

SUPPORT NELA'S SANCTIONS RELIEF FUND

NELA maintains an active Ethics & Sanctions Committee to assist members and other workers' rights practitioners. The Committee provides information to lawyers who confront a wide range of ethics issues in their practices, as well as those facing efforts by defense counsel to obtain bar discipline, "reverse" attorneys' fees, or court-imposed sanctions. The Committee also identifies and tracks emerging trends in defense bar tactics and advocates for changes in the law governing ethics and sanctions matters.

In tracking the state of the law in this area, we have noted the disturbing frequency and aggressiveness with which sanctions and ethical complaints are pursued against plaintiffs' employment lawyers. Skilled attorneys with national reputations, along with many others, have been subjected to significant sanctions orders, in some cases for hundreds of thousands of dollars or more. Even when sanctions are defeated, or reversed on appeal, employee rights lawyers still incur significant out of pocket costs in defending themselves against the aggressive tactics of employers and their counsel.

NELA's Ethics & Sanctions Committee provides many forms of assistance to plaintiffs' employment lawyers facing sanctions, including writing *amicus curiae* briefs in support of the sanctioned attorney. NELA recognizes that there are times when more concrete forms of support are also appropriate. Employee rights lawyers facing sanctions motions frequently incur very substantial attorneys' fees and costs even if they ultimately defeat sanctions. These fees and costs may exceed the actual sanctions award, or may be required to prevent the court's adoption of proposed sanctions.

To support employee rights lawyers in protecting workers' rights and enforcing employment laws, NELA has established the Sanctions Assistance Fund for Emergency Relief ("SAFER") that will provide, in appropriate cases, cash awards to such lawyers facing sanctions. While we do not anticipate that SAFER will be able to fund every request, nor will SAFER awards be able to defray fully the often sizeable costs associated with threatened or actual sanctions, NELA believes that providing support in such cases will make a difference to employee rights practitioners, even if the amount of the award is small compared to the existing need. NELA considers SAFER applications on a case-by-case basis. Information about applying for a SAFER award can be found on www.nela.org or by contacting NELA.

SAFER will only be an effective resource if you and other employee rights lawyers are willing to make a financial contribution to the Fund. Donations of any amount are welcome and can be sent to NELA at the address below. Checks can be made payable to "NELA-SAFER Fund." Please note contributions to the Fund are not tax-deductible as a charitable contribution since NELA is not a charitable organization under the Internal Revenue Code.

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