

FUNDING READINESS CHECKLIST

A practical framework for assessing whether a dispute is ready for efficient funding assessment and progression.

Strong commercial claims do not always fail to secure funding because they lack legal merit. Increasingly, litigation funding decisions are influenced by preparation, clarity and commercial viability. The more clearly a claim can be understood, assessed and progressed, the more productive funding discussions become for all parties involved.

Use this checklist as a practical guide when considering whether a claim may be ready for litigation funding assessment.

CLAIM SUMMARY

Can the dispute be explained clearly and concisely?

Consider:

- ☐ Parties involved
- ☐ Nature of the dispute
- ☐ Key factual background
- ☐ Current procedural position
- ☐ Desired outcome

LEGAL MERITS

Is there a clear understanding of the strengths and risks of the claim?

Consider:

- ☐ Merits assessment
- ☐ Key legal issues
- ☐ Counsel's opinion (where available)
- ☐ Potential challenges or defences
- ☐ Likely prospects of success

QUANTUM ASSESSMENT

Can the value of the claim be demonstrated and supported?

Consider:

- ☐ Estimated claim value
- ☐ Basis of calculation
- ☐ Supporting financial evidence
- ☐ Potential recovery range
- ☐ Areas of uncertainty
- ☐ Target settlement amount

LITIGATION BUDGET

Is the funding requirement clearly understood?

Consider:

- ☐ Costs incurred to date
- ☐ Anticipated future costs
- ☐ Key litigation milestones
- ☐ Funding requirement
- ☐ Potential adverse cost considerations
- ☐ Enforcement
- ☐ Alignment of risk

DEFENDANT INFORMATION

Has the defendant's position been assessed?

Consider:

- ☐ Identity of defendant(s)
- ☐ Financial standing
- ☐ Known assets
- ☐ Jurisdictional issues and enforcement strategy
- ☐ Corporate structure
- ☐ Appetite for fight

ENFORCEMENT CONSIDERATIONS

If the claim succeeds, can the judgment realistically be enforced?

Consider:

- ☐ Asset visibility
- ☐ Enforcement routes
- ☐ Cross-border considerations
- ☐ Recovery challenges
- ☐ Practical enforceability
- ☐ Enforcement budget

SETTLEMENT STRATEGY

Is there a clear commercial approach to settlement?

Consider:

- ☐ Previous settlement discussions
- ☐ Commercial objectives
- ☐ Potential settlement parameters
- ☐ Key negotiation considerations
- ☐ Strategic opportunities

STRATEGIC OBJECTIVE & ROAD MAP

Is there a clear pathway from claim commencement to resolution?

Consider:

- ☐ Desired outcome
- ☐ Litigation strategy
- ☐ Settlement strategy
- ☐ Key decision points
- ☐ Likely litigation timetable
- ☐ How funding supports the overall objectives of the claim

Funding readiness is not about creating a perfectly packaged claim. It is about reducing avoidable friction, improving clarity, managing risk and enabling efficient commercial assessment.