

LEGAL AID IN NATIONAL LAWS: Lithuania

Lithuania

<p>Is legal aid available?</p> <p>Who eligible for it?</p>	<p>There are two different types of legal aid services available, namely <i>primary legal aid</i> and <i>secondary legal aid</i>. <i>Primary legal aid</i> means the provision of legal information, legal advice and drafting of documents to be submitted to state and municipal institutions, with the exception of judicial documents. <i>Secondary legal aid</i> means the state-guaranteed lawyer's assistance in judicial proceedings, including drafting of documents, defence and representation in proceedings.</p> <p>Legal aid pertaining to legal gender recognition is usually provided through the civil society organizations.</p> <p><i>Primary</i> and <i>secondary legal aid</i> services in Lithuania are provided to Lithuanian citizens, to citizens of EU Member States and to lawful residents of Lithuania. While <i>primary legal aid</i> (i.e. one-hour consultation) is available for everyone, <i>secondary legal aid</i> is provided only to applicants whose assets and annual income do not exceed the asset and income level set by the Government.</p>
<p>What is the criteria to be eligible for legal aid?</p>	<ul style="list-style-type: none">• Persons willing to obtain <i>primary legal aid</i> should apply to the municipality of the place of their declared residence. The duration of legal advice within the framework of <i>primary legal aid</i> should not be longer than one hour. Its duration may be extended by the decision of the executive institution of a municipality or a person authorized by it. A person may apply for <i>primary legal aid</i> on the same issue only once.• <i>Secondary legal aid</i> is available to citizens whose assets and annual income do not exceed the assets and income levels set by the Government. In order to qualify for 100% financing of <i>secondary legal aid</i>, the monthly income by an applicant (without dependents) should not exceed EUR 326.67. In order to qualify for 50% financing of <i>secondary legal aid</i>, the monthly income by an applicant (without dependents) should not exceed EUR 475. For detailed calculations of the assets and income levels, please see: http://www.teisinepagalba.lt/tm/calculator/. For additional criteria in receiving <i>secondary legal aid</i> service, please see: http://www.teisinepagalba.lt/en/antrine/tm/whocangetitsecondary/. The following individuals can request <i>secondary legal aid</i> services irrespective of personal asset and income levels:<ul style="list-style-type: none">✓ victims in proceedings for compensation of damage incurred through criminal offences;✓ persons entitled to social allowance;✓ persons maintained in stationary care institutions;✓ persons recognised as severely disabled or incapable of work, as well as guardians of such persons;

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	<ul style="list-style-type: none"> ✓ persons unable to dispose of their assets and funds due to objective reasons; ✓ persons entitled to aid in criminal proceedings; ✓ persons in proceedings regarding birth registration; ✓ persons in cases on the return of a child who has been illegally removed or retained.
<p>Where can you file the application for legal aid?</p>	<p>Persons willing to obtain <i>primary legal aid</i> should apply to the municipality of the place of their declared residence. The list of primary legal aid service providers can be found here.</p> <p><i>Secondary legal aid</i> services are merged into the State-Guaranteed Legal Aid Service with divisions in Kaunas, Klaipėda, Šiauliai and Panevėžys. Upon arrival at the State-Guaranteed Legal Aid Service, the applicant will have to submit: (1) a completed application for <i>secondary legal aid</i>; (2) a document to confirm identity and, if applicable, permission for permanent or temporary residence in Lithuania or EU Member State; (3) documents supporting the claim (e.g. court judgements, agreements, etc.).</p> <p>If an applicant is requesting the Service to decide on their eligibility for <i>secondary legal aid</i> based on their income and assets, in addition to the application and personal identity document, an applicant has to submit their annual resident's (family's) property declaration with the tax administrator's mark that the declaration has been submitted.</p>
<p>What expenses are covered?</p>	<p>Depending on personal assets and income levels, <i>secondary legal aid</i> will either completely or partially cover a person's share of the court costs, the fees of their lawyer, the evidence gathering costs and the translation costs. For the estimated calculation of the legal fees in Lithuania, please see here: http://www.teisinepagalba.lt/en/en/antrine/tm/calculationofcostsfo/</p>
<p>Is there freedom to choose a lawyer?</p>	<p>A lawyer providing state-guaranteed legal aid shall be selected by the State-Guaranteed Legal Aid Service from the lists of lawyers who have concluded agreements on the provision of secondary legal aid. An applicant's proposal regarding the specific lawyer shall be taken into account when selecting a lawyer from the list. If an applicant wishes for <i>secondary legal aid</i> to be provided by the lawyer of their choice who is not included in the lists of lawyers providing <i>secondary legal aid</i>, they should submit written consent from the lawyer of their choice regarding representation in the proceedings.</p>
<p>Further information</p>	<p>The State-Guaranteed Legal Aid Service</p> <p>Lithuanian: www.teisinepagalba.lt</p> <p>English: www.teisinepagalba.lt/en</p>