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National Legal Aid Family Law Private Practitioner Survey 2002

National Legal Aid conducted a survey of family law practitioners and legal aid work around the country in mid 2002. The survey was distributed through the Law Societies of each State and Territory. A copy of the survey and an interpretation by NLA follow. Whilst the response to the survey was limited Professor Rosemary Hunter of Griffith University has advised that the overall results of the survey are statistically valid.

The results of the survey provide evidence to suggest that the private profession is reducing the amount of legally aided family law work that it is prepared to do.

The survey clearly shows that practitioners who have already ceased to perform legal aid work, or have reduced the amount of legal aid work they are prepared to do, have made this decision on the basis that legal aid work is not cost effective for them. The low fees paid by Legal Aid Commissions (in contrast with private fees) were most often cited as the reason for ceasing or reducing legal aid work.

Whilst new practices have picked up some legally aided family law work National Legal Aid expects that if fee levels remain disparate that the practitioners in these new practices will also decide not to continue legal aid work or will reduce that which they do.

The survey also points to a decline in the amount of legal aid work that practitioners in rural areas are prepared to perform. This is of particular concern because it suggests that there are people in rural areas who may not be able to access justice. National Legal Aid is concerned that unless the disparity between the fees which Commissions are able to pay and private fees is reduced that the situation will worsen.

NLA interpretation of survey:

Response Rate:

There were 127 responses nationally to the National Legal Aid survey of family law practitioners. Of these 77 (61%) were from urban areas and 50 (39%) were from rural areas. These were broken down on a State/Territory basis as follows:

Tasmania – 1 (1 urban)
Western Australia – 13 (10 Urban, 3 Rural)
Victoria – 20 (11 Urban, 9 Rural)

Northern Territory – 1 (1 Urban)
 Queensland – 25 (12 Urban, 13 Rural)
 ACT – 7 (7 Urban)
 SA – 20 (11 Urban, 9 Rural)
 NSW – 40 (24 Urban, 16 Rural)

Amount of legal aid work undertaken 99/00 and 00/01:

36 (28%) of the respondents had **decreased** the amount of legal aid work they did in 2000/2001 from what they had done in 1999/2000. The overwhelming majority of respondents referred to low legal aid fees as the main reason for reducing legal aid work although a number also complained about the level of bureaucracy involved in dealing with Commissions.

31 (24.4%) of the respondents **had not changed** the amount of legal aid work they did between 2000/2001 and 1999/2000.

28 (22%) of the respondents **did not do any legal aid** work in either 1999/2000 or 2000/2001. Of these 19 indicated that they had ceased doing legal aid work prior to 1999/2000 because of the low fees.

30 (23.5%) of the respondents had **increased** the amount of legal aid work they did in 2000/2001 from what they had done in 1999/2000. Of these 13 (43%) had done no family law work in 1999/2000 because they had commenced as new practices in 2000/2001. A further 7 (23%) indicated that they would be reconsidering the amount of legal aid work being done because of low fees.

2 (1.5%) **did not respond** regarding the amount of legal aid work being done.

Rural/urban responses:

Of the 50 **rural** respondents;

20 (40%) had **decreased** the amount of legal aid work being undertaken in 2000/2001 from what they had undertaken in 1999/2000

22 (44%) **had not changed** the amount of legal aid work being undertaken in 2000/2001 from what they had undertaken in 1999/2000

7 (14%) had **increased** the amount of legal aid work being undertaken in 2000/2001 from what they had undertaken in 1999/2000

1 (2%) **did not respond**

Of the 77 urban respondents:

16 (21%) have **decreased** the amount of legal aid work being undertaken in 2000/2001 from what they had undertaken in 1999/2000

37 (48%) **have not changed** the amount of legal aid work being undertaken in 2000/2001 from what they had undertaken in 1999/2000

23 (30%) **have increased** the amount of legal aid work being undertaken in 2000/2001 from what they had undertaken in 1999/2000

2 (2%) **did not respond**

More rural respondents have therefore decreased the amount of legal aid work than their urban counterparts.

Fees:

The national average fee charged by non-partners was \$199 per hour and the national average fee charged by partners was \$249 per hour. This is compared to the national average legal aid fee of \$107 per hour.

Comparison with previous survey:

When the survey was conducted in 1999, there were 263 responses. 52% of the respondents indicated that they did less work in 1998/99 than they had done in 1994/95. The average hourly rate was \$175 per hour.

Family law Practitioner survey – 1 August 2002

State	Urban/ Rural	No. of family law cases 99/00	No. of family law cases 00/01	Diff. In family law cases + or -	% of legal aid work 99/00	% of legal aid work 00/01	% change + or -	Market Rate Per hr.	Legal Aid Rate Per hr.	Reasons for any change in amount of legal aid work being undertaken
Tas	Urban	Nil	100	100+	Nil	60%	60% +	\$145	\$86	Aiming at reducing legal aid work – abysmally low rates
WA	Urban	Nil	42	42+	Nil	10%	10%+	\$180	\$100	New practice 2000 – fewer cases 2002 due to low rates, no. of matters no longer funded & workload expected by legal aid clients
WA	Urban	50	60	10+	Nil	Nil	Nil	\$200- \$250		Won't do legal aid work because it is not considered profitable
WA	Urban	??	??	??	Nil	Nil	Nil	\$295		Market targeted by firm does not include any legal aid work
WA	Urban	124	128	4+	6.45%	5.47%	0.98% -	\$220- \$240	\$100	
WA	Urban	Nil	33	33+	Nil	Nil	9% +	\$145	\$100	New practice – started in 2000
WA	Urban	3	1	2-	Nominal	Nominal	??	\$210-260	\$128	No legal aid work because rates do not cover the expense of running a file
WA	Rural	80	85	5+	5%	5%	Nil	Scale		Do not usually apply for legal aid due to lack of legal aid funding – cases are refused
WA	Urban	40	60	20+	20%	25%	5%+	\$190- \$270	\$100	Hourly rate is substantially less than \$100. No work is completed within the grant amount
WA	Urban	??	??	??	??	??	15%-	\$180- \$250	\$100	Return on hours is abysmal. Used to be able to afford to do virtually pro bono work for legal aid clients but no more.

State	Urban/ Rural	No. of family law cases 99/00	No. of family law cases 00/01	Diff. In family law cases + or -	% of legal aid work 99/00	% of legal aid work 00/01	% change + or -	Market Rate Per hr.	Legal Aid Rate Per hr.	Reasons for any change in amount of legal aid work being undertaken
WA	Rural	108	103	5+	20%	15%	5%-	\$160- \$220	\$100	Funding reduced for matters in 2000/2001. Conferencing commenced by legal aid.
WA	Urban	??	??	??	60%	60%	Nil	\$260	\$100	Only legal aid work accepted is child rep matters. Reduced other work because of low fees. Main problem is the number of hours assumed for work to be done.
WA	Urban	2	2	Nil	Small no.	Small no.	Nil	\$200	\$100	Not financially viable. Regard as pro bono. Little recognition of work done beyond court work, eg., negotiation etc.
WA	Rural	74	50	24-	30%	20%	10%-	\$130-230	\$100	Unable to keep subsidising legal aid work. Doing 5 times more than get paid for. In 2002 have ceased to do legal aid work.
Vic	Rural	22	29	5+	Nil	20%	20%+	Scale		New Solicitor taking on more work
Vic	Urban	??	??	??	Not known	Not known	??	\$160- \$330		Part of general decline in doing legal aid work
Vic	Urban	30	50	20+	Nil	Nil	Nil			Handling some legal aid cases – monitoring the amount of funding to determine if continue
Vic	Urban	Over 100	Over 100	Nil	20%	10%	10%-	\$225- \$350	\$160	1. Low rate of remuneration 2. Unrealistic stage of matter limits 3. Costs disputes 4. Delays in payments 5. Dealing with grants officers with no legal understanding
Vic	Rural	6	Nil	6-	Nil	Nil	Nil	\$200- \$260		No longer undertake legal aid work – admin. Loading, low rates, disputes over fees all contributed

State	Urban/ Rural	No. of family law cases 99/00	No. of family law cases 00/01	Diff. In family law cases + or -	% of legal aid work 99/00	% of legal aid work 00/01	% change + or -	Market Rate Per hr.	Legal Aid Rate Per hr.	Reasons for any change in amount of legal aid work being undertaken
Vic	Rural	200-300	200-300	Nil	50%	40%	10%-	\$160-\$300		Stage of matter has dropped fees – different rate for FMS – Final hearing fees for Barristers when matters turn into interim hearings – non-legal grants officers questioning lawyers about decisions – more letters on file with legal aid than case – empire building in legal aid
Vic	Urban	Nil	1	1+	Nil	1%	1%+	\$275		Cannot cover costs in legal aid work. Used to do legal aid many years ago but no longer
Vic	Urban	Nil	Nil	Nil	Nil	Nil	Nil			Have elected to do pro bono work – legal aid too bureaucratic and frustrating
Vic	Urban	42	44	2+	7%	13%	6%+	\$160		More files opened and a few more matters legally aided
Vic	Rural	156	156	Nil	25%	20%	5%-	Scale		Now more difficult to obtain a grant of legal assistance
Vic	Rural	200	200	Nil	50%	50%	Nil	\$160		Reduction in the number of firms that are taking on legal aid cases – limited funding and losses on legal aid files, review the situation year by year
Vic	Urban	20	Nil	20-	5%	Nil	5%-	\$175-\$200		Used to do a lot of legal aid but progressive reduced fees mean have been driven out of the field
Vic	Rural	116	112	4-	70%	70%	Nil	Scale		Considering reducing legal aid work – write off between \$40-50,000 per annum that can't be billed to legal aid
Vic	Urban	160	100	60-	60%	10%	50%-	\$200-\$280		Reduction of fees & realisation it was charity work
Vic	Rural	130	153	23+	80%	60%	20%-	Scale		Not taking all cases that come through the door
Vic	Urban	50	150	100+	90%	90%	Nil	\$120		

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Vic	Urban (Geelong)	389	434	45+	40%	25%	15%-	\$180- \$220		Guidelines too restrictive, cost caps, payment does not compensate for work done
Vic	Rural	66	37	29	85%	62%	23%-	Scale		Losing too much money
Vic	Rural	95	95	Nil	70%	70%	Nil	\$200		
Vic	Urban	40	86	46+	Nil	Nil	Nil	\$200		No legal aid work done because financially not worth it
NT	Urban	68	72	4+	50%	57%	7%+	Scale		
Qld	Rural	80	100	20+	Nil	Nil	Nil	\$297		
Qld	Rural	60	60	Nil	20%	Nil	20%-	\$200- \$270		Ceased doing work 2 years ago – clients more demanding and fees less attractive
Qld	Urban	400	450	50+	Nil	Nil	Nil	\$220- \$250		Decided several years ago not to do legal aid work because of low level of fees
Qld	Urban	??	??	??	50%	50%	Nil	\$220		
Qld	Rural	500	550	50+	5%	3%	2%-	\$160		Ongoing difficulties in dealing with LAQ and low fees
Qld	Rural	120	141	21+	40%	45%	5%+	\$270- \$300		Less firms doing legal aid, therefore have increased numbers

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Qld	Rural	50	70	20+	75%	75%	Nil	\$160		New business
Qld	Rural	200	300	100+	50%	50%	Nil	\$150		Increase in public enthusiasm for family litigation
Qld	Rural	??	??	??	Minimal	Minima 1	Nil	\$250		
Qld	Urban	200	200	Nil	5%	5%	Nil	\$200- \$250		Do the bare minimum to get the work done
Qld	Urban	34	61	27+	Nil	Nil	Nil	\$180- \$200		Not prepared to accept terms & conditions of legal aid. Exposed ourselves to claims of professional negligence b/c couldn't properly represent clients for the fees
Qld	Urban	109	126	27+	58%	72%	14%+	\$220- \$275		
Qld	Urban	173	232	59+	3%	10%	7%+	\$220- \$253		Increase due to increase in no. of solicitors – recently ceased to undertake legal aid work except for child rep. matters
Qld	Rural	130	145	15+	20%	20%	Nil	\$180- \$200		Less funds for court disputes, losses too high. Matters are largely conferences
Qld	Urban	??	??	??	Nil	Nil	Nil	\$200- \$240		No legal aid work, not profitable
Qld	Rural	??	??	??	90%	90%	Nil	\$180		
Qld	Rural	??	??	??	??	??	??	\$175- \$250		Has not been on legal aid panel for a number of years
Qld	Urban	116	111	5-	Nil	Nil	Nil	\$225- \$250		

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Qld	Rural	Nil	73	73+	Nil	25%	25%+	\$160- \$200		Firm only opened in early 2002
Qld	Urban	150	200	50+	Nil	Nil	Nil	Scale		Ceased legal aid cases 5 years ago as not financially viable for small practice
Qld	Rural	30	100	70+	50%	50%	Nil	\$154- \$200		No. of referrals for legal aid has increased
Qld	Urban	125	133	8+	9%	8%	1%-	\$200- \$265		
Qld	Urban	150	200	50+	50%	50%	Nil	Scale		
Qld	Urban	120	40	20+	35%	40%	5%+	\$160- \$190		Highly probable that our firm unable to continue level of legal aid due to low fees
Qld	Rural	111	101	10-	11%	7%	4%-	\$178- \$198		Number of legal aid matters is constant based on personal changes
ACT	Urban	120	232	112	10%	7%	3%-	\$180- \$250		Can't afford to do more (firm only commenced in late 2000)
ACT	Urban	10	12	2+	75%	75%	Nil	\$180- \$200		
ACT	Urban	280	260	20-	Nil	5%	5% +	\$280- \$350		Not worth the trouble
ACT	Urban	200	150	50-	20%	10%	10%-	\$200		We have received less referrals
ACT	Urban	??	??	??	Nil	Nil	Nil	\$250		Don't do any legal aid work – rates are too low, cases too demanding
ACT	Urban	6	12	6+	3%	10%	7%+	\$180- \$200		Increase because believe in assisting less fortunate. Need to reconsider, time spent & appalling returns – decisions about merit leave much to be desired

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ACT	Urban	Nil	150	150+	Nil	60%	60%+	\$200		I commenced with the firm and was prepared to do legal aid work
SA	Urban	65	68	3+	40%	48%	8%+	\$220		
SA	Urban	??	??	??	Nil	35%	35%+	\$160		Firm started a free phone advice no. Appeared attractive to legal aid clients
SA	Urban	50-60	50-60	Nil	5%	5%	Nil	\$231		Amount of work required in children's matters, have made decision not to do any legal aid work in matrimonial matters as it is totally uneconomical
SA	Urban	Nil	100	100+	Nil	65%	65%+	\$195		Only commenced practice in early 2001.
SA	Rural	8	7	1-	Nil	Nil	Nil	\$180		No longer do legal aid work as it is not financially viable
SA	Rural	??	??	??	50%	5%	45%-	\$198- \$220		Too much work for too little return. Labour intensive files – can't charge for items done.
SA	Rural	50	30	20-	50%	10%	40%-	\$160- \$180		Fees don't reflect actual amount of work done. Not cost effective. Instead refer to a CLC – counsel/agents fees – can't claim entire fee
SA	Urban	200	200	Nil	Nil	Nil	Nil	\$300		
SA	Urban	40	70	30+	10%	1%	9%-	\$180- \$220		Does not pay – doing legal aid work, the firm is running at a loss
SA	Urban	129	157	28	15%	19%	4%+	\$198		Increase in legal aid funding in 2000 encouraged us
SA	Urban	102	99	3-	50%	50%	Nil	\$160		
SA	Urban	1	22	21+	Nil	Nil	Nil	\$154		
SA	Rural	20	20	Nil	90%	90%	Nil	Scale		
SA	Rural	22	29	7+	85%	80%	5%-	Scale		Less competition means more business
SA	Urban	20	20	Nil	60%	50%	10%-	\$180		More difficult matters because of socio-economic difficulties and no financial reward – legal aid covers admin. Costs only
SA	Urban	Nil	60	60+	Nil	100%	100%+	\$180		Child rep. matters only

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SA	Rural	16	12	4-	Nil	Nil	Nil	\$190- \$250		LSC too difficult and too miserly
SA	Rural	60	45	15-	80%	80%	Nil	\$165		Have sadly adopted a policy of no more legal aid matters. Sadly cannot afford it.
SA	Rural	??	??	??	25%	Nil	25%-	\$198		Stopped doing in Jan 2000
SA	Rural	89	79	10-	42%	40%	2%-	\$154		Continue to do because practice in a country town. May well come a time when it is not economically viable to do legal aid
NSW	Rural	7	65	58+	50%	50%	Nil	Scale		Change of solicitors in the firm
NSW	Rural	Nil	2	2+	Nil	1%	1%+	\$180		Legal aid costs do not reflect the time spent on a matter
NSW	Rural	40	38	2-	41%	23%	18%-	\$160- \$180		Not cost effective
NSW	Rural	55	55	Nil	12.5%	12.5%	Nil	\$160- \$225		
NSW	Urban	??	352	??	Minimal	Minimal	Nil	\$180- \$250		For many years, subsidised legal aid. Rates are less than break even costs. One sep rep matter – cost \$45,000 on scale, \$10,000 paid by legal aid, interim hearing \$4600 scale, \$660 paid by legal aid
NSW	Urban	98	118	20+	15%	17.8%	2.8%+	\$275- \$250		Mixture of child rep. work & private clients
NSW	Rural	83	70	13-	Nil	Less than 1%	Nil	\$120- \$260		Stopped doing legal aid work because: 1. Cases with merit knocked back 2. Fees did not cover work 3. Agents fees – cost more than legal aid rates 4. Only received grants for stages – did not know if we would get aid for more
NSW	Urban	15	30	15+	7%	12%	5%+	\$180- \$220		Can only do legal aid work if clerks deal with clients and lawyers do court work.

Family law Practitioner survey – 1 August 2002

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Tas	Urban	Nil	100	100+	Nil	60%	60% +	\$145	\$86	Aiming at reducing legal aid work – abysmally low rates
WA	Urban	Nil	42	42+	Nil	10%	10%+	\$180	\$100	New practice 2000 – fewer cases 2002 due to low rates, no. of matters no longer funded & workload expected by legal aid clients
WA	Urban	50	60	10+	Nil	Nil	Nil	\$200- \$250		Won't do legal aid work because it is not considered profitable
WA	Urban	??	??	??	Nil	Nil	Nil	\$295		Market targeted by firm does not include any legal aid work
WA	Urban	124	128	4+	6.45%	5.47%	0.98% -	\$220- \$240	\$100	
WA	Urban	Nil	33	33+	Nil	Nil	9% +	\$145	\$100	New practice – started in 2000
WA	Urban	3	1	2-	Nominal	Nominal	??	\$210-260	\$128	No legal aid work because rates do not cover the expense of running a file
WA	Rural	80	85	5+	5%	5%	Nil	Scale		Do not usually apply for legal aid due to lack of legal aid funding – cases are refused
WA	Urban	40	60	20+	20%	25%	5%+	\$190- \$270	\$100	Hourly rate is substantially less than \$100. No work is completed within the grant amount
WA	Urban	??	??	??	??	??	15%-	\$180- \$250	\$100	Return on hours is abysmal. Used to be able to afford to do virtually pro bono work for legal aid clients but no more.

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WA	Rural	108	103	5+	20%	15%	5%-	\$160- \$220	\$100	Funding reduced for matters in 2000/2001. Conferencing commenced by legal aid.
WA	Urban	??	??	??	60%	60%	Nil	\$260	\$100	Only legal aid work accepted is child rep matters. Reduced other work because of low fees. Main problem is the number of hours assumed for work to be done.
WA	Urban	2	2	Nil	Small no.	Small no.	Nil	\$200	\$100	Not financially viable. Regard as pro bono. Little recognition of work done beyond court work, eg., negotiation etc.
WA	Rural	74	50	24-	30%	20%	10%-	\$130-230	\$100	Unable to keep subsidising legal aid work. Doing 5 times more than get paid for. In 2002 have ceased to do legal aid work.
Vic	Rural	22	29	5+	Nil	20%	20%+	Scale		New Solicitor taking on more work
Vic	Urban	??	??	??	Not known	Not known	??	\$160- \$330		Part of general decline in doing legal aid work
Vic	Urban	30	50	20+	Nil	Nil	Nil			Handling some legal aid cases – monitoring the amount of funding to determine if continue
Vic	Urban	Over 100	Over 100	Nil	20%	10%	10%-	\$225- \$350	\$160	1. Low rate of remuneration 2. Unrealistic stage of matter limits 3. Costs disputes 4. Delays in payments 5. Dealing with grants officers with no legal understanding
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Vic	Urban	Nil	1	1+	Nil	1%	1%+	\$275		Cannot cover costs in legal aid work. Used to do legal aid many years ago but no longer
Vic	Urban	Nil	Nil	Nil	Nil	Nil	Nil			Have elected to do pro bono work – legal aid too bureaucratic and frustrating
Vic	Urban	42	44	2+	7%	13%	6%+	\$160		More files opened and a few more matters legally aided
Vic	Rural	156	156	Nil	25%	20%	5%-	Scale		Now more difficult to obtain a grant of legal assistance
Vic	Rural	200	200	Nil	50%	50%	Nil	\$160		Reduction in the number of firms that are taking on legal aid cases – limited funding and losses on legal aid files, review the situation year by year
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Vic	Rural	95	95	Nil	70%	70%	Nil	\$200		
Vic	Urban	40	86	46+	Nil	Nil	Nil	\$200		No legal aid work done because financially not worth it
NT	Urban	68	72	4+	50%	57%	7%+	Scale		
Qld	Rural	80	100	20+	Nil	Nil	Nil	\$297		
Qld	Rural	60	60	Nil	20%	Nil	20%-	\$200- \$270		Ceased doing work 2 years ago – clients more demanding and fees less attractive
Qld	Urban	400	450	50+	Nil	Nil	Nil	\$220- \$250		Decided several years ago not to do legal aid work because of low level of fees
Qld	Urban	??	??	??	50%	50%	Nil	\$220		
Qld	Rural	500	550	50+	5%	3%	2%-	\$160		Ongoing difficulties in dealing with LAQ and low fees
Qld	Rural	120	141	21+	40%	45%	5%+	\$270- \$300		Less firms doing legal aid, therefore have increased numbers

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Qld	Rural	50	70	20+	75%	75%	Nil	\$160		New business
Qld	Rural	200	300	100+	50%	50%	Nil	\$150		Increase in public enthusiasm for family litigation
Qld	Rural	??	??	??	Minimal	Minima 1	Nil	\$250		
Qld	Urban	200	200	Nil	5%	5%	Nil	\$200- \$250		Do the bare minimum to get the work done
Qld	Urban	34	61	27+	Nil	Nil	Nil	\$180- \$200		Not prepared to accept terms & conditions of legal aid. Exposed ourselves to claims of professional negligence b/c couldn't properly represent clients for the fees
Qld	Urban	109	126	27+	58%	72%	14%+	\$220- \$275		
Qld	Urban	173	232	59+	3%	10%	7%+	\$220- \$253		Increase due to increase in no. of solicitors – recently ceased to undertake legal aid work except for child rep. matters
Qld	Rural	130	145	15+	20%	20%	Nil	\$180- \$200		Less funds for court disputes, losses too high. Matters are largely conferences
Qld	Urban	??	??	??	Nil	Nil	Nil	\$200- \$240		No legal aid work, not profitable
Qld	Rural	??	??	??	90%	90%	Nil	\$180		
Qld	Rural	??	??	??	??	??	??	\$175- \$250		Has not been on legal aid panel for a number of years
Qld	Urban	116	111	5-	Nil	Nil	Nil	\$225- \$250		

State	Urban/ Rural	No. of family law cases 99/00	No. of family law cases 00/01	Diff. In family law cases + or -	% of legal aid work 99/00	% of legal aid work 00/01	% change + or -	Market Rate Per hr.	Legal Aid Rate Per hr.	Reasons for any change in amount of legal aid work being undertaken
Qld	Rural	Nil	73	73+	Nil	25%	25%+	\$160- \$200		Firm only opened in early 2002
Qld	Urban	150	200	50+	Nil	Nil	Nil	Scale		Ceased legal aid cases 5 years ago as not financially viable for small practice
Qld	Rural	30	100	70+	50%	50%	Nil	\$154- \$200		No. of referrals for legal aid has increased
Qld	Urban	125	133	8+	9%	8%	1%-	\$200- \$265		
Qld	Urban	150	200	50+	50%	50%	Nil	Scale		
Qld	Urban	120	40	20+	35%	40%	5%+	\$160- \$190		Highly probable that our firm unable to continue level of legal aid due to low fees
Qld	Rural	111	101	10-	11%	7%	4%-	\$178- \$198		Number of legal aid matters is constant based on personal changes
ACT	Urban	120	232	112	10%	7%	3%-	\$180- \$250		Can't afford to do more (firm only commenced in late 2000)
ACT	Urban	10	12	2+	75%	75%	Nil	\$180- \$200		
ACT	Urban	280	260	20-	Nil	5%	5% +	\$280- \$350		Not worth the trouble
ACT	Urban	200	150	50-	20%	10%	10%-	\$200		We have received less referrals
ACT	Urban	??	??	??	Nil	Nil	Nil	\$250		Don't do any legal aid work – rates are too low, cases too demanding
ACT	Urban	6	12	6+	3%	10%	7%+	\$180- \$200		Increase because believe in assisting less fortunate. Need to reconsider, time spent & appalling returns – decisions about merit leave much to be desired

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ACT	Urban	Nil	150	150+	Nil	60%	60%+	\$200		I commenced with the firm and was prepared to do legal aid work
SA	Urban	65	68	3+	40%	48%	8%+	\$220		
SA	Urban	??	??	??	Nil	35%	35%+	\$160		Firm started a free phone advice no. Appeared attractive to legal aid clients
SA	Urban	50-60	50-60	Nil	5%	5%	Nil	\$231		Amount of work required in children's matters, have made decision not to do any legal aid work in matrimonial matters as it is totally uneconomical
SA	Urban	Nil	100	100+	Nil	65%	65%+	\$195		Only commenced practice in early 2001.
SA	Rural	8	7	1-	Nil	Nil	Nil	\$180		No longer do legal aid work as it is not financially viable
SA	Rural	??	??	??	50%	5%	45%-	\$198- \$220		Too much work for too little return. Labour intensive files – can't charge for items done.
SA	Rural	50	30	20-	50%	10%	40%-	\$160- \$180		Fees don't reflect actual amount of work done. Not cost effective. Instead refer to a CLC – counsel/agents fees – can't claim entire fee
SA	Urban	200	200	Nil	Nil	Nil	Nil	\$300		
SA	Urban	40	70	30+	10%	1%	9%-	\$180- \$220		Does not pay – doing legal aid work, the firm is running at a loss
SA	Urban	129	157	28	15%	19%	4%+	\$198		Increase in legal aid funding in 2000 encouraged us
SA	Urban	102	99	3-	50%	50%	Nil	\$160		
SA	Urban	1	22	21+	Nil	Nil	Nil	\$154		
SA	Rural	20	20	Nil	90%	90%	Nil	Scale		
SA	Rural	22	29	7+	85%	80%	5%-	Scale		Less competition means more business
SA	Urban	20	20	Nil	60%	50%	10%-	\$180		More difficult matters because of socio-economic difficulties and no financial reward – legal aid covers admin. Costs only
SA	Urban	Nil	60	60+	Nil	100%	100%+	\$180		Child rep. matters only

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SA	Rural	16	12	4-	Nil	Nil	Nil	\$190- \$250		LSC too difficult and too miserly
SA	Rural	60	45	15-	80%	80%	Nil	\$165		Have sadly adopted a policy of no more legal aid matters. Sadly cannot afford it.
SA	Rural	??	??	??	25%	Nil	25%-	\$198		Stopped doing in Jan 2000
SA	Rural	89	79	10-	42%	40%	2%-	\$154		Continue to do because practice in a country town. May well come a time when it is not economically viable to do legal aid
NSW	Rural	7	65	58+	50%	50%	Nil	Scale		Change of solicitors in the firm
NSW	Rural	Nil	2	2+	Nil	1%	1%+	\$180		Legal aid costs do not reflect the time spent on a matter
NSW	Rural	40	38	2-	41%	23%	18%-	\$160- \$180		Not cost effective
NSW	Rural	55	55	Nil	12.5%	12.5%	Nil	\$160- \$225		
NSW	Urban	??	352	??	Minimal	Minimal	Nil	\$180- \$250		For many years, subsidised legal aid. Rates are less than break even costs. One sep rep matter – cost \$45,000 on scale, \$10,000 paid by legal aid, interim hearing \$4600 scale, \$660 paid by legal aid
NSW	Urban	98	118	20+	15%	17.8%	2.8%+	\$275- \$250		Mixture of child rep. work & private clients
NSW	Rural	83	70	13-	Nil	Less than 1%	Nil	\$120- \$260		Stopped doing legal aid work because: 1. Cases with merit knocked back 2. Fees did not cover work 3. Agents fees – cost more than legal aid rates 4. Only received grants for stages – did not know if we would get aid for more
NSW	Urban	15	30	15+	7%	12%	5%+	\$180- \$220		Can only do legal aid work if clerks deal with clients and lawyers do court work.

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NSW	Urban	100	85	15-	Nil	Nil	Nil	\$250		Stopped doing in 1999 – couldn't get 2 hours reading time in a 4 day case – best decision I ever made
NSW	Urban	Nil	Nil	Nil	Nil	Nil	Nil	\$265		Used to do legal aid work – was doing same work as for private clients but for 30-10% of the payment received from private clients – final straw was when legal aid ceased to provide grants for counsel in the FMS
NSW	Urban	??	??	??	50%	5%	45%-	\$250		Legal aid not available, loss suffered if legal aid work undertaken
NSW	Urban	50	60	10+	5%	7%	2%+	\$250		Cases more complex and clients more demanding. Not financially viable to increase legal aid work
NSW	Rural	200	200	Nil	25%	25%	Nil	\$290		Have now stopped all legal aid work after 20 years. Received 25% income for expenditure of 40% of overheads. Going broke
NSW	Urban	??	??	??	Nil	Nil	Nil	\$350		No legal aid work undertaken
NSW	Urban	67	49	18-	Nil	Nil	Nil	\$290- \$320		
NSW	Urban	250	300	50+	Nil	2%	2%+	\$200		Rate paid does not cover costs. If grant equivalent to family law scale, prepared to do legal aid
NSW	Rural	220	242	22+	Nil	Nil	Nil	\$250		Did an analysis and decided that we could no longer afford to do legal aid work
NSW	Urban	150	150	Nil	5%	Nil	5%-	\$275		Economic decision balanced against time availability
NSW	Rural	100	200	100+	20%	20%	Nil	\$200		Legal aid no longer covers photocopying & telephone – will no longer do legal aid work
NSW	Urban	Nil	Nil	Nil	Nil	Nil	Nil	\$225- \$305		Rate of pay too low – in CBD lose money doing the work
NSW	Urban	38	68	30+	5%	3%	2%-	\$180- \$220		Legal aid hardly ever available – rates don't cover overheads
NSW	Urban	200	300	100+	20%	40%	20%+	\$140- \$160		More legal aid funding

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NSW	Urban	10	10	Nil	2.5%	2.5%	Nil	\$280		Only legal aid work is occasional sep. rep. matter
NSW	Urban	??	??	??	Nil	Nil	Nil	\$230		Haven't done for over 10 years since stopped providing legal aid for property matters
NSW	Rural	150	150	Nil	5%	3%	2%-	\$225		Made decision to no longer do legal aid work apart from sep. rep. matters
NSW	Rural	Nil	300	300+	Nil	5%	5%+	\$295		Only do child rep. matters – other work was not economic
NSW	Rural	48	34	14	9.6%	5.6%	4%-	\$185		No longer do legal aid work of residence or contact – cases take at least 2 or 3 times more hours than those paid – effective rate is \$30-\$50 per hour
NSW	Rural	25	20	5-	25%	20%	5%-	\$220		Less availability of legal aid
NSW	Urban	5	Nil	5-	1%	Nil	1%-	\$250- \$350		Too difficult to obtain aid and more work dealing with legal aid over accounts than doing the matters
NSW	Rural	40	45	5+	35%	30%	5%-	\$250		
NSW	Urban	20	20	Nil	Nil	Nil	Nil	\$250- \$395		
NSW	Urban	6	4	2-	1%	1%	Nil	\$250- \$300		
NSW	Urban	130	120	10-	Nil	Nil	Nil	\$250		Few enquiries for legal aid
NSW	Urban	??	??	??	10%	10%	Nil	\$290- \$330		Only do legal aid for sep. rep. work
NSW	Urban	Nil	Nil	Nil	Nil	Nil	Nil	\$210- \$330		Legal aid does not pay – legal aid only available for criminals and drug dealers
NSW	Rural	304	296	8-	25%	10%	15%-	\$200		
NSW	Rural	Nil	320	320+	Nil	18%	18%+	\$265		
NSW	Urban	??	??	??	Nil	Nil	Nil	\$220- \$250		Can't afford to do legal aid work
NSW	Rural	Nil	60	60+	Nil	70%	70%+	\$200		Started sole practice in Oct 2000. Some files where aid is \$1500 but took \$4000 worth of time

