

**STOP KM LEGAL DEFENCE FUND**  
**APPLICATION FOR FINANCIAL ASSISTANCE**

The **Stop KM Legal Defence Fund** grants financial assistance to cover legal defence costs stemming from protest, civil disobedience, and direct action activities in opposition to the Kinder Morgan Trans Mountain pipeline expansion and tanker project. These costs include legal fees for criminal and contempt of court charges, civil litigation, and related immigration or child custody/welfare issues, as well as travel costs and other expenses associated with legal defence.

This application will be reviewed by the Stop KM Legal Defence Fund Operational Committee and approved by Stop KM Legal Defence Fund Board. Applications are accepted online at <https://stopkmlawfund.org/> or at the email address [info@stopkmlawfund.org](mailto:info@stopkmlawfund.org).

While being reviewed, all applicants will remain anonymous. All identifying information provided will be unavailable to the reviewers in order to protect the confidentiality of the applicants. Once submitted, all application forms will be stored securely. If the Stop KM Legal Defence Fund is not able to grant assistance at this time and you continue to need support, we encourage applicants to reapply in the next round of funding.

If you are a defendant and you need help paying for your legal costs, please complete the application form, providing all required information and provide supporting documentation. If you are a lawyer applying to the Stop KM Legal Defence Fund, please work with your client to complete the application below.

A decision will be made about your application within a month of the deadline for submission. A notification of determination will be emailed and/or mailed to the address you have provided below. Please note that incomplete applications may not be considered.

We are aware that the following questions are highly personal and sensitive, and ask about your access to financial resources. While you may choose not to answer any questions that you find objectionable, your assistance will help us determine the allocation of the available funds.

Determinations on all applications will be based on the risk of harm and the level of need faced by individual defendants. The purpose of the Stop KM Legal Defence Fund is to put solidarity into action. As such, particular consideration will be given to the needs of defendants that result from structural inequalities including colonialism, race, gender, sexuality, class and ableism.

If you need assistance filling out this application, please email [info@stopkmlawfund.org](mailto:info@stopkmlawfund.org)

**Note:** Although the Stop KM Legal Defence Fund wishes it had the ability to fund the legal costs of all those who stand against the Kinder Morgan pipeline expansion, it cannot. There is no guarantee funds will be granted based on the submission of this application.

**Note:** Applicants who are eligible for legal aid through the Legal Services Society of BC but are applying to the Defence Fund to retain privately funded counsel will need to provide compelling information regarding their reasons for not applying for or making use of legal aid/LSS funding. All applicants are strongly encouraged to apply

for legal aid and submit all necessary information (such as changes to income), in order to ensure legal representation.

### 1. Purpose of Application

The Stop KM Legal Defence Fund grants financial assistance for the following purposes: *please circle the reason(s) for which you are applying*

- a) Payment for legal representation in an ongoing case (you want a lawyer now)
- b) Reimbursement for legal representation in completed cases (you or your lawyer want to be repaid for representation that has already happened)
- c) Fines defendants are sentenced to pay (only in cases where a community service option was not offered)
- d) Cost of travel to attend court dates
- e) Self-representation assistance
- f) In special circumstances, the Fund may grant financial assistance for other purposes if deemed in keeping with the Statement of Principles by which the Fund operates
- g) Assertion, declaration and/or providing constitutional notice of Indigenous Peoples' and individuals' rights under Indigenous, Canadian and/or international law

What is the dollar amount of financial assistance for which you are applying? \$ \_\_\_\_\_

### 2. Defendant Information

Your Full Name:

Your preferred pronoun:

Date of arrest:

Address:

Email Address:

Tel #:

Date of Birth:

Is this your first application to the Stop KM Legal Defence Fund?      Yes      No

What is your status in Canada? *Please circle whichever apply to you.*



*If the following questions apply to you, please use the lines below to provide detail.*

Do you have injuries or medical needs resulting from your arrest?      Yes    No

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Do you have special health needs such as pregnancy, chronic medical conditions, special mental health needs or regular treatment needs?      Yes    No

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Are you the primary caregiver of children or elders?      Yes    No

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Do you share custody of a child or dependent?      Yes    No

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### **5. Employment and Housing**

*If the following questions apply to you, please use the lines below to provide detail.*

Does your occupation require a license that cannot be obtained or maintained in the case of a criminal conviction?

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What are your sources of income? Do you combine incomes with a partner or in another type of family arrangement?

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By pooling resources, can you, your family, friends and extended community afford to pay some or all of your legal expenses? If yes, please specify.      Yes    No

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Do you or your dependents receive social assistance?      Yes    No

If so, please list which program(s):

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Do you live in public housing or receive a housing subsidy?      Yes    No

Do you anticipate impacts on your employment or housing?      Yes    No

**6. Structurally-created Inequity**

Economic, political and social structures concentrate power in certain groups and systematically oppress others. For this reason, aspects of one’s identity can make them more or less vulnerable to the possible consequences of prosecution. If there are aspects of your identity that you feel put you at high risk from the legal system, please let us know. For example, you may be Indigenous, trans, Black, undocumented, have mental health or addiction issues, or there may be other aspects of your identity that do not exercise power within the settler colonial capitalist power structure.

We invite you to tell us how you feel your identity puts you at elevated risk in the legal system. The more you are comfortable sharing about these aspects of your identity, the better the Fund can concentrate on directing resources to those facing the greatest harm.

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Indigenous defendants, do you need a Gladue Report and/or other resources to provide an appropriate, meaningful and culturally sensitive analysis of your context or situation to the court?

Yes      No

(A Gladue report asks judges to factor in the institutional oppression that Indigenous people face and to consider reasonable alternatives to jail in light of adverse cultural impacts faced by Indigenous people. It encourages a move toward restorative justice when used appropriately. This option is available to Indigenous defendants only.)

Are there other factors that increase your level of risk that haven’t been addressed in this application? If so, please explain.

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**7. Individual Circumstances**

What are consequences that you believe you would face, should you be found guilty?

- a) Lose custody of a child
- b) Deportation from Canada
- c) Health concerns due to incarceration
- d) Lose a job
- e) Lose your housing
- f) Be sent to a psychiatric institution against your will
- g) Other (please list) \_\_\_\_\_

Are there any other considerations or special needs you would like us to recognize or consider?

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**8. Other Costs Related to Fighting Your Charges**

If you have incurred costs in addition to criminal defence, self-representation support, or fines you were sentenced to pay for matters related to your arrest (such as travel, child custody or immigration issues), please list total dollar amount and itemize below: *Documentation of expenses required*

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