



Lawyer-assisted Family Law Property Mediation Trial Checklist

This checklist must be completed by the Applicant's Solicitor and emailed to the Grants Officer at grants.officer@legalaid.tas.gov.au at the time of submitting an application in e-lodge.

Assets

- Is the dispute about a superannuation split?
- Are the net assets of your client's relationship (excluding superannuation) less than \$500,000?
- Is there a negative asset pool (i.e. is the dispute about debts)?

Income

- Is your client in receipt of a payment listed in Table A?

Table A: Eligible Income Support Payments	
• Abstudy	• Partner Allowance
• Age Pension (incl. DVA Age Pensions)	• Service Pension
• Austudy	• Sickness Allowance
• Carer Payment	• Special Benefit
• Disability Support Pension	• Widow Allowance
• DVA service pension and income support supplement	• Wife Pension
• Newstart Allowance	• Youth Allowance
• Parenting Payment	

- If your client does not receive a payment listed in Table A, is their gross income below the 'Eligible Weekly Income Limit' listed in Table B?

Table B: Eligible weekly income limit	
Household type	Eligible weekly income limit (Gross)
0 Dependents	\$1,375
1 Dependent	\$1,500
2 Dependents	\$1,625
3 Dependents	\$1,750
4 Dependents	\$1,900
5 + Dependents	\$2,050

Merit – Conference Phase

- Is the Mediation Trial likely to resolve the dispute?
- Is your client committed to the early resolution of the dispute?

Parenting dispute

- Does your client have a current parenting dispute?
If they do:
 - Does your client have a grant of legal aid for their parenting dispute?

Eligibility

- Is your client a party to proceedings under Part VIII of the *Family Law Act*?
If they are:
 - Does your client have a grant of aid for a parenting dispute?

Is your client, or the other party, a party to a:

- Business
- Partnership
- Company
- Non-individual entity, and if yes, what?
- Active discretionary or unit trust with assets

- Are more than 20% of the assets (excluding bank accounts and shares) located outside Tasmania?
- Is there any property (excluding bank accounts and shares) located outside Australia?
- Does either party have a self managed super fund?
- Does the dispute involve any livestock, crops, mining, fishing or other farming/mining/commercial fishing assets?
- Does your client, or the other party, have more than two years of outstanding tax returns, or are there outstanding tax returns relating to a non-individual entity?
- If any of the eligibility criteria in the Guidelines are not satisfied, is your client claiming that exceptional circumstances exist? If yes, please outline those exceptional circumstances.

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