Means assessment test for legal aid

Is client (or client plus partner¹) a homeowner?

No

Box 1: the home

(1) Estimated value of the home

Deduct

(2) 3% as cost of selling

(3) Outstanding mortgage (up to £100,000)

Equity in the home

[(1) – (2) – (3)]

Disregard

Equity up to a maximum of £100,000

Total assessed capital in the home

Is assessed capital in the home more than £8,000?

No

Yes

Not eligible

Box 2: capital

Add up all money in bank accounts, ISAs, savings, investments, loans etc.

Disregard value of business if self-employed, work tools, car (unless a luxury car) and personal/household possessions

Total

Is total of Box 2 (or Box 1 + Box 2) more than £8,000?

No

Yes

Eligible

Box 3: passporting benefits

Is client on income support, income-based/income-related JSA or ESA, guarantee pension credit, universal credit, asylum support?

No

Yes

Eligible

Box 4: income

Gross income³ for last calendar month

Disregard

Disability living allowance or personal independence payment, attendance allowance, carers’ allowance, council tax support

Total

Is total monthly income after disregards above £2,657? (Add £222 for each child if more than four children)

No

Yes

Eligible

Box 5: disposable income

Total from Box 4

Deduct: £181.91 for partner, £291.49 for each child or other dependant, rent payable after HB (housing costs are capped at £545 per month for claimant(s) without dependants), tax and NI, reasonable child care costs incurred because of work, £45 for work related expenses, maintenance payments – check for other allowable deductions

Disposable monthly income

Is disposable monthly income over £733?

No

Yes

Eligible but if savings over £3000 or income over £315 per calendar month, person will have to make a contribution if they need legal aid for court proceedings. Legal help is free.

¹ Client and partner’s income is added together unless permanently separated due to relationship breakdown.

² Actual amount is on a sliding scale determined by disposable income (see Box 5).

³ Income includes wages, child benefit, tax credits, drawings from business, student grant/loans, money from friends/family.