THE CATENIAN ASSOCIATION BENEVOLENT & CHILDREN'S FUND

POLICY CONCERNING ASSISTANCE WITH LEGAL COSTS IN CONTENTIOUS CASES

1. Contentious legal proceedings are considered to fall under three broad headings: criminal proceedings, family law matters and other civil proceedings.

Criminal proceedings

2. The Fund will not be used to assist either side in criminal proceedings.

Family law matters

3. The Circle Benevolent Board will normally be involved in applications for assistance as the applicant should normally be well known to the members of his own Circle. It is not usually appropriate for the application to be handled solely by a Director or Trustee.
4. Except for urgent situations that require the help of the Emergency Committee, all applications, including those that have previously been dealt with by the Emergency Committee, will require Counsel's Opinion, paid for by and with disclosure to the Trustees before an application can be considered.

   When there is a child or children involved:

5. The focus of the Trustees will always be to act in what they believe to be the best interests of the children; and
6. The Trustees will insist on Family Mediation and will not assist an applicant who refuses to enter mediation or to give full and frank disclosure of all relevant information.

Other Civil Proceedings

7. Assistance will not be provided in the case of business disputes.
8. Assistance will not be provided for the instigation or prosecution of civil claims.
9. An application for assistance to defend a civil claim will before proceeding require Counsel's Opinion, paid for by and with disclosure to the Trustees. It is recognised that a matter may be so urgent that there is insufficient time to obtain an Opinion before an imminent hearing but one should be obtained thereafter if the matter is not resolved.

This policy gives guidance to the Trustees. If there are exceptional cases where following the policy would conflict with the Governing Document of the Charity, the latter will prevail.

Approved by the Trustees on 18th January 2022

18th January 2022 Phil Roberts FCMA
Clerk to the Trustees