

APPLICATION FORM FOR LEGAL AID

If you meet the financial requirements for free legal aid, you can get help to fill in the form free of charge. You can get help from a lawyer who grants free legal aid or from a private legal aid institution.



JUSTITSMINISTERIET
CIVILSTYRELSEN

Applicant (If there is more than one applicant each one of you has to fill in a form)

| | | |
|--------------|-------|----------------------------|
| Name: | | Civil Registration Number: |
| Address: | | |
| Postal Code: | City: | Phone Number: |

Opponent

| | | |
|--------------|-------|----------------------------|
| Name: | | Civil Registration Number: |
| Address: | | |
| Postal Code: | City: | Phone Number: |

Social enquiry into the applicant's personal circumstances

| | |
|--------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| Is the applicant married or living in matrimonial cohabitation: Yes <input type="checkbox"/> No <input type="checkbox"/> | The number of children under 18 years of age who either lives/live with the applicant or predominately is/are provided for /supported by the applicant: |
|--------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|

Private income

| |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (The applicant's and prospective convivial spouse or cohabiter's annual statement from the taxation authorities must be enclosed, cf. enclosed instructions.) |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|

The court case

| | |
|--------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| What does the case pertain to? | The applicant's description of the case/statement of claim must be enclosed. Furthermore copies of all relevant documents from the case must be enclosed (For instance pleadings (petition/answer), deed of transfer, lease agreement, decisions from the authorities, etc). Moreover, a copy of the correspondence in the case must be enclosed. |
| Which outcome does the applicant wish for? | |
| What is the opponent's position hereon? | |

The case has to be tried in:

| | | |
|-----------------------------------------------------------------------------|--------------------------------------------------------|--------------------------------------------------------|
| <input type="checkbox"/> District Court in: | <input type="checkbox"/> High Court of Eastern Denmark | <input type="checkbox"/> High Court of Western Denmark |
| | <input type="checkbox"/> Supreme Court | |
| In appeals: Has the case been appealed (notice of appeal must be enclosed)? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

Legal expenses insurance

| | | |
|-------------------------------------------------------------------------------|------------------------------|-----------------------------|
| Does the applicant have legal expenses insurance (see enclosed instructions)? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
|-------------------------------------------------------------------------------|------------------------------|-----------------------------|

Applicant's signature

| | |
|-----------------|------------|
| Place and date: | Signature: |
|-----------------|------------|

MAKING AN APPLICATION FOR LEGAL AID

Substantiation of income

In substantiation of income the applicant must enclose a copy of his or her own and any spouse/cohabiter's yearly settlement for the year before last calendar year. For example, if you apply in the year 2020, the yearly settlement for 2018 has to be enclosed. If you apply in December the yearly settlement for the latest calendar year also has to be enclosed.

If you take legal proceedings against any spouse/cohabiter, the said spouse/cohabiter's yearly settlement shall not be enclosed.

The financial terms for legal aid

When deciding whether the applicant fulfils the financial terms for legal aid, a source of income which results from the sum of the income and the capital income including any extra return income will be applied.

If the sum of the capital income and the return income is minus, it will be discounted. A negative amount cannot be deducted from the amount of the income.

The source of income must not exceed a ceiling which is declared annually by 1 January. The ceiling will be increased with an amount for each child under the age of 18 who either lives with the applicant or who is predominantly being provided for by the said applicant.

The ceilings can be found on the homepage of the Civil Affairs Agency; www.civilstyrelsen.dk

Legal expenses insurance

The applicant has to state/represent whether he or she has legal expenses insurance. Legal expenses insurance can be a part of a home and personal protection insurance with family public liability extension (house contents insurance), comprehensive insurance, house owner's insurance and occupier's liability insurance incl. fixed glass and sanitary fixtures, and boat insurance. The applicant can receive further information on legal expenses insurance by directing inquiries to the insurance company.

As a starting point a case which has already been covered by a legal expenses insurance cannot be notified/accepted for legal aid.

The application can be sent to the Civil Affairs Agency

Civilstyrelsen, Toldboden 2, 2. sal, 8800 Viborg. E-mail: civilstyrelsen@civilstyrelsen.dk.

Lodging a complaint

You can appeal the Civil Affairs Agency's refusal of giving legal aid to the Danish Appeals Permission Board.

N.B!

In some cases an application for legal aid has to be sent to the courts instead. This especially applies to cases on marriage and custody/parental responsibility (but not in cases of custody, where the applicant is the plaintiff in cases of changing an agreement or judgement by the Danish Act on Parental Responsibility, section 14 and 17(2)).

It also applies to appealed cases, where a court in the first instance already has found for an applicant's claims and the opponent has appealed the case.

In these cases the application for Legal Aid has to be sent to the specific court.