



Legal Aid  
Agency

# Financial Assessment for Family Mediation

Provider reference/case code: \_\_\_\_\_

This form must be completed in ink.

## Applicant's Details

Surname Mr/Mrs/Miss/Ms \_\_\_\_\_ First name(s) \_\_\_\_\_

Surname at birth if different: \_\_\_\_\_ Date of birth: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ postcode: \_\_\_\_\_

National Insurance number: 

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Job: \_\_\_\_\_

## Financial Eligibility

1. The client has a partner whose means are to be aggregated:

Yes Please provide details of both client's and partner's means.

No Please provide details of client's means only.

2. The case is about ownership or possession of assets and / or financial provision:

Yes Go to question 3.

No Go directly to Part B Capital.

3. The client's assets (held in sole name or jointly held) have been claimed by the opponent:

Yes Please complete Part A Capital - Subject matter of dispute.

No Go directly to Part B Capital.

The subject matter of dispute disregard only applies to assets that are specifically claimed by the opponent. All assets that have not been specifically claimed by the opponent must be included in Part B Capital.

## Part A: Capital - Subject matter of dispute (SMOD)

4 Please list any property, assets or possessions that the opponent has made a claim to in this case:

1. Property:

Current market value

Outstanding Mortgage/secured loan

**Main home**    **Other property**

£ \_\_\_\_\_

£ \_\_\_\_\_

2. Is property held in joint names with the opponent?

4 If property is held in joint names with the opponent, equal shares will normally be assumed for assessment purposes.

Yes

Yes

No

No

3. Client's share of property for assessment?

4 Enter 50% when property is jointly owned with opponent. Select 100% when property is solely owned by client or jointly with partner. Enter an appropriate % if another party has an interest.

\_\_\_\_\_ %    \_\_\_\_\_ %

4. Total Net Equity (i.e. current market value minus mortgage disregard):

4 The maximum disregard allowable is capped at £100,000 for all outstanding mortgages/loans covering all property held.

4 you must carry out the calculation of total net equity on 'other property' before 'main home' (i.e. use the mortgage disregard on other property first).

4 If the client also has an interest in other property that is not SMOD, you will need to return to this question after you have captured property details in Part B Capital.

£ \_\_\_\_\_

5. Client's share of Total Net Equity:

4 Multiply answer to question 4 by answer to question 3.

£ \_\_\_\_\_

6. Final assessed amount of Client's equity:

4 Calculated by applying the SMOD disregard; followed by the equity disregard of £100,000 to the main home.

4 The maximum SMOD disregard is £100,000.

4 The SMOD disregard must be applied to the main home first (i.e. deducted from the client's share of total net equity shown as answer to question 5); any remainder (i.e. only if client's share of total net equity in main dwelling is less than £100,000) should then be applied to other property.

£ \_\_\_\_\_

4 **You must not reverse the order of the disregards**

## Part A: Capital - Subject matter of dispute (SMOD) continued

7. Other assets and possessions claimed by the opponent:

Savings (bank, building society, etc)

Investments (shares, insurance policies, etc)

Valuable items (boat, caravan, jewellery, etc)

Other capital (including money due to the client)

**Client and Partner**

£ \_\_\_\_\_

£ \_\_\_\_\_

£ \_\_\_\_\_

£ \_\_\_\_\_

**Total capital Part A**

£ \_\_\_\_\_

4 This is the total capital amount after applying the SMOD disregard of £100,000 to the assets in this section.

4 If there are no SMOD property assets, apply the full £100,000 SMOD disregard to the assets set out in question 7 above.

## Part B: Capital

4 Please list all client's and partner's property, assets or possessions not included in Part A.

4 Capital excludes household furniture and effects (unless exceptional value), clothes and tools of trade.

1. Property:

Current market value:

Outstanding Mortgage/secured loan:

**Main home      Other property**

£ \_\_\_\_\_

£ \_\_\_\_\_

2. Is property held in joint names with the opponent?

Yes

Yes

No

No

4 If property is held in joint names with the opponent, equal shares will normally be assumed for assessment purposes.

3. Client's share of property for assessment:

4 Enter 50% when property is jointly owned with opponent. Select 100% when property is solely owned by client or jointly with partner. Enter an appropriate % if another party has an interest.

\_\_\_\_\_ %      \_\_\_\_\_ %

4. Total Net Equity (i.e. current market value minus mortgage disregard):

4 The maximum disregard allowable is capped at £100,000 for all outstanding mortgages/loans covering all property held.

4 you must carry out the calculation of total net equity on 'other property' before 'main home' (i.e. use the mortgage disregard on other property first).

£ \_\_\_\_\_

5. Client's share of Total Net Equity:

4 Multiply answer to question 4 by answer to question 3.

£ \_\_\_\_\_

6. Final assessed amount of Client's equity:

4 After applying equity disregard of £100,000 to client's share of total net equity in main home (shown as answer to question 5).

£ \_\_\_\_\_

## Part B: Capital continued

### 7. Other assets and possessions:

Savings (bank, building society, etc)

Investments (shares, insurance policies etc)

Valuable items (boat, caravan, jewellery, etc)

Other capital (including money due to the client)

**Total capital Part B**

**Total of all capital assets (Part A and Part B)**

**Client**

**Partner**

£ _____	£ _____
£ _____	£ _____
£ _____	£ _____
£ _____	£ _____
£ _____	
£ _____	

## Part C: Income

The client is directly or indirectly in receipt of Income Support, Income-based Jobseeker's Allowance, Income-related Employment and Support Allowance or Guarantee Credit:

Yes Go directly to the Evidence section on page 5.

No Continue with income details.

### 4 Use monthly figures

(if paid weekly, multiply by 52 & divide by 12)

(if paid four weekly, multiply by 13 & divide by 12)

### Income includes:

4 Gross monthly earnings

4 Other income

(including child benefit, pensions, maintenance, dividends, tax credits, benefits in kind, etc)

**Total gross income**

**Total gross income (Client and Partner)**

**Client**

**Partner**

£ _____	£ _____
£ _____	£ _____
£ _____	£ _____
	£ _____

### Less monthly allowances:

4 Housing costs, including:

Mortgage instalment\* (capped if client has no dependents)

Rent\* (capped if client has no dependents)

\* amounts should be net of housing benefit

4 Dependents' allowances:

Partner

Dependents Aged 15 and under

Aged 16 or over

4 Tax and National Insurance

4 Standard allowance for employment expenses

4 Maintenance payments actually being made  
(eg for children and/or a former/separated spouse)

4 Childcare costs because of work/self employment

4 Payment of income contribution order (criminal legal aid)

**Total allowances**

**Total monthly disposable income**

**Total monthly disposable income  
(Client and Partner)**

£ _____	£ _____
£ _____	£ _____
£ _____	
£ _____	
£ _____	£ _____
£ _____	£ _____
£ _____	£ _____
£ _____	£ _____
£ _____	£ _____
£ _____	£ _____
	£ _____

## Evidence

Evidence given in support of means    Yes  you will need to complete the evidence checklist on page 7.    No

If no please record justification or exceptional circumstance.

## Client Declaration

- 4 As far as I know, all the information I have given is true and I have not withheld any relevant information. I understand that if I knowingly give false information or withhold relevant information I could be prosecuted.
- 4 I understand that I must tell you immediately if there are any changes in my or my partner's financial circumstances.
- 4 I agree to the Legal Aid Agency checking these facts with others such as the Department of Work and Pensions and the HM Revenue and Customs and I authorise those people/organisations to provide the information they are asked for.

Signed by the client: \_\_\_\_\_

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

## Authority by partner (only required if partner is in attendance at mediation).

- 4 This is a true statement of all my income and assets in the UK and abroad.
- 4 I agree to the Legal Aid Agency checking these facts with others such as the Department of Work and Pensions and the HM Revenue and Customs and I authorise those people/organisations to provide the information they are asked for.

Signed: \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Full name (in block capitals): \_\_\_\_\_

## Mediator to Complete

Please tick the type of mediation this application relates to:

children issues only

property and finance

all issues mediation

If you have ticked one of the boxes, please give the date the mediation started: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Please state what the dispute relates to:

Is the person married to, or have they ever been married to, the other party in the dispute?

Yes

No

## Further Information

Has the client previously received mediation for:

children issues

property and finance

all issues mediation

# Evidence Checklist

E1

4 Please tick the relevant box(es) to indicate evidence collected.

4 Please refer to the detailed financial eligibility guidance for controlled work.

<b>Income</b>	
<p><b>Employed (P.A.Y.E.) Income:</b></p> <p><input type="checkbox"/> Wage slips</p> <p><b>Self Employed Income:</b></p> <p><input type="checkbox"/> Recent bank statements</p> <p><input type="checkbox"/> Complete financial accounts</p> <p><input type="checkbox"/> Self assessment tax return</p> <p><input type="checkbox"/> Cash book</p> <p><b>Benefits in Kind</b></p> <p><input type="checkbox"/> P11D tax form (benefits in kind)</p> <p><b>Other Income:</b></p> <p><input type="checkbox"/> Private /occupational pension documents</p> <p><input type="checkbox"/> Evidence of rental income (bank statement or tenancy agreement)</p> <p><input type="checkbox"/> Trust income (bank statement or letter from trustees)</p> <p><input type="checkbox"/> Letter from friend/family providing support</p> <p><input type="checkbox"/> student grant/loan letter</p> <p><input type="checkbox"/> Other: _____ (e.g. bank statements)</p> <p>4 For pensions and any other income that is subject to income tax, evidence must show the <b>gross</b> amount before tax is deducted.</p>	<p><b>State benefits (including passporting benefits):</b></p> <p><input type="checkbox"/> Bank statements</p> <p>4 Name and type of benefit e.g. <b>Income-based</b> Jobseekers Allowance must be specified on the statement or additional evidence will be required e.g. notification letter.</p> <p><input type="checkbox"/> Original notification letter (for passporting benefit, please refer to the table providing examples of acceptable and unacceptable evidence in volume 2 part E).</p> <p><input type="checkbox"/> Latest letter advising change in benefit amount</p> <p><input type="checkbox"/> Letter from paying agency i.e. Department for Work and Pensions, Jobcentre Plus, Pension Service confirming receipt of the passporting benefit at the date of application.</p> <p>4 Letters must specify name and type of benefit. Letters over 6 months old must be supported by a recent bank statement.</p> <p><b>NASS Support:</b></p> <p><input type="checkbox"/> Letter from NASS or Local Authority that the individual is in receipt of support.</p> <p>4 Letter must be less than 6 months old.</p> <p><b>Tax Credits:</b></p> <p><input type="checkbox"/> Tax Credit Award Notice (most recent).</p> <p><input type="checkbox"/> Other recent HMRC letter confirming amount received.</p> <p>4 Letter must be less than 6 months old.</p>
<b>Expenditure (refer to guidance on risk-based evidence):</b>	
<p><b>Income Tax and National Insurance:</b></p> <p><input type="checkbox"/> Wage slips (employees P.A.Y.E.)</p> <p><input type="checkbox"/> Tax calculation sheet form SA302 (self employed)</p> <p><b>Housing costs (where amount exceeds one-third of client's gross income):</b></p> <p><input type="checkbox"/> Rent book/tenancy agreement</p> <p><input type="checkbox"/> Mortgage statement</p> <p><input type="checkbox"/> Bank statement</p>	<p><b>Child Care costs in excess of £600 per month</b></p> <p><input type="checkbox"/> Copy of agreement/contract</p> <p><input type="checkbox"/> Bank statement</p> <p><b>Maintenance (see guidance)</b></p> <p><input type="checkbox"/> Receipts</p> <p><input type="checkbox"/> Bank statement</p> <p><input type="checkbox"/> Copy of Maintenance Order</p>
<b>Capital (refer to guidance on risk-based evidence):</b>	
<p><input type="checkbox"/> Bank statement</p> <p><input type="checkbox"/> Share certificate</p> <p><input type="checkbox"/> National savings certificate/passbook</p> <p><input type="checkbox"/> Premium Savings Bonds or Bond Record (summary)</p>	<p><input type="checkbox"/> Other: _____</p>