



Overview

The CBA Disbursement Fund is administered by Pro Bono Law Saskatchewan (PBLs) and available to members of the Law Society of Saskatchewan who are providing pro bono legal services through PBLs Panel Programs where the pro bono client is unable to afford necessary and reasonable disbursements. The Fund is available only to the limit of available coverage amounts and funds.

The Fund is made possible by a grant from the Saskatchewan Branch of the Canadian Bar Association. The Fund is also supported by generous donations from individual donors.

Coverage Amounts

The Fund reimburses the cost of necessary and reasonable disbursements incurred, up to a maximum of one thousand dollars (\$1000) for an individual client. The maximum is set to ensure that the Fund is available to as many lawyers and clients as possible, always subject to the availability of existing funds.

In special circumstances, the maximum coverage amount may be increased for matters which demonstrate exceptional merit or have substantial impact on social justice issues. Funding will generally only be advanced for matters that are not fee generating and will not result in a significant recovery of damages. In special circumstances, funding may be requested and advanced for matters which may result in recovery of damages and/or costs. Pre-approval or authorization is required for all requests involving special circumstances.

Criteria for Authorization

PBLs authorizes reimbursement for disbursements considered necessary and reasonable in the order they are received. A disbursement is considered necessary if it is likely to significantly advance the client's case or if, without it, the client's case would be significantly disadvantaged. Reasonable refers to the amount of the disbursement, and a reasonable disbursement may depend on the circumstances of a particular case. Discretion for authorization rests entirely with PBLs. Additional considerations may include:

- the likelihood that the expenditure would result in a tangible benefit to the client;
- whether the cost of the disbursement is proportional to the order or quantum sought by litigation;
- whether a client of limited means would incur the disbursement;
- if the disbursement is consistent with others allowed by PBLs; and
- whether the cost of the disbursement reflects market rates.

Covered Disbursements

PBLs will typically authorize the following disbursements (where necessary and reasonable):

- filing and hearing fees not waived by a Needy Persons Certificate
- court or tribunal transcripts
- service of court documents
- long distance telephone and fax charges
- postage or courier services
- title searches for property and assets
- fees for records
- expert reports
- interpretation, translation, or court reporting expenses
- travel costs for counsel

Generally, fees for electronic research and photocopying will not be reimbursed. Photocopying expenses at cost may be reimbursed. PBLs will only authorize additional disbursements for exceptional and meritorious matters.

Reimbursement

In all instances, PBLs reserves the right to request reimbursement of any disbursement funding advanced if costs or damages are awarded.

Applying to the Fund

Requesting pre-approval or authorization is encouraged. PBLs publishes this Policy & Information Sheet and an Application Form, available on the PBLs website or by contacting the PBLs office. Applications for special circumstances will be considered on a case by case basis.