# Special arrangements for the signing of the applicant declaration on application forms where applicant unable to sign physically

The COVID-19 pandemic has changed the way our organisation and private legal practitioners provide legal services to Victorians in need. It has become a norm for practitioners to increasingly provide services by telephone and email. This creates difficulties for legal practitioners obtaining a person’s signature on an application form.

VLA has determined that applicants who apply for legal assistance with the help of a legal practitioner can make the required declarations by phone instead of signing application forms in person. The legal practitioner completing the application will maintain a record of the declaration in lieu of a signature.

We have created pro forma documents for practitioners to use that will satisfy us that the applicant has understood and agreed to the required declarations. The legal practitioner must retain a copy of the telephone record on file along with the completed application form.

## Application for legal assistance – telephone declaration record

**This document is to be used by practitioners when a client makes a declaration about their application by telephone.**

Client name: Enter client name.

File reference: Enter file reference.

Date and time of phone call: Enter date and time of client meeting.

Following the completion of an application for legal assistance by telephone:

* read the applicant declaration to the client
* give the client the opportunity to ask questions
* ask the client to make the declaration in lieu of a signature.

## Applicant declaration (to be read to client)

Please refer to the enclosed **Client Centrelink Consent and Declaration file note** for this client.

### Centrelink consent and authority

Please refer to the enclosed **Client Centrelink Consent and Declaration file note** for this client.

**Legal practitioner declaration**

| **Declaration** | **Response** |
| --- | --- |
| Did the client demonstrate an understanding that it is an offence to lie or fail to disclose relevant information in the aid application? | [ ]  Yes[ ]  No |
| Is the client aware that they can ask for a copy of VLA’s privacy statement to be sent to them? | [ ]  Yes[ ]  No |
| Does the client consent to electronic submission of the legal aid application form? | [ ]  Yes[ ]  No |
| Does the client consent to VLA checking the information provided with Centrelink? | [ ]  Yes[ ]  No |
| Was the Centrelink Consent Script read out to the client? | [ ]  Yes[ ]  No |
| Was the record of the Centrelink Consent retained? | [ ]  Yes[ ]  No |
| Whether the client understands and acknowledges the declaration relatintg to Centrelink? | [ ]  Yes[ ]  No |
| Client consent obtained via: | [ ]  Outbound phone call[ ]  Inbound phone call |

I declare:

* I have given the client the opportunity to ask questions about the declaration
* I have taken reasonable steps to ensure that the client understood the declaration
* I am satisfied that the client’s response indicated acceptance of the declaration

Signed by lawyer: Lawyer signature.

Name: Name of lawyer.

Date: Date lawyer signed.