



LEGALAID
MALTA

Logo for Legal Aid Malta

4 scales of justice that form a square.



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Four-faced shape of logo – justice has to be distributed fairly without influence of bias, privilege or corruption.

The words LEGAL and AID give the understanding of providing legal representation to low-income people.

The word MALTA is used to identify the Agency in the international arena.

Means Testing

- **Criminal Proceedings**
 - No means testing is done
- **Civil Proceedings**
 - Means test done according to Articles 912, 913 and 914 of Chapter 12 of the Laws of Malta (COCP)
- **Victims of Crime**
 - No means test is done

Procedure for applying (1)

- **In Criminal cases**
 - Defendant applying for legal aid can apply according to Article 570 of Chapter 9 of the Laws of Malta.

Procedure for applying (2)

- **In Civil cases**

- Applicant to call at Legal Aid Office to be means tested whether the person is eligible for legal aid.

- To provide the relevant documents:

- a) Social security document stating amount of income;

- b) FS3 from employer;

- c) Bank statements;

- d) Other documents re income and possessions.

If the person is eligible for legal aid an appointment is scheduled with the Head Advocate to discuss the issues.

Procedure for applying (3)

- **As a victim of crime**
 - The applicant is scheduled for an appointment with Head Advocate to discuss the issue.

Day of appointment with Head Advocate (1)

- The person meets Head Advocate to discuss the issue and see whether there are sufficient grounds for proceedings (Art. 912 (a) of Chp 12).
- If there are sufficient grounds for a person to be granted legal aid assistance (to take or defend, continuing or being part of a proceeding) an application (*rikors*) is drawn up to be presented at the Court Registries.

Day of appointment with Head Advocate (2)

- Application (in civil procedures) (LN 62 of 2016) is filled by the client and confirmed on oath by the beneficiary at the Legal Aid office.
- The application (*rikors*) is presented on the following day/s to the duty judge on roster to decree if the demand is conceded or otherwise.

Assigned Legal Aid Lawyer and Legal Procurator

- **In Criminal Cases**

- When a person asks for a Legal Aid lawyer in the Court of Magistrates, s/he is assigned a lawyer on the daily Criminal Court rota.

Assigned Legal Aid Lawyer and Legal Procurator (2)

- **In Civil Cases**

- After the Court decrees that the person is to be granted a legal aid lawyer, the Court Registry informs the LAM Agency with the name of lawyer and Legal Procurator for every application according to the Civil Court rota.

- Legal Aid Malta Agency informs every lawyer and legal procurator with the cases they are assigned and the relevant scanned documents are forwarded.
- The beneficiary for legal aid is informed with the name of the lawyer, legal procurator and their mobile numbers (through SMS, email or telephone). Client is informed that s/he has to make contact with their assigned lawyer.

Further information (1)

- CIVIL Cases
 - Legal aid cases assigned in 2016: 337
 - Legal aid cases assigned in 2017 (up to 21 April): 102
 - Legal aid lawyers (Malta – 14; Gozo – 4).
 - Legal aid procurators: 24
 - Remuneration: €6 000 per annum (lawyers); €2 000 (PL)

Further information (2)

- Lawyers and PL are appointed directly by the Minister – Articles 89 & 911(6) of Chapter 12 (COCP) and their names are published in the Government Gazette.
- Head Advocate of Legal Aid is also CEO of Agency.
Appointed following a call for applications and his name is also published in the Government Gazette.



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More information can be obtained from the
following link:

mjcl.gov.mt/en/legalaidmalta

Thank You.