

ENVIRONMENTAL DISPUTE RESOLUTION FUND

Information Sheet for Lawyers and Experts

West Coast Environmental Law works to empower British Columbians to protect our environment and advocate for solutions that build a just and sustainable world. The Environmental Dispute Resolution Fund (EDRF) provides grants to individuals, grassroots movements, non-profit organizations, and First Nations who have organized to protect their communities and their environment, but need some legal help.

An Environmental Legal Dispute refers to a problem focused on the quality or health of the environment, including the natural environment and anywhere people live, play, work and learn (for example, urban centres), or a situation involving public participation in government decision-making concerning the quality of health of the environment, which may be effectively resolved through the assistance of a lawyer. Eligible applications to the fund are those addressing issues of public importance and/or community interest.

Funds from the EDRF allow Indigenous peoples, community groups and individuals to hire lawyers and experts at subsidized rates to work collaboratively with them to resolve disputes in negotiations, mediation, in court or before government tribunals. The EDRF is a program of the West Coast Environmental Law Association (WCEL). Funding for the EDRF comes from the **Law Foundation of British Columbia**.

WCEL is committed to ensuring that all projects chosen for EDRF funding uphold Indigenous sovereignty and self-determination. A decision by the EDRF Management Committee will give due consideration to the customs, traditions, rules and legal orders of the Indigenous peoples concerned.

The Role of EDRF Roster Lawyers and Experts

The success of the Environmental Dispute Resolution Fund (EDRF) program depends upon access to a diverse community of talented and environmentally concerned members of the BC bar and scientific/technical community. We are very thankful for the generous ongoing contributions of the lawyers and experts on our roster, which facilitate access to justice for people facing environmental harms.

WCEL maintains a roster of lawyers and experts who are interested in taking on public-interest environmental law cases. We aim to connect you with potential clients who contact us looking for legal help based on your areas of practice. These cases may go on to receive EDRF funding to support clients in receiving legal or technical services from you.

Referrals

West Coast Environmental Law often provides potential clients with referrals to lawyers on the EDRF roster. Our practice is to reach out to you before putting a client in touch with you to confirm your availability for a new file and allow you to check for conflicts. If you are contacted by a potential client referred to you by West Coast Environmental Law, we request that you have an initial conversation with them to determine whether you have the capacity and expertise to assist them. We also ask that, if you are willing to support their EDRF application that you provide them with written information on the rate you will charge to them and a letter in support of their application.

EDRF Rates: What you need to know

EDRF funds can be used to pay for lawyers’ fees, the fees of scientific, Indigenous or other experts, and/or the fees of mediators or other specialists in alternative dispute resolution. Hourly fees will be paid up to the median Legal Aid BC tariff rate for the fiscal year that a grant is made in, up to the total grant amount awarded. Beginning May 1, 2025, the EDRF will pay these fees at the rate of **\$135.46** per hour plus taxes.

EDRF grant recipients are expected to pay any difference between the lawyer’s rate and the maximum EDRF rate of \$135.46. For example, if your negotiated rate is \$250/hr., the EDRF contributes \$135.46 per hour billed and the client pays \$115.54 per hour billed. It is expected that grant recipients will contribute to legal or expert fees as much as they are able.

Note that EDRF funding can also be used to cover fees of articling students up to the contemporary Legal Aid BC hourly rate. As of May 1, 2025, the rate for articling students is **\$96.76** per hour. Funds can also be used for reasonable disbursements incurred by a lawyer or expert such as filing fees, copying, postage, or travel, where included in the grant budget. Grant funds will be paid directly to you from WCEL in most cases.

Grant Amounts

The EDRF offers two types of grants:

STAGE 1: An initial grant of up to **\$3,800** to support your client in understanding their legal options to address an environmental issue and to support taking initial action.

STAGE 2: A grant of up to **\$19,700** to support a more extended legal course of action such as more complex or extended negotiations, court, or tribunal work.

A single applicant may receive no more than **\$50,000** in total through a Stage 1 and/or one or more Stage 2 grants in respect of a single matter.

Pro bono Contributions

Lawyers taking on cases with the EDRF program are expected to negotiate fees with their clients. WCEL does not place a cap on the rates you may charge your clients.

As cases taken on by the EDRF are public interest cases, we appreciate when lawyers can contribute towards access to justice by providing *pro bono* hours for the case when possible. The table below is a suggested guide:

	\$200/hr or less	\$201 to \$300/hr	\$301-\$400/hr	>\$400/hr
Pro Bono Contribution	15% of case hours	20% of case hours	25% of case hours	30% of case hours

For lawyers who prefer to discount their rates, this option is still available, and a lawyer who charges out at or below the EDRF rate is not expected to provide pro bono hours as well.

Application Process

WCEL sets 5 regular application intake dates each year. These dates are posted on our website. We are able to assist applicants in completing their application forms. EDRF applications are first reviewed by staff. Staff will contact you and/or the applicant if there are any questions or suggestions for the application. Applications are then sent to the EDRF Management Committee to be reviewed. If approved by the Committee, you and the applicant will receive documentation from WCEL confirming the funding.

The Committee is also able to review applications on an emergency basis should a situation arise where time is of the essence. Applicants may contact the Program Manager if they are facing an urgent situation.

Supporting Documents for Applicants

Those applying for a grant from the EDRF are required to include with their application **a letter from their lawyer or expert**. West Coast Environmental Law often refers applicants to lawyers on our roster and we appreciate you assisting them with their application in this way when you agree to accept them as a client.

The letter of support should specify:

- The names of the lawyers/experts who will be conducting the work;
- The fee that the lawyers and/or experts will charge the client;
- Estimated number of hours required to bill to complete the work;
- An acknowledgement that the EDRF will cover up to a maximum of \$135.46/hr for pre-approved expenses; and
- A brief description of the legal issues and strategy to be undertaken in order to assist the EDRF Management Committee in evaluating the application.

Note: When the work is completed, the EDRF requires a reporting letter from the lawyer that includes summary details on actions taken and an analysis of achievements made. Please include one hour of time in your work estimate for this purpose.

Lawyer and Client Relationships

Clients who receive EDRF funding are contracting with you, the lawyer or expert. The EDRF and West Coast Environmental Law have no direct relationship with lawyers and experts. A client's EDRF grant money is held for them by WCEL. Please send your invoices to your EDRF funded clients. You may copy us on the email if you find it more convenient. Once your client has reviewed the invoice, we ask that they send their approval to the EDRF Program Manager. The Program Manager will confirm the EDRF eligible portion of the invoice that will be paid **directly to you** from WCEL. The client portion of an invoice is directly payable to you.

In your invoices we request that you include the number of hours, your hourly rate charged, and any discount or pro bono provided.

Closing Files

When the work described in the grant is completed, a reporting letter from you is required by WCEL. The letter should include summary details on actions taken and achievements made.

Contact:

Alida Morris, Access to Justice Program Manager amorris@wcel.org. Tel: 604-684-7378 x240

Client Referrals can be directed to: legalaid@wcel.org or Tel: 604-684-7378 Toll free 1-800-330-9235 x 229

For more information, please visit [Environmental Dispute Resolution Fund](#)