Private Practitioner Short Service Scheme Application

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| This form is used to apply to participate in a Victoria Legal Aid (VLA) Private Practitioner Short Service Scheme (PPSSS) in Magistrates’ and/or Children’s Court venues in Victoria.  There are Guidance Notes at **Attachment 1** to help you complete this application. Applications must be signed by a principal or partner of the firm.  VLA will assess your application based on all the information you provide in this form, our knowledge of your firm’s practice experience, and information from internal and publicly available records. We may contact you to discuss your application and will confirm the outcome of your application.  Successful applicants may be offered a contract for the provision of short services as part of one or more schemes, for a period of approximately two years.  Please email Alicia Watkins at [alicia.watkins@vla.vic.gov.au](mailto:alicia.watkins@vla.vic.gov.au) or (insert name of ASM) with any questions or to submit your completed form and any attachments. | | | | | |
| **Section 1: Firm details** | | | | | |
| **Firm name** | | |  | **ABN** |  |
| **Primary contact** | |  | **Email** |  |
|  | | **Ph** |  |
| **Business address** | | |  | **Postal address** | (if different from Business address or DX). |
| **Section 2: Identifying the areas of law for short service/duty lawyer practice**  *NOTE: Capacity to provide services across multiple jurisdictions may be a factor in determining suitability to service a court in some locations that combine different jurisdictions in one list (i.e., mixed lists). If you are unsure if mixed lists operate in your preferred court location/s please speak to your local VLA Regional Manager.* | | | | | |
| * 1. **Firms who have participated in a short service/duty lawyer scheme during the past 12 months, please identify the area/s of law you currently provide short/duty lawyer services.** | | | | Summary Crime  Youth Crime  Indictable Crime  Family Violence  Child Protection | |
| * 1. **Firms who have participated in a short service/duty lawyer scheme please provide the duration of your participation.** | | | |  | |
| * 1. **Firms who have not previously participated in a short service/duty lawyer scheme please indicate the area/s of law you wish to provide services.** | | | | Summary Crime  Youth Crime  Indictable Crime  Family Violence   Child Protection | |
| **2.4 How many staff will be delivering services?** | | | |  | |
| **Section 3: PPSSS Eligibility Requirements**  *Refer to guidance notes at Attachment 1.*  *NOTE: Applicant firms who have participated in a short service/duty lawyer scheme during the past 12 months that do not meet the eligibility criteria set out below, may be exempted on the basis of their skills and experience. Any exemption to the below panel requirements will be determined on a case-by-case assessment.* ***This exemption does not apply to the practice area of Child Protection.*** | | | | | |
| * 1. **Is your firm a current member of any of the following VLA panels?** | | | Summary Crime  Summary Youth Crime subset  Indictable Crime  Indictable Youth Crime subset  Child Protection  Family Violence | |
| *Confirm eligibility for the areas of law you are applying for:* | | | | | |
| * 1. **Summary Crime** | | All firm staff proposed to participate in PPSSS have experience and skills required to deliver high quality services. | Yes  No  *See guidance notes.* | |
| At least one employee of the firm is an Individual Certifier on the Summary Crime Panel. | Yes  No  *See guidance notes.* | |
| * 1. **Child Protection** | | | All staff proposed to undertake PPSSS work are Individual Certifiers on the S29A Child Protection and the Family Violence Panels. | Yes  No  *See guidance notes.* | |
| * 1. **Youth Crime** | | At least one employee of the firm is an Individual Certifier on the Youth Crime subset of the Summary Crime Panel | Yes  No  *See guidance notes.* | |
| All staff proposed to participate in PPSSS have experience and skills required to deliver high quality services to children. | Yes  No  *See guidance notes.* | |
| * 1. **Family Violence** | | | All staff proposed to undertake PPSSS work are either Individual Certifiers on the S29A Family Violence Panel | Yes  No  *See guidance notes.* | |
| Or have completed the VLA Client Safety Framework training | Yes  No  *See guidance notes.* | |
| **Section 4: Practitioner Details**  *Refer to Attachment 2*  ***NOTE: Complete this Section for EACH Individual Certifier(s) proposed to deliver or oversee short services/duty lawyer services for your firm under this application.***  ***(Attachment 2 contains a blank copy of this Section to allow for completion for multiple practitioners).*** | | | | | |
| **Name** | |  | | **Email Address** |  |
| **Current practicing certificate?** | | | Yes  No | **Date admitted** |  |
| **Individual certifier on s 29A Panel** | | | Yes  No | **If yes, which Panel/s?** |  |
| **Accredited specialist** | | | Yes  No | **If yes, area/s of accreditation**  **(*if Children’s Law pls specify child protection or youth crime stream*)** |  |
| **Preferred court locations** | | 4. *(add more as needed)* | | |
| **Availability** | | **Please note here your availability for short services:**   * Number of days per week/fortnight (for rostered schemes)      * Indicative number of referrals you can accept per week/fortnight (for non-rostered schemes or out-of-area service delivery).     Contact the local VLA Office for information about how schemes operate in the area you are applying. | | |
| **Section 5: Skills and Experience**  ***Applicants are required to demonstrate relevant experience and skills to deliver short/duty lawyer services. See guidance notes.*** | | | | | |
| **5.1 Experience as part of PPSSS**  Applicants who have participated in a short service/duty lawyer scheme during the past 12 months in the same area of law for which they are applying will be exempted from completing the skills and experience questions below. *(Note, participation in a scheme will be confirmed by VLA.)* | | | | |
| List each applicant seeking exemption from this section:        4)  Please complete the rest of section 5 for all applicants not listed above. | | | | |
| **5.2 Advocacy experience**  For example:   * the frequency and nature of court appearances in relevant and other jurisdictions (e.g., weekly appearances for previous two years) * a practical example where an advocate appeared in a bail application/submissions contest or other type of submissions or evidenced based contest with success | | | | | |
| *(Maximum 300 words)* | | | | | |
| **5.3 Subject matter expertise**  For example:   * experience in relevant jurisdiction. * knowledge of key issues in jurisdiction. * awareness of legislative change. | | | | |
| *(Maximum 300 words)* | | | | | |
| **5.4 Duty Lawyer experience**  For example:   * participation in any other short service or duty lawyer scheme or past practical experience of practitioners with VLA priority client groups. | | | | | |
| *(Maximum 300 words)* | | | | | |
| **5.5 Other relevant matters**  Please raise any other matters you wish VLA to consider, such as:   * relevant experience or training in relation to working with Aboriginal and Torres Strait islander clients, mental health, family violence, disability, and/or drug and alcohol addiction. * experience working with culturally and linguistically diverse communities including experience using interpreters. * knowledge of local community and services. * experience mix such as skills in related jurisdictions including family violence, criminal law, child protection and/or family law. | | | | |
| *(Maximum 300 words)* | | | | | |
| **Section 6: Out of Area Service Delivery**  *See guidance notes.*  ***Due to a lack of locally-based legal services in some regional areas, some VLA offices may establish a contingency pool of practitioners located in other regions who are available for duty lawyer or short service referrals when a local practitioner is not available.***  ***This section is only required to be completed by practitioners seeking to deliver contingency duty lawyer/short services in a region other than where they are based (for example, a Melbourne-based practitioner seeking to deliver duty lawyer services in Horsham).***  ***The court/region in question should be included under “preferred court locations” in section 4 Practitioner details.*** | | | | | |
| **6.1 Local knowledge and connections** | | | Court/region:    Outline your:   * knowledge of or connections to the local community and services in the region where you are seeking to deliver contingency services and * capacity to deliver in-person services, if required by the court and/or to meet client need.   *(Maximum 300 words)* | | |
| **Section 7: Declaration** | | | | | |
| In submitting this application to VLA I acknowledge that:   * all information disclosed is true, * I have read and understand my rights and obligations arising from the entry requirements, and * I understand that VLA will check internal and publicly available records to verify information provided or requested as part of the application process.   I authorise VLA to place all materials submitted as part of the application process before a designated assessor.  Signature (Must be signed by principal or partner of firm): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | | | | | |

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| **Attachment 1: Guidance Notes** | |
| **Membership of VLA’s s 29A Panels** | *Refer to* ***section 3***  To be eligible to participate in a PPSS Scheme, your firm must be a member of the relevant s29A Panel. In addition, there are specific requirements for participation in the PPSSS in each area of law, as follows:   * **Summary Crime (including Help Before Court) –** At least one employee of the firm is an Individual Certifier on the Summary Crime Panel. * **Child Protection –** Staff proposed to undertake Child Protection duty lawyer and short services work are Individual Certifiers on the S29A Child Protection and the Family Violence Panels. Approval for this scheme will entitle the firm to undertake family violence matters for child clients. * **Youth Crime –** At least one employee of the firm is an Individual Certifier on the youth subset of the Summary Crime Panel. Approval for this scheme will entitle the firm to undertake family violence matters for child clients. * **Family Violence –** Staff proposed to undertake Family Violence duty lawyer and short services work are either Individual Certifiers on the s29A Family Violence Panel or have completed the VLA Client Safety Framework training.   Firms that have participated in a short service/duty lawyer scheme during the past 12 months who are not on a panel, may be exempted on the basis of their past skills and experience. Any exemption to the panel requirements will be determined on a case-by-case assessment. This exemption does not apply to the practice area of Child Protection.  You can find information on applying for VLA’s s 29A Panels on the [VLA website](https://www.legalaid.vic.gov.au/) or enrolment details for the VLA Client Safety Framework training courses on the [LawHub.](https://www.legalaid.vic.gov.au/access-lawhub) |
| **Practitioner Details** | *Refer to* ***section 4***  The practitioner details template **(Attachment 2)** must be completed for each panel certifier proposed to deliver short services/duty lawyer services for your firm under this application. |
| **Skills and Experience** | *Refer to* ***sections 5 and 6***  Firms providing short services/duty lawyer services are expected to ensure that their staff provide high quality legal advice in accordance with VLA Practice Standards and duty lawyer guidelines.  In assessing your application, VLA will consider how clearly you have demonstrated that the firm possesses the requisite skills and experience in providing relevant high-quality services. You may wish to refer to specific examples of work by key staff when addressing these questions.  The prompts in these questions are intended to be guidance only and are not intended to be prescriptive or limiting as to how you might demonstrate experience and skills.  You can access VLA’s Practice Standards and Duty Lawyer Guidelines on the VLA website.  Section 5 enables practitioners/firms that have actively participated in duty lawyer/short service schemes in the past 12 months to rely on their recent experience to support their application.  In assessing your application, VLA will take into account all the information you provide, our knowledge of your firm and solicitors, and information from internal and publicly available records. |
| **Rostered and Non-rostered Services** | **Rostered duty lawyer services:**   * are usually provided in-person, according to a regular roster. Practitioners are paid by the hour up to a [daily cap](https://www.legalaid.vic.gov.au/information-for-lawyers/doing-legal-aid-work/private-practitioner-duty-lawyers/payments-and-records-management-for-private-practitioner-duty-lawyers).   **Non-rostered duty lawyer services (**these may be provided in person or online, depending on the relevant court practice directions):   * conflict (non-rostered) scheme is used when VLA cannot act because they are conflicted, so the matter is referred to a practitioner and they are paid by the hour up to a daily cap. * capacity briefing (non-rostered) scheme is where a practitioner or barrister will cover a court duty on behalf of VLA and are paid by the hour up to a daily cap. * HB4C (non-rostered) scheme is where a practitioner will assist a client before or outside of court for their matter and this is paid per matter type and has a separate [fee structure](https://vla-ppdutylawyer.azurewebsites.net/) based on VLA hourly rates. * in Child Protection, these are used in courts where emergency care matters are listed on non-sitting days of the Children’s Court. Practitioners are paid by the hour up to a daily cap for [one client only or two or more clients.](https://www.legalaid.vic.gov.au/information-for-lawyers/doing-legal-aid-work/private-practitioner-duty-lawyers/payments-and-records-management-for-childrens-court-family-division) |
| **Out of area service delivery** | *Refer to* ***section 6***  **NOTE:** VLA’s approach to improving private practitioner supply in regions preferences “local first” and remote services only if high quality local private practitioners are not available and it does not impact adversely on clients.  Short services and duty lawyer services are usually provided in person. Applicants are requested to tick each court at which practitioners are willing to personally attend to provide rostered or non-rostered services.  All services must be provided in accordance with relevant court Practice Directions.  Please note that if your application is successful, rostering and allocation decisions will take into account a range of considerations including the level of demand for services, number of firms seeking to participate in the scheme, and court schedules. |

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| **Attachment 2**   *Refer to Section 4*  ***NOTE: Complete this Section for EACH Individual Certifier(s) proposed to deliver or oversee short services/duty lawyer services for your firm under this application. (Copy and paste the blank table onto a new page to complete for each lawyer.)*** | | | | | | | | | | | | | |
| **Name** | |  | | | | | | | | **Email Address** |  | | |
| **Current practicing certificate?** | | | | | | | Yes  No | | | **Date admitted** |  | | |
| **Individual certifier on s 29A Panel** | | | | | | Yes  No | | | **If yes, which Panel/s?** | | |  | |
| **Accredited specialist** | | | Yes  No | | | | | **If yes, area/s of accreditation**  **(*if Children’s Law pls specify child protection or youth crime stream*)** | | | |  | |
| **Has participated in providing services for a (rostered or non-rostered scheme) in the past 12 mths?** | | | | | | | | | | | | | Yes  No |
| **Preferred court location** | | | | 4. *(add more as needed)* | | | | | | | | | |
| **Availability** | | | | **Please note here your availability for short services:**   * Number of days per week/fortnight (for rostered schemes)      * Indicative number of referrals you can accept per week/fortnight ((for non-rostered schemes or out-of-area service delivery).     Contact the local VLA Office for information about how schemes operate in the area you are applying. | | | | | | | | |