



Hague Convention Attorney Network Assistance, 2023
Hague Convention on the Civil Aspects of International Child Abduction

Please review the 2023 Legal Assistance Income Guidelines chart to determine your eligibility to request the U.S. Central Authority's assistance in identifying pro bono (free) or reduced fee legal representation for your Hague Convention case in the United States.

Complete and return this application to your Central Authority. Keep a copy for your records.

Table with 3 columns: Household size, PRO BONO (Maximum annual income), and REDUCED FEE (Maximum annual income). Rows range from household size 1 to 8.

Maximum annual income. This means your total annual income, before taxes, from all sources, converted to U.S. dollars.

Household size. Count yourself, the child/ren about whom you have filed a Hague application, and others living with you.

My household size: \_\_\_\_\_ (The number should not be "1.")

My total annual income (before taxes): \_\_\_\_\_ (in my currency) OR in US \$ \_\_\_\_\_

My occupation/employment: \_\_\_\_\_

Do you currently have an attorney in the United States for your Hague Convention case (or for a child custody/access case)? NO \_\_\_ YES \_\_\_ If YES, attorney's name/phone/email: \_\_\_\_\_

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Please review the income guidelines and read IMPORTANT INFORMATION on the next page before making your request. Consider your income and your assets. It may be faster and easier to find an attorney if you can afford to pay some amount for legal services. Request only one option. I believe that I am eligible to request:

\_\_\_ Pro Bono (free) legal assistance OR \_\_\_ Reduced fee legal assistance OR \_\_\_ A list of full fee attorneys

Signature \_\_\_\_\_ Date \_\_\_\_\_

Print your name \_\_\_\_\_ Email \_\_\_\_\_

Home phone \_\_\_\_\_ Mobile phone \_\_\_\_\_

## **Hague Convention Attorney Network Assistance, 2023: IMPORTANT INFORMATION**

- The U.S. Central Authority may ask you for additional information to verify your eligibility to request assistance identifying *pro bono* (free) or reduced fee legal representation.
- If you are not forthcoming or in error in your self-assessment as determined by a legal aid organization or private attorney reviewing your case, the U.S. Central Authority may limit any further assistance in helping you find legal representation.
- Legal representation may be offered by attorneys in private practice, by attorneys working for legal aid organizations, and by law professors and law students working under their supervision. **There is no guarantee that an attorney will take your case. There is no entitlement to receive *pro bono* or reduced fee legal assistance in a Hague Abduction Convention case.**
- **Eligibility for *pro bono* or reduced fee legal assistance:** We ask you to assess your eligibility for legal assistance based on total annual income, before taxes, from **all** sources (which includes members of your household who contribute to the support of the family unit). Be prepared to provide more detailed financial information to attorneys that may require it to determine if you meet **their** criteria for *pro bono* or reduced fee legal services.

In order to qualify for free legal assistance from most legal aid organizations, your total income **and assets** must be below a certain level. Legal aid organizations may also consider program priorities in deciding whether to accept a case. Attorneys in private practice likewise may ask about assets (*e.g.*, bank accounts, stocks, bonds, houses, cars, and other real and personal property), and for a copy of your tax return. They may offer you *pro bono* (free), reduced fee, or full fee representation depending on your financial situation. The Department of State plays **no** role in setting, negotiating, collecting, or anything else related to fees. If you can afford reduced fee or full fee legal assistance based on your income and assets, check the appropriate box.

- **Attorney fees:** Legal aid organizations provide free legal services. Private attorneys may represent you *pro bono* (for free) or charge fees for their services. Fee arrangements are strictly between you and the attorney. The Department of State plays **no** role in setting, negotiating, collecting, or anything else related to fees. If you would like general information about reduced fees, please visit the Department of State website, <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/laws/hague-abduction-convention-legal-representation-options.html>.
- **Costs and expenses:** Litigation often includes costs and expenses in addition to attorney fees. Ask attorneys about any costs and expenses associated with your case that you may be expected to pay. The Department plays no role in the construction or negotiation of fees or costs.

Legal aid organizations may cover some or all of the costs and expenses associated with your Hague Convention case. Most private attorneys will expect you to pay costs and expenses even when they provide their legal services *pro bono* (for free) or for reduced fees. You should expect to pay costs and expenses in full fee cases.

Costs and expenses may include, but are not limited to, filing fees, service of process on the other party, phone calls, travel expenses, document duplication, translations, and expert witnesses. For appellate cases, trial transcripts may be an additional expense. Costs and expenses may be as much as \$1000 or more, and may vary depending on the particular case. Courts may waive filing fees and service-related costs based on need. You may be able to recover the costs and expenses you paid, and attorney fees, if a court orders your child returned to his/her country of habitual residence.

- The “2023 Legal Assistance Income Guidelines” are based on Legal Service Corporation (“LSC”) maximum income levels for individuals eligible for legal assistance. LSC typically updates the guidelines annually to reflect annual amendments to Federal Poverty Guidelines. The guidelines are published in the Code of Federal Regulations, 45 CFR Part 1611, Appendix A. The Federal Register notice of the 2023 income guidelines (88 FR 7010, Feb. 2, 2023) is available at <https://www.federalregister.gov/documents/2023/02/02/2023-02179/income-level-for-individuals-eligible-for-assistance>. \*The tables on the chart are for the 48 contiguous states and the District of Columbia. Special tables for Hawaii and Alaska are available on the website.