

GRANT FUNDING POLICIES

I. General

- The Law Foundation allocates its resources received and invested by statute to programs which will benefit primarily the general public of Saskatchewan.
- Grant applications are considered by the Foundation's members only at regularly scheduled meetings of the members which are on the Foundation's website.
- Applicants must be a not for profit organization; the Foundation will not make grants to individuals or commercial enterprises.
- The Terms and Conditions of Grant which forms part of the Grant Application should also be consulted for more information on the undertakings and conditions under which grants are made and must be agreed to by the applicant. They are an integral part of the Foundation's grant funding policies.

II. Legislated Mandate

The Foundation's legislative mandate requires the exercise of judgment by its members. Further explanatory guidance follows:

Legal Education

- To promote legal education programs and services in Saskatchewan
- To make the law more accessible through increasing public awareness of the law and the justice system;
- Providing education to groups with particular legal needs; and
- Assisting in the academic and professional development of those who are or will be providing legal services to ensure those services are of the highest quality.

Legal Research

- To advance the knowledge of the law, the administration of justice, dispute resolution and the social context of law.
- To identify areas and issues needing study and analysis and the encouragement and support of projects to address those needs.

Legal Aid

- To facilitate access of the public to the justice system.

Law Libraries

- To assist law libraries and resource centers to keep their materials and delivery systems current.
- To encourage and support projects designed to improve the utility and accessibility of legal and law related materials to both the public and legal profession.

Law Reform

- To encourage and support projects that assess current law and the administration of justice and, where appropriate, promote reform in accordance with current knowledge, values and technology.

III. Grants Policy

Preamble

Recognizing the need for ongoing work in the community in the mandated areas of legal aid, legal education, law reform, law libraries and legal research, the Foundation gives priority to ongoing programs and services. Short term projects relating to the mandate of the Foundation are also funded, depending on fiscal and policy considerations.

Program Funding

- The Foundation will support ongoing programs which help it meet its legislative mandate and for which there is a clearly established need.
- The Foundation encourages collaboration amongst grantees delivering similar services.
- Ongoing programs are reviewed annually and there is no guarantee of ongoing funding.
- Ongoing programs are encouraged to self evaluate their effectiveness in meeting intended outcomes and may be required to have a third party evaluation to obtain ongoing funding.

Project Funding

The Law Foundation will not, as a general rule:

- Fund a project where the applicant seeks to maintain objects by lobbying or by initiating, promoting or continuing an adversarial process of any kind. Furthermore, the Foundation will not fund test cases but may fund independent research of assistance to a decision-making body. To ensure the independence of research,

researchers should enjoy freedom as to the conclusions that they reach and the research should be of such quality and kind as to be seen as independent and in the public interest.

- Fund a project similar to one in progress or previously undertaken by the applicant or any other person or provide continued funding to maintain a completed project previously funded by it or some other source. Applicants are required to advise the Foundation of other sources of funding obtained and/or available to them and are encouraged to find such other sources where feasible. The Foundation may impose a condition on the granting of funds that matching funds be requested and that a sponsoring body supervise the work to its conclusion.
- Fund a project expected to endure for an indefinite period.
- Fund individual applicants for scholarships, bursaries, fellowships, or sabbatical leave support.

Other Considerations

- Except in exceptional cases, the Foundation will not maintain ongoing and/or project recipients at current levels of funding where the recipient has accumulated significant reserves. Surplus funds with respect to one time grants must be returned to the Foundation unless otherwise authorized by the Board. The amount may be prorated where the Foundation is not the sole funder of the program. Where surplus is retained, the organizations still need to demonstrate the need for such surplus. With respect to ongoing grants where a surplus is retained, the Foundation may deduct all or a portion of the value of the surplus from future grants.
- From time to time, where appropriate, the Foundation may require an applicant to demonstrate that it has the support of the community.
- The Foundation does not fund university courses (core activities of the Faculty of Law e.g. activities conducted in the normal course of educating law students/faculty salaries except for the Law Foundation Chair) although it may provide seed money for research into new courses and also for pilot projects to establish courses.
- The Foundation does not normally fund professional and academic journals.
- The Foundation does not normally fund deficit budgets or retroactive deficits.
- As a condition of funding, organizations must provide satisfactory financial reports. The Law Foundation may require proper audits and auditor's reports for larger grants or of projects which do not supply timely or proper financial information. Applicants should, where available, provide financial reports with their applications.
- In distributing funds, the Foundation will consider broad geographic and demographic distribution of Foundation funds throughout the province.
- Grants are not ordinarily made to "for profit" organizations or projects.

- The Law Foundation may review a grant where the grantee is not using the funds in accordance with the terms of the grant or where there is evidence that the grantee is not using the funds in a responsible manner. The Foundation notifies its grantees of changes in available funds which may result in grant reductions.
- The Law Foundation is not involved in the day to day operation or management of grantees.
- A letter or e-mail advising the agency that it has received a grant may set out a reporting schedule which requires a grantee to submit periodic activity and financial reports to the Foundation. Funds may be withheld if reports are not received on the date set out in the grant letter.
- The purpose of the Grant Stabilization Fund is to provide a reasonable level of stability to the Foundation's portfolio of continuing grantees by insulating them from the full and immediate impact of volatile fluctuations in the Law Foundation's annual income as a result of changes in the prime rate and the balances in lawyers' mixed trust accounts. The Grant Stabilization Fund function is to provide funds which the Foundation can draw upon to award in excess of its annual income in order to moderate the level of cuts to continuing grants which would otherwise have to occur in a single fiscal year. The optimal goal is to maintain a minimum Grant Stabilization Fund level which is equivalent to at least three (3) years continuing grants plus the Foundation's administration expenses. However, during periods of low income, the fund can be utilized to reduce the Foundation's continuing grants budget gradually to a level which can be sustained from the Foundation's projected income stream.

Publications

- Publication proposals should be evaluated to determine if they fall within the terms of reference of:
 - i) SKLESI;
 - ii) Law Society of Saskatchewan
 - iii) Law Reform Commission of Saskatchewan;
 - iv) Public Legal Education Association.
- Proposals that fall within the terms of reference of the above organizations should indicate support and supervision approved from one of (i) to (iv).
- Other applications which fall within the terms of reference of the Foundation should submit any contracts with the publishers and the terms of the contract between the author and publisher should be outlined in the grant application. Applications may be subject to peer review as the Foundation may determine.
- Remuneration to the author, royalties, etc. should be outlined in the application. No fixed rate shall apply, but the interpretation of what is allowable and reasonable

should be influenced by the nature of the project and by other compensation, such as royalties that can be expected by the author.

- Grantees shall provide a copy of the publication for which the grant was given to the Foundation upon completion of the same.

Real Property and Equipment

- The Foundation does not normally fund the purchase of real property.
- The Foundation does not provide funds for the purchase of capital equipment where rental is feasible and more economical. Vehicles will be neither purchased nor leased with Foundation money. Organizations are expected to develop a management policy with respect to the acquisition and/or replacement of capital equipment.

Grants for Conferences

- The Foundation does not normally directly fund the cost of delegates to attend conferences. This includes travel costs for individuals to attend conferences in other countries or provinces.
- The Foundation normally funds expenses for resource persons only if they are addressing law related topics at conferences.

National Projects

- National projects based outside of Saskatchewan must demonstrate a clear, direct benefit to Saskatchewan people and have a commitment of an appropriate amount of funding from other Law Foundations, Law Societies or governments.
- Funds requested from Saskatchewan should consider the population of the province and number of lawyers in the province compared to other Canadian provinces.