The assessment of the applicant's capital shall be based on net wealth.

Chapter 2. Client's contribution etc.

Section 2-1. Unless legal aid has been received without financial means testing, the person receiving free legal aid shall pay a share (client's contribution) of the expenses, cf. Sections 3 and 9 of the Legal Aid Act. The client's contribution shall be calculated on the basis of a base amount equivalent to the fee rate for criminal cases and legal aid cases applicable at the time in question. No value-added tax shall be paid on the client's contribution.

For free legal advice, a client's contribution shall be paid equal to the base amount.

For free legal representation, a client's contribution of 25% of the expenses shall be paid, though not more than eight times the base amount.

Amended by Regulation no. 1769 of 14 December 2016 (in force from 1 January 2017).

Section 2-2. Persons with a gross annual income below NOK 100,000 shall not pay a client's contribution.

Section 2-3. For work paid for by public funds, the party providing legal aid shall recover the client's contribution from the client. The client is obliged to pay the client's contribution in advance, unless the party providing legal aid offers an alternative payment scheme. The client shall not pay value-added tax on the client's contribution.

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Section 2-4. Claims for reimbursement of public expenses pursuant to Section 8, first paragraph, second sentence, of the Legal Aid Act shall be made by the County Governor.

Section 2-5. The Norwegian National Collection Agency is authorised to enter into debt settlement pursuant to Chapter 4 of the Debt Settlement Act and authorised to write off claims for reimbursements and payment of fees, cf. Section 8 of the Legal Aid Act.

Chapter 3. Authority to grant free legal advice

Section 3-1. In cases coming under Section 11 and Section 12 (cf. Section 14) of the Legal Aid Act, applications for free legal advice shall be decided by the County Governor.

Section 3-2. In cases coming under Section 11, first and second paragraph (cf. Section 14 first paragraph) of the Legal Aid Act, the applicant's lawyer/legal services provider may grant free legal aid on their own if the financial conditions are fulfilled, cf. Chapter 1.

Section 3-3. Applications for meeting expenses that come under Section 14, second and third paragraphs, of the Legal Aid Act shall always be decided by the County Governor.

Section 3-4. Free legal advice granted in pursuance of Section 11 (cf. Section 14) of the Legal Aid Act shall, with regard to fees to the lawyer/legal services provider, have an upward limit of the pre-set fee pursuant to the Regulation concerning pre-set fees.

Amended by Regulation no. 1769 of 15 December 2016 (in force from 1 January 2017).

Section 3-5. If the actual total time spent on the case is or will be more than twice the stipulated pre-set fee, and it is established that there are special circumstances connected with the assignment that justify the number of hours spent, the County Governor may extend an authorisation of free legal advice. In such cases, the total fee shall be set by appraisement by the County Governor pursuant to Section 7 of the Regulation concerning legal fees.

Chapter 4. Authority to grant free legal representation

Section 4-1. In cases coming under Section 16, first and second (cf. fourth) paragraphs as well as Sections 17 and 18 of the Legal Aid Act, free legal representation shall be granted by the court or administrative body hearing the case.

Section 4-2. In cases coming under Section 16, third (cf. fourth) paragraphs of the Legal Aid Act, free legal representation shall be granted by the County Governor.

Section 4-3. Applications to extend an authorisation of free legal representation also to include expenses coming under Section 22, fourth and fifth paragraphs, of the Legal Aid Act shall in all cases require the approval of the County Governor.

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Section 4-4. Free legal representation granted in pursuance of Section 16, first and second (cf. fourth) paragraphs, as well as Section 17 of the Legal Aid Act shall with regard to fees for counsel have an upward limit of the pre-set fee pursuant to the Regulation concerning pre-set fees if such a pre-set fee is stipulated for the area of litigation concerned, cf. Section 6 of the Regulation concerning pre-set fees.

Section 4-5. If the actual total time spent on the case exceeds the stipulated pre-set fee by more than 50%, and it is established that there are special circumstances connected with the assignment that justify the number of hours spent, the party with competence to grant free legal representation pursuant to Sections 4.1 to 4-3 may extend an authorisation of free legal representation. In such cases, the total fee shall be set by appraisement pursuant to the Regulation concerning legal fees by the court or administrative body hearing the case.

Section 4-6. The party with competence to grant free legal representation pursuant to Sections 4-1 to 4-4 shall decide whether an authorisation of free legal representation shall also include a waiver of court fees pursuant to Section 25, first paragraph, of the Legal Aid Act. The party with competence to grant free legal representation pursuant to Section 4-1 and Section 4-2 shall decide whether a person who is ineligible for free legal representation shall be granted a waiver of court fees pursuant to Section 25, second to fourth paragraphs, of the Legal Aid Act.

Chapter 5. Entry into force and transitional provisions

Section 5-1. This Regulation enters into force on 1 January 2006 and shall apply in cases where the application for free legal aid has been received after its entry into force. At the same time, Regulation no. 1001 of 22 October 1996 concerning free legal aid is repealed, except for cases where the application for free legal aid has been received before the entry into force of this Regulation.

Section 5-2. Act no. 17 of 15 April 2005 relating to amendments to the Legal Aid Act shall apply in cases where the application for free legal aid has been received after the entry into force of the Act.

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