

# LEGAL AID

THE USA	ENGLAND AND WALES
<p>➤ <b>Public defenders</b> – Lawyers employed and salaried by the state, who are appointed to represent people who cannot afford to hire an attorney. The US Constitution (Amendment VI and XIV) and a landmark decision of the US Supreme Court (<i>Gideon v. Wainwright</i> – 1963) requires the government to provide legal counsel to indigent defendants in criminal cases.</p> <p>➤ <b>Legal Services Corporation</b> – (LSC) is an independent nonprofit established by Congress in 1974 to provide financial support for civil legal aid to low-income Americans. LSC promotes equal access to justice by providing funding to 134 independent non-profit legal aid programs in every state.</p> <p>➤ <b>Pro bono</b> (for the public good) – Free advice and representation undertaken voluntarily and without payment by attorneys and law firms in theory for those who are unable to afford them. The ABA's ethical rules recommends that lawyers contribute at least 50 hours pro bono service per year.</p> <p>➤ <b>Legal clinics</b> – generally law-school programs providing hands-on-legal experience to law school students and services to various clients. Clinics are usually directed by professors and attorneys. They do pro bono work in a particular area, providing free legal services to clients. Funding usually comes from charities, private donors and some local, state governments.</p>	<p>➤ <b>Legal aid</b> – Generally provided by private firms of solicitors and barristers in private practices, contracted by and paid by the state under the legal aid scheme. Legal aid can help meet the costs of legal advice, family mediation and representation in a court or tribunal.</p> <p>➤ <b>Duty solicitor schemes</b> (police station or court duty solicitor) are managed by the Legal Aid Agency.</p> <p>A duty solicitor is a fully qualified criminal defence solicitor. He/she is a solicitor whose services are available to a person either suspected of, or charged with, a criminal offence free of charge (pro bono) if that person does not have access to a solicitor of their own. These solicitors are generally in private practice (contrary to US public defenders)</p> <p>➤ <b>The Public Defender Service (PDS)</b> is a department of the Legal Aid Agency, delivering a full range of quality services within the criminal defence market, from advice and representation at the police station and magistrates courts through to advocacy in the higher courts.</p> <p>➤ Some <b>pro bono advice</b> can also be provided by solicitors or law students, in particular through LawWorks (the operating name for the Solicitors Pro Bono Group).</p> <p>➤ <b>Citizen's advice (bureau)</b> – network of 316 independent charities throughout the United Kingdom that give free advice, confidential information and advice to assist people with money, legal consumer and other problems.</p>

**What options are available to people ineligible for legal aid in the USA or in the UK ?** Many people will have to **pay privately for advice** or use **no-win, no-fee** lawyers (for civil cases), seek support from one of a number of **charities / organisations** that offer legal help, or **represent themselves** in trying to solve their disputes.

**What criteria/ requirements must someone meet to be eligible for legal aid ?** More often than not **means tests** and **legal merit tests** are used to determine if legal aid will be granted.