

LACF now operational

The Legal Aid Contingency Fund became operational on 1 March.

The guidelines for the fund were approved by Council of the Society at its January meeting and by the Legal Aid Commission at its meeting on 24 February.

Practitioners should receive copies of the guidelines early this month.

The fund was established by a seedling grant of \$200,000 from the Public Purposes Trust.

The money will be used to fund disbursements only, with solicitors putting actions they consider meritorious.

Applications for funding from the LACF may only be made by solicitors who consider a case has merit and falls within the guidelines.

Applications for funding from the LACF are subject to a more relaxed means test than that applied by the Legal Aid Commission.

In general terms the scheme will operate in the following manner:

A practitioner who is representing a client(s) he believes has a good chance of obtaining a damages award through litigation can approach the fund for "disbursement only" cover.

Applications would need to be accompanied by a \$200 administration fee (which can be waived in appropriate circumstances) and would need to detail the merits of the proposed action together with the applicant's relevant financial circumstances.

The application would then go before a Legal Aid committee, established in accordance with the *Legal Aid Act*, comprising two private lawyers, an accountant and the Director of the Legal Aid Commission.

If the committee determines that the application has merit, it would offer to meet the costs of disbursements to a specified limit on condition

that a successful litigant would, as well as refunding all monies advanced, also pay a contingency fee calculated as a percentage of the outgoings met by the Fund.

The assisted person would be responsible for payment of their solicitors and barrister's fees which would be rendered in accordance with the appropriate scale or fee agreement, but these would not be payable until the conclusion of the matter.

It is hoped that the existence of the Fund will encourage practitioners to increase the number of cases they are prepared to take on spec, thereby easing the burden of middle income earners who are confronted by the cost of litigation.

Further information on the scheme can be obtained by contacting Josephine Stone at the NT Legal Aid Commission in Darwin on telephone 814799.

Home grown graduate



Merran Short's claim to fame is that she is the first home-grown Katherine practitioner. Merran was born in Sydney but attended the Katherine Area School and Katherine High School. She spent 1980-83 undertaking a hairdressing apprenticeship and from 1983-1988 owned and managed a hairdressing salon in Katherine. In 1988 she returned to Katherine High as a mature age student and matriculated before undertaking the Bachelor of Laws at NTU. She finished her degree last year and is now an Articled Clerk with Crowe Hardy in Katherine. Above: Merran with Des Crowe at the Opening of the Legal Year luncheon in Darwin.