

## Panel and List applications FAQs

### **Do I apply as an individual practitioner?**

Whether you are a sole practitioner, the principal of a firm or employed by a law firm, you are applying for inclusion on the panels or lists as an individual practitioner.

### **When the panel and list application period reopens, do I need to re-apply for panels or lists of which I am currently a member?**

No, you do not need to re-apply each time the applications reopen. Once you are a member of a specific panel or list, you remain a member until you are removed on your own request or by Legal Aid WA (see Clause 14 Duration of membership in *Professional Services Agreement*).

If you wish to be included on other panels or lists that you are not currently a member of, you will need to apply on the Legal Aid WA website: [How to apply](#)

All applications are submitted electronically. Unfortunately, applications submitted outside the application period will not be accepted. If you miss the application period you will have to wait to apply when applications reopen. The application period for all panels and lists occurs approximately every six months, with the exception of the Dispute Resolution Chairperson lists. Those lists will open on an as needed basis. Details will be published on the Legal Aid WA website.

If you wish to receive an email notification when a panel or list is open for application, please follow the instructions in this guide: [Panel and List email notifications](#)

### **Can I email or post my application?**

No, your application must be submitted online through the online application management system set up by Legal Aid WA: [How to apply](#)

Please note that the electronic application system will not allow you to submit your application or upload any further documents after the application period has ended.

### **Is there a practical guide to assist me in applying online?**

Yes, there is a [How to Guide](#) on the Legal Aid Website which gives a detailed description including application screenshots and narrative to assist you when applying for the panels and lists through the online system.

### **How do I qualify for each panel and list?**

Each panel has specific criteria that must be met to qualify for membership. Your application should fully address the requirements as outlined in the [Practitioner panels and lists membership criteria](#). You must meet the minimum criteria at the time and date the application period closes.

Your responses should include sufficient detail to demonstrate you meet the criteria. Where possible, you should use examples that are relevant to the panel or list you are applying for. For example, if you are applying for the Family Law Panel, you should include relevant experience for child related proceedings.

You must meet the minimum number of years post admission experience as a lawyer for each panel. If you are unsure, please include the date you completed your restricted practice. This can be obtained from the Legal Practice Board.

### **I am a Restricted Practitioner. Am I eligible to apply for the panels and lists?**

No, if you are a restricted practitioner you will not qualify for inclusion on the panels and lists. You must meet certain criteria if you wish to apply for membership of a particular panel or list, including a minimum period of post admission experience. See [Practitioner panels and lists membership criteria](#).

### **My current practice certificate has a s50 restricted practitioner condition, however I have completed my two years restrictive practice. What should I do?**

It is your responsibility to ensure that the s50 restriction is removed from your current practice certificate. You need to contact the Legal Practice Board immediately. They will make enquiries, and, if satisfied that you have completed the appropriate period of restrictive practice under supervision, the Board will reissue an unrestricted local practice certificate to you. You must attach the reissued certificate to your panel application.

### **What if I am no longer a Restricted Practitioner but have less than 3 years post admission experience? Am I eligible to apply for the panels?**

If you have between 2 and 3 years post admission experience relevant to your panel nomination, you can apply to be included on these panels with an approved legal supervisor in place. You will need to enter into a Practitioner Supervision Agreement.

The Practitioner Supervision Agreement relates to applications to be included on the Family Law, Protection and Care, Restraining Order, Crime – Magistrate and Other Indictable or Children’s Court Panels.

### **Where do I find a supervisor?**

If a supervisor is required, it is up to you to nominate a practitioner of more than 5 years’ experience in the relevant area of law who is willing to supervise your legal work in relation to legally aided matters. The supervising practitioner must:

- be approved by Legal Aid WA; and
- be a member of the same panel you are applying for; and
- be employed at the same law firm as you or be a barrister at the same law chambers as you; and
- agree to take over the legal matter assigned to you if the matter becomes too complex; and

- agree to provide information to Legal Aid WA about your ability to conduct legally aided matters assigned to you in relation to the relevant panel.

You and your supervisor must sign the practitioner and supervisor agreements.

### **Where do I find the Supervision Agreements?**

The Supervision Agreements are available on the Legal Aid website under [How to apply](#).

### **How long do I need to be supervised?**

From the date your membership of the panel commences until Legal Aid WA confirms that you have gained the relevant admission experience.

### **I am no longer supervised and I would qualify for the relevant panel. Do I need to re-apply for the panel?**

No, you do not need to re-apply for the panel once you have completed the supervision period. You are required to notify Legal Aid WA that you have completed your supervision. Once Legal Aid WA is satisfied you have gained the relevant post admission experience, your membership notice will be amended and re-issued. If you wish to be included on additional panels or lists then you are required to meet the necessary post admission experience and panel or list criteria and make a new application.

### **Can I refer Legal Aid WA to my responses in an earlier panel or list application?**

No, your panel application must include full responses to all relevant criteria each time you apply. Referrals to previous responses, provided as part of another panel or list application, will not be accepted.

### **Why might I not be included on the panel or list?**

If you do not provide sufficient information to satisfy the criteria, your application may be deemed to be incomplete and you will not be placed on your requested panel/s or list/s. The length of time you have been practising law is not in itself sufficient to satisfy inclusion on any panel or list.

You must disclose to Legal Aid WA the number of years you have been practicing in the relevant area of law.

You must fully address each required criterion and provide examples demonstrating your legal experience where possible.

If you are not included on your requested panel or list you will be advised in writing.

### **I intend to set up my own law firm or move to new employment with a law firm soon. Can I still apply for panel inclusion before I make this move?**

Yes, if you are moving to the firm or set up your own firm within 3 months from the date the panel applications close.

**How can I provide examples when legal professional privilege prevents me from revealing my client's identity or breaching confidentiality?**

The application form for each panel and list requests that you remove any identifying information from your responses and from the attached examples of your work. The work examples are required in order to demonstrate your identification of key issues and how you handled these issues.

**I have not completed the mandatory training requirement for my panel and list application, however I plan to complete the training in the future. Can I still apply now?**

No. Prerequisite training required for panel and list inclusion must be completed in the 6 months prior to lodging your application and certified as completed by the time of your panel application. If any training has not been completed, you will need to wait for the next application period in 6 months' time. The modules are available online. To register email [TNT.admin@legalaid.wa.gov.au](mailto:TNT.admin@legalaid.wa.gov.au)

**I previously asked to be removed from a particular panel or list. I now want to receive grants of aid again, do I need to re-apply?**

Yes, if you previously asked Legal Aid WA to remove you from a panel or list you will need to re-apply during the new application period.

However, if you previously advised Legal Aid WA that you did not have capacity and were made unavailable for a certain period of time, you do not need to re-apply. You must advise Legal Aid WA that you are now available to accept work again.

**Am I automatically included on a panel or list once I submit my application? If not, how long does the process take?**

No, you are not automatically included on a panel or list when you submit your application. Due to the detailed assessment process, including the Legal Practice Board and Legal Profession Complaints Committee processing the consent forms, it can take 6-8 weeks from the date the application period closes for you to be notified of the final determination.

Before a final determination is made about your suitability for panel or list inclusion, consideration will be given to:

- Any pending or ongoing Legal Practice Board or Legal Profession Complaints Committee investigation;
- Any adverse finding against you by the Legal Practice Board or the Legal Profession Complaints Committee;
- Any condition imposed on your current practising certificate;
- Any current, pending or completed Legal Aid WA complaint or investigation against you.

### **How do I know when I have been included on a panel or list?**

If your application is successful you will be advised by email. Legal Aid WA will issue a Membership Notice that includes the panels and lists that you are a member of and the date from which your membership is active.

### **Why do I have to sign and submit a number of documents as well as the application form?**

The *Professional Services Agreement (PSA)* is a contract between you and Legal Aid WA which outlines the terms upon which you will engage with Legal Aid WA and provide legal services as a member of a panel or a list. The PSA must be signed if you are to become a panel or list member. The full document must be attached to your application, not just the last page.

*Legal Practice Board consent form* allows release of specified information from the Legal Practice Board in relation to any significant changes to the term or status of your practising certificate.

*Legal Profession Complaints Committee consent form* allows release of specified information from the LPCC in relation to investigations into your conduct or any findings against you as a legal practitioner.

If you are sure you have already submitted a signed PSA and the LPB and LPCC consent forms since 1 October 2014, then you do not need to resubmit these signed documents each time you apply for a further panel or list.

### **Why do you require a copy of my practising certificate?**

A copy of your current practising certificate is required if you are a legal practitioner to ensure that you are able to accept assignments of legal aid before assessing your application for inclusion on your nominated panel or list.

If your certificate is still showing a restrictive practice condition despite the fact you have completed your two years restrictive practice, please contact the Legal Practice Board so that the condition can be removed.

### **How do I know Legal Aid WA has received my application?**

Once you have submitted your online application you will receive a confirmation email with a unique application number that you should keep for your records.

### **Where can I get information about applying for the Criminal Law Panels?**

For specific information about applying for membership of one or more of the Criminal Law Panels see [Criminal Law Panels applications \(FAQs\)](#).

### **What if I have more questions?**

You can email any other questions to [panelapplications@legalaid.wa.gov.au](mailto:panelapplications@legalaid.wa.gov.au).