

## DFF is now supporting post-litigation activities

Starting from 2024, DFF grant applicants and current DFF grantees can apply for funding that contributes to “post-litigation” activity costs.

### What are “post-litigation” activities?

Post-litigation activities take place after the completion of the final instance of litigation.

Examples of activities include but are not limited to:

- support to communities affected by the issue being litigated to help them utilise the decision;
- advocacy, toolkit, analysis, communications and meeting costs related to sharing the outcomes of the court decision or pushing for it to be implemented; and/or
- enforcement activities including other types of legal action (not on the merits of the case) that might be needed after the main litigation proceedings and all possible appeals have closed. For example, following up to ensure damages are paid out or seeking a declaratory judgment to push for a decision to be implemented.

### Why fund post-litigation activities?

Until now all DFF litigation grants were considered closed upon completion of the final instance of litigation. However, there have been consistent calls over several years from the digital rights community for DFF funding to be expanded to help cover the costs of post-litigation activities.

Positive court decisions may only have wider impact if they are implemented and/or utilised. Negative court decisions can also be used to achieve wider strategic impact if the decision is publicly interrogated, analysed, and campaigned on. It makes strategic sense to fund organisations beyond the end of the litigation to help ensure this happens.

### How to apply for post-litigation funding support

#### a) New applicants

Starting with the call for applications that runs from mid-November until February 2024, any new applicant for litigation track support can include post-litigation costs in their grant application. There are questions related to post-litigation in the application form and a “post-litigation costs” section in the budget form.

#### b) Current DFF grantees

Any current DFF litigation track support grantee may request to reallocate current grant funds or receive additional funds to support post-litigation costs at the end of

their litigation. If you would like to request this additional post-litigation funding support to be added to your grant, please write to DFF Grants ([grants@digitalfreedomfund.org](mailto:grants@digitalfreedomfund.org)) to receive a request form.

### What are the limits to post-litigation funding?

We can only consider post-litigation support requests of maximum 20% of the whole litigation track support grant or up to EUR 10,000, whichever amount is less. For example, if the total amount of your litigation track support grant is EUR 40,000, only a maximum of EUR 8,000 can be for post-litigation costs. This is around the maximum amount we can give for post-litigation costs without negatively impacting the size and number of other grant types.

General costs that do not relate to the court decision/litigation outcome of DFF-supported litigation will not be covered. For example, broader ongoing advocacy/communications activities or new research.

Requests to cover post-litigation activities will need to be time-bound and clearly linked to the litigation in your litigation track support application or already being supported by a DFF litigation track support grant, where you have an existing grant with us. For now, we will not consider stand-alone post-litigation cost requests outside the scope of a litigation track support grant or application.

### Feedback

We would love to hear your feedback on our approach to funding post-litigation costs, including on the scope and request limits. This is a learning process for us and we expect to revise the process to make it better. Please write to us at ([grants@digitalfreedomfund.org](mailto:grants@digitalfreedomfund.org)) if you have any feedback or comments. Read more about what we are doing to transform our grantmaking here: <https://digitalfreedomfund.org/transforming-our-grantmaking/>