Funding Guidelines
Human Rights

(Current as of 30 October 2026)

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These funding guidelines set out the conditions of funding granted by the Human Rights Branch of the Court Challenges Program (CCP). These guidelines form part of the Funding Agreement between recipients and the CCP and all funding recipients must follow these guidelines.

1. Maximum funding

1.1. The CCP's Human Rights Expert Panel has established a scale of maximum amounts that may be granted in each funding category:

1.1.1.	**Test case development**	$20,000
1.1.2.	**Litigation**	
	Trial	$200,000
	Leave to appeal	$25,000
	Appeal	$75,000
1.1.3.	**Legal interventions**	
	Application for leave to intervene	$10,000
	Intervention	$40,000
1.1.4.	**Accessibility funding**	$5,000

Any request for accessibility funding must be made in writing and must include:

a) A detailed explanation of the request; and

b) A projected budget for the amount of accessibility funding requested.

1.2. If a recipient who has received test case development funding subsequently applies for litigation funding for that case, the amount granted to develop the case will be deducted from the maximum amount available for litigation. This provision only applies to applications made after December 12, 2019.

1.3. The maximum amounts provided for litigation and legal interventions are applied separately to each level of judicial proceeding. Accordingly, separate applications for funding must be presented for each level. However, interlocutory appeals arising in a litigation case funded at first instance will not generally be eligible for appeal funding, unless the interlocutory appeal raises a distinct and separate *Charter* issue. Expenses related to interlocutory appeals will usually be eligible for reimbursement from the first instance funding envelope.

1.4. In general, a single envelope of litigation–trial funding will be allocated for all levels of administrative proceedings, including first level judicial review, up to the point at which such proceedings reach a court of appeal.

1.5. In some cases, funding may be granted to a respondent for the leave to appeal stage if the funding applicant establishes that (i) a response to an application for leave is permitted by the rules of the court in question; (ii) the applicant intends to respond substantively to the application for leave; and (iii) such a substantive response is justified in the circumstances.

1.6. A new application for accessibility funding may be submitted for each level of proceeding. In addition, the Expert Panel may, upon request of the recipient, carry over any unused amount of accessibility funding from one level of proceeding to the grant awarded for any subsequent level.

1.7. The Expert Panel may award a lower grant of funding than that requested in the funding application, in which case the recipient will be informed of the reason for the lower grant. Unless otherwise specified by the Expert Panel, this provision does not preclude a recipient from applying for additional funding in the future.

2. Effective date of funding

2.1. Only expenses incurred after the submission of the funding application will be reimbursed. As such, recipients may only request reimbursement of expenses incurred on or after the date on which the CCP received the funding application.

2.2. Where appropriate, the Expert Panel may set a different effective date of funding, if the following conditions are met:

a) The applicant submits a written request for an alternate effective date of funding; and

b) The applicant demonstrates that the circumstances justify a date of funding other than the date on which the CCP received the funding application.

3. Approved budget

The CCP acknowledges that the budget submitted with the funding application is an estimate of costs and that actual costs may differ. Funding applicants must disclose all other expected sources of funding, whether contributions in cash or in kind, including funding from any level of government, for any activity related to the funded matter.

4. Additional funding

4.1. In all funding categories, recipients who were initially granted less than the maximum for the category in question (see section 1, “Maximum funding”) and who, during the course of the funded matter, find themselves in need of additional financial resources, may apply for additional funding up to the set maximum for that funding category.

4.2. The following conditions must be met when applying for additional funding:

a) The application must include a detailed explanation of the reasons for the request;

b) The file must be up to date, both with respect to reporting on expenses already incurred and the obligations under the Funding Agreement; and

c) A revised budget justifying the additional funding requested must be attached.

4.3. Any holdback applicable pursuant to section 10 will also apply to any additional funding granted.

5. Extraordinary funding

5.1. In the context of **litigation–trial funding**, recipients who were granted the maximum funding available for that category (see section 1.1.2) and who, during the course of the case, encounter exceptional circumstances requiring greater financial resources, may apply for extraordinary funding up to a maximum of $50,000.

5.2. In the context of **litigation–appeal funding**, recipients who were granted the maximum funding available for that category (see section 1.1.2) and who, during the course of the appeal, encounter exceptional circumstances requiring additional financial resources, may apply for extraordinary funding up to a maximum of $20,000.

5.3. In this category of funding, exceptional circumstances refer to extraordinary and unexpected steps in the course of litigation that have become necessary to permit the matter to be pursued for the purposes for which it was funded.

5.4. The following conditions must be met when applying for extraordinary funding:

a) Expenses incurred in the file and approved by the CCP must have reached or exceeded 75% of the funding granted;

b) The file must be up to date, both with respect to reporting on expenses already incurred and the obligations under the Funding Agreement; and

c) A completed extraordinary funding application form and revised budget must be submitted to the CCP; and

d) The application must include a detailed explanation of the reasons for the request, including the exceptional circumstances and the need for extraordinary funding to pursue the funded matter.

5.5. A recipient may apply for and be granted extraordinary funding more than once, where the circumstances justify doing so, up to a maximum of $150,000 in extraordinary funding for a litigation–trial funding file, or $60,000 in extraordinary funding for a litigation–appeal funding file.

5.6. Unless otherwise specified, any extraordinary funding granted is exempt from the applicable holdbacks set out in section 10.

6. Submission of invoices to the CCP

6.1. Funds granted by the CCP are deposited into the trust account of the recipient's lawyer and must not be disbursed without the written authorization of the CCP.

6.2. The CCP will only approve the disbursement of funds from the trust account once it has received the following proof of expenses and accompanying documents:

6.2.1. A completed CCP invoice form, indicating the types of eligible expenses; and

6.2.2. Proof that the expense was incurred, which may include:

6.2.2.1. An invoice for services rendered, prepared by the lawyer or a consultant, indicating:

a) Time entries detailing the work done on the file, the time spent, the date of the work, the name of the professional who did the work and the applicable hourly rate;

b) A total of those time entries; and

c) The total expenses invoiced.

6.2.2.2. A copy of receipts for travel expenses, in accordance with the CCP's *Directive on Travel Expenses*; or

6.2.2.3. A copy of the invoice or receipt for any other eligible disbursement.

7. Eligible expenses and maximum hourly rate

7.1. For **test case development**, expenses eligible for reimbursement include:

7.1.1. Costs related to legal research and drafting;

7.1.2. Consultation; and

7.1.3. Evidence development.

7.2. For **litigation**, expenses eligible for reimbursement include:

7.2.1. Legal fees;

7.2.2. Costs related to legal research and drafting; and

7.2.3. Other costs related to presenting the case in court.

7.3. For **legal interventions**, expenses eligible for reimbursement include:

7.3.1. Legal fees;

7.3.2. Costs related to legal research and drafting;

7.3.3. Consultation; and

7.3.4. Other costs related to presenting arguments in court.

7.4. With respect to **accessibility funding**, the CCP can only reimburse expenses related to ensuring equal access to Program-funded activities, such as:

7.4.1. Interpretation or translation, although expenses related to interpretation or translation between Canada's official languages are not eligible expenses under this category;

7.4.2. Production of documents in accessible formats;

7.4.3. Travel costs for an attendant; and

7.4.4. Childcare costs.

7.5. The following are examples of the types of expenses the CCP may reimburse:

7.5.1. **Legal fees**, including legal research, preparation of evidence, communications with the client, other parties, or the CCP, communications with outside consultants or experts, preparation of documents to be filed in court, preparation for court appearances, litigation fees, such as court appearances at trial or hearings, and drafting of court orders;

7.5.2. **Disbursements**, including disbursements prescribed by law or regulation, transcription expenses, costs related to the service or filing of documents, interpretation and translation costs, photocopies, mail, courier, and long-distance telephone calls;

7.5.3. **External fees**, including for external consultants, expert witnesses, and expert reports; and

7.5.4. **Administrative fees**, including travel expenses for the lawyer or travel recipient; lawyer or recipient accommodation expenses, and witness-related expenses.

7.6. The CCP has set the maximum billable hourly rate at $250 an hour before tax, per professional.

7.7. The CCP may only reimburse travel-related expenses in accordance with its *Directive on Travel Expenses*. The CCP does not pay for lawyers' or consultants' time spent travelling.

7.8. The CCP may pay for the time of recipients or legal employees of recipients, if the recipient demonstrates that this cost is essential to the activity for which they have been approved for funding and that this time has not been paid from another source. No individual or organization may incur a profit from the receipt of CCP funds.

7.9. The CCP does not reimburse any expenses associated with the preparation of an application for funding.

7.10. The CCP does not reimburse any expenses associated with activities related to public education, community development, lobbying, political advocacy, or media.

7.11. Any other expense will be evaluated on a case-by-case basis.

7.12. All expenses, in order to be eligible for reimbursement from CCP funds, must be reasonable in the context of the funded matter.

8. Timelines

8.1. Test case development

Recipients must complete the development of their test case within twelve (12) months of signing the Funding Agreement, unless an extension of time is granted by the Expert Panel. Any request for an extension of time must be made in writing to the CCP.

8.2. Litigation and legal interventions

Recipients must ensure that court proceedings are initiated with respect to the CCP-funded matter within twelve (12) months of signing the Funding Agreement if proceedings have not already been filed, unless an extension of time is granted by the Expert Panel. Any request for an extension of time must be made in writing to the CCP.

9. Reporting to the CCP

9.1. Test case development

9.1.1. Progress reports

If, pursuant to section 8.1, a recipient has been granted an extension of time to develop their test case, a progress report must be submitted every six (6) months from the date of the Expert Panel's decision to grant the extension. Reports must contain a summary of work accomplished since funding was approved or since the last progress report. Reports must also contain sufficient information to enable the CCP to assess progress made in developing the test case, as well as a timeline for next steps.

9.1.2. Final reports

9.1.2.1. Recipients must submit two final reports to the CCP at the end of the test case development: the final activities report and the final financial report.

9.1.2.2. The **final activities report** must be completed using the CCP's final activities report form. It must contain a summary of all work undertaken or completed on the funded matter. It must also detail the outcome of the test

case development, including whether the recipient intends to pursue the matter before the courts. A copy of any document produced using the CCP funds in the context of developing the test case must accompany the report.

9.1.2.3. The **final financial report** must be completed using the CCP's final financial report form. The report must indicate the total actual expenses incurred and provide updated information on funding from all other sources, whether contributions in cash or in kind, including any funds from any level of government, for any activity undertaken by the recipient with respect to the CCP-funded matter.

9.1.2.4. The portion of funding subject to a holdback will not be available for disbursement until the final reports and other related documents are submitted to and approved by the CCP (see section 10, "Holdbacks").

9.2. Litigation and legal interventions

9.2.1. Progress reports

Progress reports must be submitted by the recipient every twelve (12) months using the CCP progress report form. The first progress report must be submitted within twelve (12) months of the date on which the recipient signed the Funding Agreement. Reports must contain a summary of work accomplished since funding was approved or since the last progress report. Reports must also contain sufficient information to enable the CCP to assess progress made in the case.

If a recipient fails to deliver a progress report within these timeframes, the CCP reserves the right to withhold its approval for the reimbursement of invoices submitted by the recipient until the CCP receives the progress report.

9.2.2. Final reports

9.2.2.1. Recipients must submit two final reports to the CCP at the end of the case: the final activities report and the final financial report.

9.2.2.2. The **final activities report** must be completed using the CCP's final activities report form. It must contain a summary of work accomplished in the case funded since the last progress report. It must also detail the results of the case. A copy of every decision rendered by a court or tribunal, any settlement agreement, and any other final document concerning the case must accompany the report.

9.2.2.3. The **final financial report** must be completed using the CCP's final financial report form. The report must indicate the total actual expenses incurred for any activity undertaken by the recipient with respect to the CCP-funded matter, and provide updated information on any other source of funding, whether contributions in cash or in kind, including any costs granted.

9.2.2.4. The last portion of funding subject to a holdback will not be available for disbursement until the final reports and other related documents are submitted to and approved by the CCP (see section 10, "Holdbacks").

10. Holdbacks

10.1. Test case development

Until the test case development is completed and the final reports have been received and approved by the CCP, 25% of the funding granted by the CCP will be held back in the trust account.

10.2. Litigation

10.2.1. Until the hearing of the case has concluded or, in the event of an application for leave to appeal, that the leave application has been decided, 25% of the funding granted by the CCP will be held back in the trust account.

10.2.2. Until the case has concluded and the final reports (including the court's decision or negotiated agreement and any other final document resulting from the case) have been received and approved by the CCP, 5% of the funding granted by the CCP will be held back in the trust account.

10.3. Legal interventions

10.3.1. Until the hearing of the case has concluded or, in the event of an application for leave to intervene, that the leave application has been decided, 25% of the funding granted by the CCP will be held back in the trust account.

10.3.2. Until the case has concluded and the final reports (including the court's decision and any other final document resulting from the intervention) have been received and approved by the CCP, 5% of the funding granted by the CCP will be held back in the trust account.

10.4. Accessibility funding

There is no holdback applicable to accessibility funding.

10.5. Variation of the holdback

The Expert Panel may permit, in exceptional circumstances, a variation in the applicable holdback where there is a demonstrated need for the recipient to access the funds prior to the completion of the case. Any request to vary the applicable holdback must be made in writing to the CCP.

11. Review of funding

11.1. CCP staff may request that the Expert Panel conduct a review the funding granted to a recipient when they are concerned that:

11.1.1. The case no longer meets the eligibility criteria;

11.1.2. The recipient has failed to comply with the Funding Agreement or these funding guidelines; or

11.1.3. The recipient has failed to comply with the funding conditions imposed by the Expert Panel.

11.2. Should CCP staff wish to request that the Expert Panel conduct a review of funding, they must:

11.2.1. Notify the recipient of the request for review and the reasons for the request;

11.2.2. Provide the recipient with a reasonable amount of time to respond in writing to the CCP's concerns; and

11.2.3. Forward any written response from the recipient to the Expert Panel before it considers the request for review.

11.3. The CCP will freeze the funds and suspend the reimbursement of expenses until the Expert Panel has had the opportunity to consider the request for review of funding. CCP staff will advise the recipient of these measures when providing them with notice of the request for review.

11.4. Once the Expert Panel has considered the request for review of funding and any response received from the recipient, it will render a decision in accordance with its *Terms of Reference*.