

Terms and Conditions of the Procedural Advice Scheme

1. The Procedural Advice Scheme (the Scheme) provides legal advice on civil procedural matters for unrepresented litigants who commence or are parties to legal proceedings in the Lands Tribunal, the District Court, the Family Court, the Court of First Instance or the Court of Appeal of the High Court, and Court of Final Appeal, but not including civil proceedings in other tribunals.
2. Unrepresented litigants who have not been granted legal aid by the Legal Aid Department and have not engaged lawyers are eligible to apply for service under the Scheme. Consent is given by applicants for the Scheme to enquire with the Legal Aid Department on the status of applicants' legal aid application, if any.
3. Applications shall be made in person at the Procedural Advice Scheme Office (the Scheme Office) or via the Scheme's online system. For the Scheme to assess eligibility of applicants, applicants are required to complete an application form each time they seek legal advice.
4. Lawyers will take time to study the case materials and prepare for the advice session. Hence, applicants must fill in in details procedural question(s) intended to raise on the application form and provide relevant and recent court documents for lawyer's consideration. Lawyers may seek further information from the applicant on a need basis. No advice session will be arranged for applicants who fail to provide documents or information. If necessary, documents may be photocopied and the originals will be returned to applicants. Lawyers will not respond to any new questions raised or new documents provided during the interview. Applicants have to apply again and seek advice on those new questions or documents after the advice session.
5. After the lawyer having studied the case materials and prepared for the advice session, the Scheme will arrange eligible applicants to attend an advice session of not more than 30 minutes. Applicants may attend a maximum of five advice sessions every three months for the same case. If an applicant fails to attend the allotted advice session, the advice session will still count against the five-session limit.
6. The Scheme operates on a first-come first-served basis. Save for applicants who have made appointment via the Scheme's online system, applicants will be called to the counter according to the ticket number. The cut-off time for accepting applications for each half day is at 12:30 p.m. and 5 p.m. respectively. However, if there are too many cases being processed or cases with ticket obtained, the Scheme Office may advance the cut-off time for accepting applications without prior notice. Applicants who have not obtained a ticket of the day can apply for services by visiting the Scheme Office on another working day or via the Scheme's online system.
7. Advice will be provided through face-to-face interviews by lawyers. No written advice will be given nor advice be given via correspondence, telephone, electronic mail or any means other than face-to-face interview. Applicants agree to be advised by the assigned lawyer and cannot request to be advised by a particular lawyer. All correspondence or other contact between applicants and lawyers must be through the Scheme Office.

8. Service will not be provided in the following cases -
 - (a) legal aid application or legal aid appeal;
 - (b) applications for letters of administration or the grant of probate;
 - (c) petition/discharge of self-bankruptcy order;
 - (d) cases involving law which is outside Hong Kong's judicial system;
 - (e) seeking advice for limited companies, societies, associations;
 - (f) drafting legal documents;
 - (g) applicants repeatedly seeking advice concerning the same issues or subject matters without additional information;
 - (h) case involving merits;
 - (i) cases involving hypothetical questions;
 - (j) matters with no legal procedural issues involved;
 - (k) the matters have been solved or superseded by event; or
 - (l) cases involving complicated legal issues which require detailed research and studying of documents.
9. Service provided by the Scheme Office does not give rise to lawyer-client relationship. Applicants will remain responsible at all times for the conduct of their own proceedings. The Scheme will not take on the conduct of litigation or provide advocacy service, nor will it act as lawyers on the record or represent the applicants at any hearing. Please consult own legal or other professional advisers if necessary.
10. The Scheme will not provide stationery, document binding service, photocopying service and will not pay court fees for applicants.
11. The Scheme may not be able to give advice in the event of any conflict of interests. In the case where more than one party of the proceedings are unrepresented litigants, the Scheme will, if possible, arrange different lawyers to advise different parties to minimise the risk of conflict. Due to the limited resources of the Scheme and that only advice on civil procedural matters will be given, a lawyer of the Scheme may give advice to both the plaintiff(s) and the defendant(s) of the same case.
12. The Scheme will verify applicants' eligibility from time to time. Applicants must produce information as and when required by the Scheme. The service under the Scheme may be refused or withdrawn if an applicant fails to produce information.
13. The Scheme reserves the right to refuse to provide assistance and to withdraw service to an applicant at any time. The decision of the Centre-in-charge of the Scheme will be final.
14. The Scheme will keep applicants' affairs confidential. However, in order to operate, monitor and review the Scheme, applicants agree that the staff of the Scheme, community lawyers participating in the Scheme, relevant Government and non-government persons and their representatives connected with the monitoring of the Scheme will have access to the personal data of applicants and any information and documents provided by applicants in respect of the application, the court proceedings and the legal advice given. These persons may verify the truthfulness of the information provided by applicants and take appropriate actions where necessary for any false information provided.

15. A complaint procedure is available to applicants. Details of the complaint procedure will be made available on request.
16. Please also refer to the Terms and Conditions for using Online Application Service, and which will apply to applicants making online applications.
17. The Scheme Office reserves the right to interpret these terms and conditions and decide on any questions or disputes arising under these terms and conditions, and the right to vary or discontinue any aspects of these terms and conditions at any time without prior notice.