# Family law worksheet – property disputes – Guideline 9

*Refer to parts 4 & 24 of the VLA Handbook and section 6 of the Notes on the Guidelines*

**Client Name**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**VLA Ref No**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

## [Threshold tests](https://www.handbook.vla.vic.gov.au/notes-guideline-9-property-disputes)

### Forum test

*Refer to part 4 of the VLA Handbook (under Jurisdiction of Family Law Proceedings)*

[ ]  Under forum test, Victoria is the appropriate jurisdiction (*eg. resident parent lives in Victoria*)

[ ]  Proceedings issued in lowest court with appropriate jurisdiction to hear the matter (*if not, file must record why choice to issue proceedings in higher court was appropriate*)

### Means test

*Refer to part 12 of the VLA Handbook. Completing the Proof of Means Worksheet is recommended. The assessable asset test is suspended for this guideline.*

[ ]  Client meets the assessable income test

*Complete a Proof of means worksheet*

### Is there a parenting dispute

[ ]  No current parenting dispute

[ ]  Yes, and client is eligible for assistance under our parenting guidelines

## Assets

[ ]  Estimated total net property pool is $500,000 or less (not including superannuation); OR

[ ]  client’s estimated total net claim is $250,000 or less; OR

[ ]  Property pool is superannuation only; OR

[ ]  Property pool is purely debt alone

**Provide details of the property pool (assets, liabilities and superannuation) and their values**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*\* If additional space is required, attach a separate sheet*

## Family law priority client

A [family law priority client](https://www.handbook.vla.vic.gov.au/key-definitions) is:

1. a person with one or more of the following vulnerabilities:

**[ ]** a disability **[ ]**  diagnosed psychiatric or psychological illness **[ ]**  literacy barriers
**[ ]** cultural and/or language barriers **[ ]** drug and/or alcohol issues

and this

**[ ]** makes the person unable to effectively run their own case in court without a lawyer representing them
OR

B. a person who:

**[ ]** is experiencing homelessness or
**[ ]** identifies as Aboriginal or Torres Strait Islander or
**[ ]** has experienced, or is at risk of experiencing family violence
 **Provide further details on how this criteria is satisfied**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*\* If additional space is required, attach a separate sheet*

## Your client seeks a grant of assistance for:

[ ]  [Guideline 9.1](https://www.handbook.vla.vic.gov.au/guideline-91-family-dispute-resolution-services-family-law-property-disputes) – FDRS

[ ]  [Guideline 9.2](https://www.handbook.vla.vic.gov.au/guideline-92-litigation-family-law-property-disputes) – Litigation

[ ]  [Guideline 9.3](https://www.handbook.vla.vic.gov.au/guideline-93-urgent-ligation-family-law-property-disputes) – Urgent litigation

### If FDRS

[ ]  Estimated total net property pool is $500,000 or less; **OR**

[ ]  client’s estimated total net claim is $250,000 or less

**Provide details of how the guideline is satisfied**

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### If litigation

[ ]  client is more likely than not to succeed in their application or response to court

AND

[ ]  FDRS attempted or FDRS has assessed as unsuitable or unable to proceed; OR

[ ]  threshold factual issue as to existence of defacto relationship; OR

[ ]  client seeking leave to file out of time; OR

[ ]  client responding to a family law property application

**Provide details of how the guideline is satisfied**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

### If urgent litigation

[ ]  estimated total net property pool is $500,000 or less or the applicant’s estimated total claim is $250,00 or less; **AND**

[ ]  Without an urgent court order the client’s claim to the net asset pool will be significantly and irretrievably dissipated; **AND**

[ ]  client more likely than not to succeed in their application to court

**Provide details of how the guideline is satisfied**

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**Notes:**

* Applications for aid under guideline 9 are VLA assessed only and cannot be submitted through the simplified process. Please use the ‘VLA Assessed – Family Law Property Program’ template.
* Your client needs to satisfy the income test and must include with their application proof of income:
	+ Current pension or health care card if on a government benefit
	+ Latest pay slip or letter from their employer, if employed
	+ Latest tax return and profit and loss statement; or business activity statement, if self-employed
	+ Last 3 months of statements for every bank account in their name.