

Canadian
Historical
Association



Société
historique
du Canada

LEGAL FUND

The CHA LEGAL FUND is a fund designed to assist members in good standing to offset the costs of legal action surrounding issues of copyright, plagiarism and libel.

1. The categories for use of the Legal Fund should not be too strictly defined. Each case brought before the Association should be considered upon its own merits.
2. Application for assistance from the CHA Legal Fund will be considered from members in good standing. For the purpose of administering its Legal Fund, the CHA Council will interpret 'Member in good standing' as a person who has been a member of the Association one year prior to the date of application.
3. The Executive will grant access to the Legal Fund if the pursuit of the case in question is in the interest of the profession as a whole. The major criterion determining CHA support of an individual grievance should be the extent to which the interests of all historians are affected.

The Executive can accept the case on its merits, or constitute a committee for cases involving more than \$5,000 who will make a recommendation to the Executive as to whether it should provide funds. The Executive will make the final decision.

4. The Executive is empowered to accept or reject the committee's report and recommendation(s) in whole or in part. The Executive will make the final decision - by email if necessary – without delay.
5. Unless the facts and/or the person(s) of the case are already publicly known, confidentiality will be respected in each case.
6. The Executive will report to Council as fully as possible on each case which has been decided at the next scheduled Council meeting. In confidential cases the anonymity of the persons involved will be respected.
7. The records of each case will be preserved and may be used, in confidence where appropriate, by the Executive to weigh precedents for action in subsequent cases. The CHA Office shall be charged with the safe keeping of said records.
8. The Legal Fund will be administered by the Treasurer.
9. The amount of financial support awarded for any given case will be determined

(1) by the size of the Legal Fund and (2) by the gravity of the case.

10. The Association will be reimbursed for its financial support, proportionate to the amount of fund granted, when costs are awarded to a CHA member concerned.
11. In all cases supported financially by the Association, an adequate accounting will be provided to the CHA, by the member concerned, of all expenses underwritten by the Association.

August 2006. April 2021.