



#200 – 2006 West 10<sup>th</sup> Avenue  
Vancouver, BC V6J 2B3  
www.wcel.org

tel: 604.684.7378  
fax: 604.684.1312  
toll free: 1.800.330.WCEL (in BC)  
email: admin@wcel.org

Funded by:



## **ENVIRONMENTAL DISPUTE RESOLUTION FUND COMMUNITY LEGAL ACTION SEED GRANT (STAGE 1)**

### **Stage 1 Grant Overview**

#### **What is a Stage 1 Community Legal Action Seed Grant?**

This is a one-time grant of up to **\$2,500** for legal support for groups taking strategic action to address significant environmental challenges in their communities (we call this a “campaign”). Our ideal grant recipient demonstrates a need for legal work, to be used alongside other tools and strategies – political and market pressures, community organizing, or education. Given the limited amount, we expect that Stage 1 grants will focus on negotiations or submissions to government, rather than court or tribunal work. Where more intensive work is contemplated, the application should clearly explain how the work will be accomplished with the limited funding provided.

#### **What does the EDRF fund?**

The EDRF is intended to be a source of support for the legal component of your public interest environmental campaign—that is, the hourly fees and hard costs of a lawyer, an expert professional (where the expert’s work is a necessary complement to the legal work), or a mediator/facilitator (where all parties have agreed to alternative dispute resolution). We fund hourly fees of up to \$80/hr, which is similar to a legal aid rate and well below the rates of most commercial lawyers and experts. Unless the EDRF has granted special permission, expenses under a grant must be incurred by the lawyers or experts directly, as outlined in an approved budget.

#### **What if a Stage 1 Grant will not cover all the costs of my campaign?**

A Stage 1 grant is intended to jumpstart the legal dimension of your campaign, but may not cover all of your legal expenses. In addition, we require Stage 1 applicants to raise a contribution towards your application budget, even when the grant will cover your anticipated legal costs. We call this a “client contribution” and ask you to pay this as a percentage of each of your lawyer or expert’s invoices. Your application should clearly outline your plan to raise your client contribution. If you decide to proceed to a Stage 2 grant application, we will look at your fundraising efforts in Stage 1. Stage 2 applicants must demonstrate their ability to raise the funds necessary to cover the full cost of their campaigns.

#### **What does the EDRF *not* fund?**

We do not fund your clerical or administrative expenses. While we encourage community education and organizing, we do not fund the costs of this work. The Fund will not provide grants to pay for: (a) a private litigant’s liability for an adverse cost award; (b) the purchase of land; or, (c) defense against contempt proceedings arising from civil disobedience.

For further information and our Frequently Asked Questions, please refer to [www.wcel.org/edrf](http://www.wcel.org/edrf)

## Application Checklist

Please use the following checklist to ensure that your application is complete:

### 1. Stage 1 Application Form

Please answer *all* questions in the application form. You may use point form.

- Your signature on the last page of the application

### 2. Budget

- Budget signed off on by your lawyer(s) and expert(s)

### 3. Lawyer's Letter of Support

The letter of support is a statement of your lawyer's willingness to work on your case under certain terms and conditions. The letter must contain the following:

- A statement of the hourly rate, which must meet EDRF terms and conditions (see FAQs) and an estimate of the overall legal costs. If the nature of your project makes it difficult to estimate the number of legal hours required, provide possible scenarios.
- An overview description of the legal work to be performed under grant funds, and how it will advance your campaign objective
- For any litigation, a brief description of the legal issues and process (e.g. court or tribunal), along with an estimate of the likelihood of success
- A statement of the names and roles of all legal professionals working on the file

### 4. Expert Information (if applying for funding for one or more experts)

- Expert resume(s)
- Scope of work that describes the expert work to be performed under grant funds with a statement of the hourly rate, which must meet EDRF terms and conditions (see FAQs)

### 5. Additional Materials

- Letters of support from key institutions or coalition partners for your campaign strategy and your role as funding liaison
- News clippings that demonstrate the significance of the environmental issue, its public interest nature, a high degree of community support and any key partnerships
- Maps and diagrams as relevant

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When you have checked that your application is complete, please email or fax it to:

Liaison Lawyer, Erica Stahl:	estahl@wcel.org
Project Manager, Barbara Everdene:	beverdene@wcel.org
Toll Free Number:	1-800 330-WCEL (in BC)
Fax Number:	604-684-1312
Mailing address: #200 - 2006 West 10th Avenue, Vancouver, BC V6J 2B3	

# ENVIRONMENTAL DISPUTE RESOLUTION FUND

## Application Form

1) Date:

2) Contact Information:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Email: \_\_\_\_\_

3) The name and position of the person authorized to act on behalf of the organization in relation to this application:

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Organization: \_\_\_\_\_

4) **Organizational Profile.** Please provide us with some background information on your organization:

Incorporated society: Yes/No

Date of registration:

Registered Charity: Yes/No

Date of registration:

Other legal status:

Purpose:

Number of members:

Number of emails on your list:

Organizational website/blog (URL):

5) **Social media Profile.** Please provide us with some information on your social media presence:

**Facebook account:**

When created?                      Number of fans/members?

Twitter account: Username: @

When created?                      Number of followers?

Please provide URLs/usernames for any other social media used by the organization:

6) **a) Organizing Experience.** Tick all of the following that you have experience with:

- |  |   |
|--|---|
| <input type="checkbox"/> Maintaining and communicating with a list of supporters                     | <input type="checkbox"/> representatives, including elected officials                             |
| <input type="checkbox"/> Asking social media supporters to take some particular action               | <input type="checkbox"/> Raising funds for a cause  |
| <input type="checkbox"/> Taking action to increase your list of supporters or social media followers | <input type="checkbox"/> Approaching conventional media to cover a story                          |
| <input type="checkbox"/> Organizing a town hall or public meeting about an issue                     | <input type="checkbox"/> Requesting documents under freedom of information legislation            |
| <input type="checkbox"/> Writing and publishing a website or blog                                    | <input type="checkbox"/> Working with a lawyer or other expert to address a public interest issue |
| <input type="checkbox"/> Drafting a petition (paper or on-line)                                      | <input type="checkbox"/> Developing a coalition with other organizations                          |
| <input type="checkbox"/> Meeting with local, provincial, federal or First Nations government         |   |

**b)** What other skills or professional credentials does your group bring to your campaign, not listed above? (50 words or less)

**c)** Of the above skills, which would you prioritize learning more about as a tool to help you solve your environmental dispute? Why? How would that skill help? (50 words or less)

7) **a) Environmental Objective.** Please provide a summary description of your environmental concern, the environmental significance for your community and region (and why it is in the public interest) and what you hope to achieve in the short and longer term (100 words or less).

**b) Grant Objective and Plan**

Please summarize in **30 words or less** what you hope to achieve through with the legal assistance you are seeking through this application. This refers to the objective to be achieved **with this grant**, which may or may not be the same the end goal of your campaign. In defining the grant objective, confer with your lawyer and consider the limits of your budget.

**c)** If you achieve this grant objective, how will it contribute towards achieving the broader environmental objective (100 words or less)?

**d)** Please outline in point form your expected next steps on your campaign if the grant is awarded – including both legal and non-legal actions. Indicate the expected outcomes of each activity and how the lawyer might play a role (or not), or otherwise benefit the campaign.

Brief Description of Proposed Activity	Expected Outcome	Role for lawyer (if any)

**8) Your Work to Date.**

a) Please use the table below to summarize in point form your key actions to date on this issue, including any meetings with decision makers, submissions/petitions made, actions to educate/empower your community and/or the public, etc.

Month/Year	Brief Description of Action	Outcome

b) Have you enlisted other partners in your community? Please name them and describe the nature of your collaboration (30 words or less).

c) To your knowledge, are any other organizations/coalitions of individuals/First Nations or others working on this issue? Please name them and describe the relationship (similarities, differences) between their work and your work on this issue.

I authorize the EDRF to make contact with these organizations to discuss this application

**9. a)** Provide the names and qualifications of any individuals to be hired (lawyers, professional experts). Please attach a letter from the lawyer and a resume and scope of work and budget for services from any other professionals.

b) Have you received any legal assistance from another lawyer and/or environmental law organization? If yes, who? Please describe any assistance received.

- I authorize the EDRF to make contact with this lawyer/organization
- I authorize the EDRF to share information contained in this application with the UVic Environmental Law Centre and/or Ecojustice.

**10. Fundraising Plan.** In the lines below, please detail how you expect to raise funds (including existing funding that you plan to access) to able to contribute to legal costs associated with your campaign.

Date	Proposed fundraising activity or source	Expected amount
--	Organizational reserve or contingency fund for legal work	\$
--	Funds already raised by the organization for stage 1 legal work	\$

b) Your **Client Contribution** commitment: \_\_\_\_\_ % or \$\_\_\_\_\_ of budget.

Note: Stage 1 applicants are asked to commit to a minimum contribution towards your budget, known as a “client contribution”. Fundraising activities in 10a can reflect a stretch goal, but your client contribution should reflect an amount that you are committing to raise.

11. If a grant is made, should it be confidential? General details of fund grants are posted on our websites and provided on a confidential basis to our funder, the Law Foundation of BC.

- Please tick if the grant should be confidential. Why ?

12. By signing your name below, the applicant or its authorized agent:

- Guarantees that all the information in this application is accurate;
- Commits to pay back to the Fund the proceeds of any cost award or other award received regarding the case, up to the amount of the grant; and,
- Recognizes and accepts that any grant given may be less than requested and/or may be subject to such terms and conditions as the EDRF Committee or EDRF Liaison Lawyer see fit.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_

**EDRF APPLICATION BUDGET**

<b>Revenue</b>	<b>EDRF Request</b>	<b>Up to \$2500 at Stage 1</b>	<b>\$</b>
<b>Total Revenue</b>	Client Contribution	Description:	_____
	Other Funds (describe) (Should equal Total Expenses, below)		_____ \$
<b>Expenses</b>	<b>Legal Fees</b>	Legal Fees: ____ hours @ \$80/hr	\$ _____
	Description	(a)	_____
		(b)	_____
		GST @ 5%	_____
		PST @ 7%	_____
		<i>Subtotal Legal Fees</i>	\$ _____
	<b>Legal Disbursements</b>	Fax & Long Distance	\$ _____
		Copy, Postage & Courier	_____
		Travel & Accommodation	_____
		Other	_____
		GST @ 5%	_____
		PST @ 7%	_____
		<i>Subtotal Disbursements</i>	\$ _____
	<b>Expert Services</b>	Expert Fees: ____ hours @ \$____/hr	\$ _____
		GST @ 5%	_____
	<i>Subtotal Expert Fees</i>	\$ _____	
Expert Disbursements	Fax, Long Distance	\$ _____	
	Copying, Postage & Courier	_____	
	Travel & Accommodation	_____	
	Other	_____	
	GST @ 5%	_____	
	PST @ 7%	_____	
	<i>Subtotal Disbursements</i>	\$ _____	
<b>Total Expenses</b>			\$ _____

**Note to Lawyer:** If the nature of the project makes it difficult to estimate in advance the number of hours required, please indicate in your letter of support why this is the case.

**Note to Client:** Please note that it is your responsibility to follow your EDRF budget once approved by the EDRF Committee. You must contact the EDRF if the nature of your legal project changes, or if the budget proves to be insufficient to complete your work. Any further funds or change of use will require approval by the EDRF.