Justice Catalyst Access Fund: The Justice Note

JCAF is a 501(c)(3) charitable organization that provides flexible, no-risk financial support to social impact litigators at scale using a unique financing contract template called the “Justice Note.”

Public interest litigation is essential to enforcing accountability for wrongdoers and delivering justice for victims. However, the demand for legal services far outweighs the available supply of nonprofit and public interest litigators. The Justice Note is designed to address the challenges that had left this market untapped, including:

- fee awards and/or damages that were too small for commercial litigation funding;
- the variety of nonprofit and firm organizational types, with different priorities and interests, which conduct social impact litigation; and
- the need for seed funding to start new nonprofits and social impact law firms, prior to development of sufficient cases to back a litigation finance portfolio.

The Justice Note is a legally and financially innovative product, in the form of a recoverable grant for nonprofits and a promissory note for law firms. These instruments are designed to accommodate the variable timeline and nature of public interest litigation, creating a unique third space between traditional grant agreements and commercial litigation finance loan agreements. This enables JCAF to prioritize impact while ensuring financial sustainability and alignment with borrowers.

JCAF’s Justice Note operates across nearly all jurisdictions in the U.S., supporting social impact litigation across 26 states. JCAF has supported over 400 cases affecting millions of plaintiffs and beneficiaries through 30 Justice Notes, ranging from $100k-$1M+.

Justice Note: Legal Innovations

- **Customizable** for organizational structures, incentives, and tax status
- **Default-in Provisions** for current and future litigation
- **Mutual Benefit Structure** aligns incentives by capping recoveries
- **Investment protections** while balancing case-specific oversight
- **Flexible drawdown provisions** empower borrowers

Learn more about the Justice Note here.

Jacob Lipton, Executive Director, JCAF; **Joshua Gewolb,** Partner, Harter Secrest & Emery; **Anthony Sebok,** Professor, Cardozo Law; **Michael P. Kelley,** Partner, Parker Poe Adams & Bernstein