

## Request for property arbitration

### Part A – Current invitation to attend property arbitration

Is your client seeking aid to respond to an invitation to attend property arbitration through Legal Aid Queensland?

- ☐ No
- ☐ Yes (No further information is required. Please certify and submit this application)

### Part B - Parenting issues

Do the parties have children together (including step children)?

- ☐ No
- ☐ Yes

Is there a current dispute about who the children live with or how much time they spend with each party?

- ☐ No
- ☐ Yes (Please complete the information request for dispute resolution for parenting and property)

### Part C - Parties have been separated for a sufficient period of time

How long have the parties been separated for:

- ☐ 6 weeks or more
- ☐ Less than 6 weeks

### Part D - Address for the other party

It is a legislative requirement that Legal Aid Queensland issue a written invitation to the other party to attend property arbitration. If the applicant is not able to provide the address for the other party, property arbitration cannot be approved.

- ☐ I confirm that I have provided the address details for the other party involved in this dispute.\*

*\*Please provide current address details for the other party (5000 characters)*

## Part E - Property settlement

For legal aid to be granted for a property dispute, the guidelines for property must be met. Refer to interpretation of Guideline 12 – Property.

### Time frames

The parties were:

- ☐ married within the meaning of the Family Law Act 1975, and
  - ☐ the parties are not divorced
  - ☐ the parties are divorced and it is within 12 months of the divorce becoming final
  - ☐ the parties are divorced and are not within 12 months of the divorce order becoming final and the court has granted leave to commence proceedings
  - ☐ the parties were divorced more than 12 months ago and the court has not granted leave to commence proceedings
- ☐ in a de facto relationship within the meaning of the Family Law Act 1975, and
  - ☐ the de facto relationship ended less than two years ago
  - ☐ the de facto relationship ended more than two years ago and the court has granted leave to commence property proceedings
  - ☐ the de facto relationship ended more than 2 years ago and the court has not granted leave to commence proceedings

### Property pool

The property pool includes:

- ☐ matrimonial property
- ☐ a deferred benefit
- ☐ a business or commercial undertaking
- ☐ significant savings
- ☐ vacant and/or unimproved land
- ☐ investment properties
- ☐ other\*

*\*Please specify (5000 characters)*

The estimated total equity of the disputed property is:

- ☐ Under \$20,000
- ☐ Between \$20,000 and \$400,000\*
- ☐ Over \$400,000

*\* Please provide an itemised list of the property including values of all assets and liabilities (5000 characters)*

**Part F - Property arbitration requirements / exclusions •**

I certify that:

- ☐ my client is willing to participate in property arbitration
- ☐ my client is not out of time to apply for a property settlement
- ☐ there is no existing final property settlement, finalised by either court order or registered agreement
- ☐ the property pool does not include a business or trust
- ☐ there are no third party claims relating to the property pool
- ☐ the property dispute does not relate to a discrete issue
- ☐ the property dispute does not relate to a debt (negative equity)
- ☐ there is no dispute relating to children of the relationship

**CERTIFICATION**

I (*Solicitor's name*)\* \_\_\_\_\_

certify that:

- ☐ I am a practitioner with the law practice that is submitting this;\* and
- ☐ I have a signed application for aid for this client;\* and
- ☐ I hold up to date evidence of the client's financial eligibility on file;\* and
- ☐ The information provided is true and correct;\* and
- ☐ This certification is made on the basis of material attached or held on the file and I agree to produce this information if requested.\*