

WITHDRAWAL OF LEGAL SERVICES

Leaflet No. 12



LEGAL AID BOARD

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www.legalaidboard.ie

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This leaflet is not an interpretation of the law.

This leaflet sets out the reasons why legal services might be withdrawn and the procedures applied by the Legal Aid Board where the withdrawal of legal services is an issue.

Withdrawal of legal services

If I am granted legal advice why might it be withdrawn?

The Board may cease to provide legal advice where it considers that:

- it is no longer reasonable for you to continue receiving it; or
- because of any unreasonable behaviour by you, having regard to the particular circumstances of the case.

Withdrawal of legal aid

The Board may withdraw legal aid either by revoking or terminating the legal aid certificate granted to you.

If I have been granted a legal aid certificate can it then be revoked?

The Board may **revoke your** legal aid certificate where:

- you have made an untrue statement as to your income or capital resources in your application for legal aid; or
- you have failed to disclose any material fact.

If your legal aid certificate is revoked, you will be responsible for the costs incurred by the Board in providing you with legal services.

If I have been granted a legal aid certificate can it be then be terminated?

The Board may **terminate** a legal aid certificate where, for example:

- you are more than 21 days overdue in paying your contribution;
- you have not complied with a condition attached to a certificate;
- you are no longer eligible for legal aid on financial grounds; or
- the Board considers that you are behaving unreasonably.

Stages in the withdrawal of legal services

What happens if legal services are to be withdrawn from me?

There are **four** stages involved in the withdrawal of legal services, as follows:

1. the Board forms the **intention** to withdraw legal services;
2. the Board makes a **decision** to withdraw legal services;
3. you may seek to **review** a decision; and
4. you may **appeal** a decision.

When an **intention to withdraw** legal services has been formed, your solicitor will generally be asked not to do any further work on your behalf.

Procedure for withdrawal of legal services

Stage 1 Intention to withdraw legal services

When the Board forms an intention to withdraw legal services, it will:

- let you know in writing, either directly or through your solicitor;
- advise you of the reason(s) for the withdrawal of legal services; and
- advise you of the right to give reasons as to why legal services should not be withdrawn.

The Board will consider any submissions made by you, or made on your behalf **before** making a decision on the withdrawal of legal services.

Stage 2 Decision to withdraw legal services

When the Board decides to withdraw legal services, it will let you know in writing, either directly or through your solicitor, of:

- the decision;
- the reason(s) for the decision; and
- your right to have the decision reviewed and/or appealed.

Stage 3 Review of a decision

When is the review procedure used?

The review procedure should be used if there is further information available that is relevant to the Board's decision.

What must you do if you want a review of a decision?

If you wish to seek a review of a decision you must give any extra relevant information within one month of being told about the decision, either directly to the Board or through your solicitor.

If, on review, the Board agrees with the first decision, you will be notified in writing of:

- the decision;
- the reason(s) for the decision; and
- your right to appeal the decision to an appeal committee of the Board.

Stage 4 Appeal a decision

How can I appeal a decision?

You may appeal a decision of the Board, either:

- through your solicitor, or
- by writing directly to the Board.

Any such appeal must be made within one month of the notification of the decision.

Who will tell me the outcome of my appeal?

An appeal committee will make a decision. The Board's Head Office will inform you in writing, either directly or through your solicitor, of the decision.

If the appeal committee decides that you should continue to receive legal services, such services will start again immediately.

Head Office: Legal Aid Board, Quay Street, Cahirciveen, Co. Kerry.

Tel: (066) 947 1000

Fax: (066) 947 1035

Locall: 1890 615 200

Website: www.legalaidboard.ie

FULL-TIME LAW CENTRES

CAVAN	Newcourt Shopping Centre, Church Street, Cavan.	Tel: (049) 433 1110 Fax: (049) 433 1304
CLARE	Unit 6A, Merchant's Square, Ennis, Co. Clare.	Tel: (065) 682 1929 Fax: (065) 682 1939
CORK	Law Centre, 1A South Mall, Cork. Law Centre (incorporating Refugee Legal Service), North Quay House, Popes Quay, Cork.	Tel: (021) 427 5998 Fax: (021) 427 6927 Freephone: 1800 202420 Tel: (021) 455 1686 Fax: (021) 455 1690
DONEGAL	Letterkenny Town Centre, Justice Walsh Road, Letterkenny, Co. Donegal.	Tel: (074) 912 6177 Fax: (074) 912 6086
DUBLIN	45 Lower Gardiner Street, Dublin 1. 48/49 Nth. Brunswick St./Georges Lane, Dublin 7. 44/49 Main Street, Finglas, Dublin 11. Tower Centre, Clondalkin Village, Dublin 22. Village Green, Tallaght, Dublin 24. Unit 6-8, Business Centre, Clonsilla Road, Blanchardstown, Dublin 15 . Medical Negligence Unit, 7-11 Montague Court, Montague Street, Dublin 2. Refugee Legal Service, 48/49 Nth. Brunswick St., Georges Lane, Dublin 7. Dolphin House Service, Dolphin House, East Essex St, Dublin 2.	Tel: (01) 874 5440 Fax: (01) 874 6896 Tel: (01) 646 9600 Fax: (01) 646 9799 Tel: (01) 864 0314 Fax: (01) 864 0362 Tel: (01) 457 6011 Fax: (01) 457 6007 Tel: (01) 451 1519 Fax: (01) 451 7989 Tel: (01) 820 0455 Fax: (01) 820 0450 Tel: (01) 477 6200 Fax: (01) 477 6241 Freephone: 1800 238343 Tel: (01) 646 9600. Fax: (01) 671 0200 Tel: (01) 888 6998. Fax: (01) 888 6007
GALWAY	Law Centre, 9 Francis Street, Galway. Law Centre (incorporating Refugee Legal Service), Seville House, New Dock Road, Galway.	Tel: (091) 561 650 Fax: (091) 563 825 Freephone: 1800 502400 Tel: (091) 562 480 Fax: (091) 562 599
KERRY	1 Day Place, Tralee, Co. Kerry.	Tel: (066) 712 6900 Fax: (066) 712 3631
KILDARE	Canning Place, Newbridge, Co Kildare.	Tel: (045) 435 777 Fax: (045) 435 766
KILKENNY	87 Maudlin Street, Kilkenny.	Tel: (056) 776 1611 Fax: (056) 776 1562
LAOIS	Unit 6A, Bridge Street, Portlaoise, Co. Laois.	Tel: (057) 8661366 Fax: (057) 8661362
LIMERICK	Unit F, Lock Quay, Limerick.	Tel: (061) 314 599 Fax: (061) 318 330
LONGFORD	Credit Union Courtyard, 50A Main Street, Longford.	Tel: (043) 334 7590 Fax: (043) 334 7594
LOUTH	Condil House, Roden Place, Dundalk, Co. Louth.	Tel: (042) 933 0448 Fax: (042) 933 0991
MAYO	Humbert Mall, Main Street, Castlebar, Co. Mayo.	Tel: (094) 902 4334 Fax: (094) 902 3721
MEATH	Kennedy Road, Navan, Co. Meath.	Tel: (046) 907 2515 Fax: (046) 907 2519
MONAGHAN	Alma House, The Diamond, Monaghan.	Tel: (047) 84888 Fax: (047) 84879
OFFALY	Harbour Street, Tullamore, Co. Offaly.	Tel: (057) 935 1177 Fax: (057) 935 1544
SLIGO	Bridgewater House, Rockwood Parade, Thomas Street, Sligo.	Tel: (071) 916 1670 Fax: (071) 916 1681
TIPPERARY	Friars Court, Abbey Street, Nenagh, Co. Tipperary.	Tel: (067) 34181 Fax: (067) 34083
WATERFORD	Canada House, Canada Street, Waterford.	Tel: (051) 855 814 Fax: (051) 871 237
WESTMEATH	Paynes Lane, Irishtown, Athlone, Co. Westmeath.	Tel: (090) 647 4694 Fax: (090) 647 2160
WEXFORD	Unit 8, Redmond Square, Wexford.	Tel: (053) 912 2622 Fax: (053) 912 4927
WICKLOW	Bridge Street, Wicklow.	Tel: (0404) 66166 Fax: (0404) 66197

Issued by the

LEGAL AID BOARD



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HOURS OF OPENING

10.00 a.m. - 12.30 p.m. & 2.00 p.m. - 4.00 p.m.

QUAY STREET, CAHIRCIVEEN, CO. KERRY.

LOCALL No. 1890 615200

TEL: (066) 947 1000. FAX: (066) 947 1035.

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