



## **SANCTIONS ASSISTANCE FUND FOR EMERGENCY RELIEF (SAFER) GRANT APPLICATION**

The National Employment Lawyers Association (NELA) established the Sanctions Assistance Fund for Emergency Relief (SAFER) to assist employee rights advocates in defraying the costs and expenses associated with defending against sanctions motions and awards that can cripple their practices. The Fund does not provide grants for payment of sanctions awards themselves. The purpose of the Fund is to encourage practitioners to take positions and make arguments on behalf of their clients that will advance the law, even in the face of the hostile environment workers' rights lawyers and their clients often encounter in the courtroom. It is NELA's priority to award SAFER grants in workers' rights cases in which the applicant is defending against a sanctions motion or award where the issue(s) involved raise(s) serious concern regarding access to justice for employees and/or the due process rights of the applicant. While NELA does not anticipate that it will be able to fund every SAFER grant request, nor will SAFER awards fully defray the often sizeable costs associated with threatened or actual sanctions, we believe that providing support in such cases will make a difference to lawyers and their clients, even if the amount of the award is small compared to the existing need. SAFER is not funded by NELA membership dues, and relies upon voluntary contributions for support. Grant applications are reviewed on a monthly basis.

NELA is the largest professional membership organization in the country comprised of lawyers who represent workers in labor, employment, and civil rights disputes. Founded in 1985, NELA advances employee rights and serves lawyers who advocate for equality and justice in the American workplace. NELA and its 68 circuit, state, and local Affiliates have a membership of over 3,000 attorneys who are committed to working on behalf of those who have been illegally treated in the workplace. For information about NELA and our services to help employee rights practitioners with ethics and sanctions issues, visit [www.nela.org](http://www.nela.org).

Since funds available through SAFER are limited and not every grant application will be awarded, in fulfilling NELA's mission, SAFER grant applicants, whether successful or not, will be offered an opportunity for an informal consultation with a member of NELA's Ethics & Sanctions Committee.

### **I. Applicant Information**

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

Firm: \_\_\_\_\_

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

Phone: ( ) \_\_\_\_\_ Fax: ( ) \_\_\_\_\_

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

Number of years in practice: \_\_\_\_\_

How did you hear about SAFER? \_\_\_\_\_

**Describe your legal work on behalf of employees:**

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**Previous SAFER Grants: If you have previously received a SAFER grant(s), please provide the following information.**

Case Name	Amount	Dates	Use of Grant

**Please state if you have ever been subject to professional discipline or sanctions motions in the past and provide details, if applicable.**

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## **II. Case Information**

**Name of Case:** \_\_\_\_\_

**Court and Docket #:** \_\_\_\_\_

**Case citation (if any):** \_\_\_\_\_

**Type of case:** \_\_\_\_\_

**Rule allegedly violated:** \_\_\_\_\_

**Briefly summarize the events that formed the basis for the effort to obtain sanctions:**

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**Describe the issue(s) of your case, including how the issue(s) raise(s) serious concern regarding access to justice for employees and/or the due process rights of the applicant:**

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**Describe the details of sanctions imposed or threatened:**

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**Has an evidentiary hearing been held or offered? Yes  No**

- **If a hearing has been held, please provide a copy of the transcript.**

**Are there any pending deadlines in the case? Please state how soon you require a response from NELA, and why.**

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### **III. Financial Need**

Are you able to finance your defense without a SAFER grant? Yes  No

How would this litigation impose an undue financial burden on you or your organization/firm?

- If this is a joint application from several individuals, firms and/or organizations, the financial need must be addressed for all groups and individuals.
- If this is an application from one firm among a number working on the case, explain how co-counsel is affected by the effort to obtain sanctions.

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Amount of SAFER Grant requested: \_\_\_\_\_

Amount of monetary sanction sought/awarded against you: \_\_\_\_\_

How will grant funds be used (e.g., ethics counsel fees, expert witnesses, depositions, etc.)?

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What is the overall budget for this effort to defeat the sanctions sought? \_\_\_\_\_

Describe in detail other means of funding being sought and/or granted (e.g., insurance, fundraising, cost-sharing with co-counsel, etc.).

NELA requires SAFER grants to be repaid if you are successful in recovering some or all of the costs covered by the SAFER grant. Is there a statutory or other right to recover costs in your case? Yes  No

If yes, please describe:

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Please complete the following chart, itemizing expected costs for defeating sanctions sought/awarded against you.

- **Expense item:** List each major, anticipated out-of-pocket expense (e.g., ethics counsel fees, deposition costs, experts, travel expenses, etc.) associated with defeating the sanctions sought/awarded against you. If the expense pertains to multiple items of the same type (e.g., several depositions), indicate the number.
- **Funding Source:** Indicate the sources of funding (e.g., SAFER grant, insurance, co-counsel, foundation, self-funded, etc.) for each major expense item listed. For major expenses for which you seek funding, your application narrative and/or supporting attachments should provide a detailed explanation of each expense. NELA recommends including estimates from counsel whom you propose to hire.
- **Date Incurred:** Indicate the projected date on which the major expense will be incurred.

Expense Item	Estimated Cost	Funding Source	Date Incurred
<b>TOTAL EXPECTED COSTS:</b>	<b>\$</b>		

#### **IV. History Of Rule Allegedly Violated**

Please describe past enforcement of the rule involved in your case in your jurisdiction. Are there ethics rulings or court orders in the jurisdiction that are on point? Has the rule been used to target employee rights/civil rights attorneys in this jurisdiction?

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**V. Other Information**

Please use this space to provide any additional information that you believe is important for NELA to know in evaluating your application for a SAFER grant.

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Signature of Applicant

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Date

Please return this completed form, supporting materials, as well as a copy of the briefs and court rulings relevant to your application by mail, email, or facsimile to:

SAFER Grants Program  
National Employment Lawyers Association  
2201 Broadway, Suite 402  
Oakland, CA 94612  
Email: [SAFER@nelahq.org](mailto:SAFER@nelahq.org)  
Phone: (415) 296-7629  
Fax: (866) 593-7521

*Grant applications are reviewed on a monthly basis. Please advise NELA by phone or email if an expedited review of your application is required and we will do our best to accommodate your request.*