

ANNEX 2: SAMPLE LITIGATION PLAN

PART 1: Fulfillment of Basic Selection Criteria: Checklist

- The case is sufficiently aligned with an impact theme;
- The case is suitable for litigation;
- The client is a good fit for impact litigation. That is:
 - i. The client is a recognized refugee, an applicant or refugee under office criteria (based on international law-- in case of having been denied refugee status in the country);
 - ii. The client is credible;
 - iii. The client is willing to be involved and actively participate in the litigation;
 - iv. The client has a good relationship with Asylum Access and the attorney representing him/her; and
 - v. The client understands potential risks and benefits of litigation.
- There are no conflicts of interest, according to the code of ethics for attorneys, such as the Nairobi Code.
- The safety of the client, Asylum Access staff and/or any related parties will not be jeopardized through the use of strategic litigation.

PART 2: Additional Criteria for Litigation Plan

1. Parties to the lawsuit:
2. Overview of claim:
3. Intended forum/s for litigation:
4. Admissibility Requirements:
 - Does the case meet statute of limitation requirements?
 - Does this case meet the exhaustion of local remedies requirement (if any?)
5. Remedies sought (including interim relief):
6. Resources required for litigation (including general timeframes, staff/volunteers needed, outside attorneys needed, expert support needed and an approximate estimation of costs)

