



# Legal Services Corporation

## Request for Proposals

*for the Provision of Civil Legal Services*

### *2014 RFP – Narrative Instruction*

**Note:** *This RFP is developed for applicants that have not had an LSC program quality visit since January 1, 2011 and for applicants that do not currently receive LSC funding. Contact the LSC competitive grants service desk at [competition@lsc.gov](mailto:competition@lsc.gov) if you have questions regarding this matter.*

**IMPORTANT NOTICE TO ALL APPLICANTS**

Review the LSC Performance Criteria before preparing the grant proposal. LSC uses the Performance Criteria to guide its evaluation of grant proposals and its funding determinations. The LSC Performance Criteria and other materials referenced in the RFP are on the “Reference Materials” page at [www.grants.lsc.gov/resources/reference-materials](http://www.grants.lsc.gov/resources/reference-materials).

In order to submit a grant proposal, all applicants must first submit a Notice of Intent to Compete (NIC). See page 8 for more information.

LSC will discuss the revisions to the RFP and respond to applicant questions during the Applicant Informational Session on May 21, 2013 (2:00 p.m. E.D.T.). This is a free online conference to assist applicants in preparing the competitive grant proposal and to promote participation in the competitive grants process. Go to [www.grants.lsc.gov/assistance](http://www.grants.lsc.gov/assistance) to learn more and register.

Send inquiries to [competition@lsc.gov](mailto:competition@lsc.gov) regarding the RFP and the competitive grants process. Send inquiries to [techsupport@lsc.gov](mailto:techsupport@lsc.gov) pertaining to the website and other technical issues. Contact Reginald Haley at [haley@lsc.gov](mailto:haley@lsc.gov) if you do not receive a response from either service desk within 48 hours. Visit [www.grants.lsc.gov](http://www.grants.lsc.gov) regularly to remain current on the LSC grants competition, or sign up for “Grants eNews” at [www.grants.lsc.gov/sign-grants-eneews](http://www.grants.lsc.gov/sign-grants-eneews) to receive deadline reminders and email notifications when new information is available.

**Please note the following:**

1	<b>Key Competition Dates</b> – see page 7
2	<b>Changes to the RFP:</b> a) Beginning with the 2014 RFP, applicants will not upload a proposal narrative. Instead, applicants will respond to all RFP Inquiries and Charts through the online system at <a href="http://www.lscgrants.lsc.gov">www.lscgrants.lsc.gov</a> . See page 18 for more information. b) Applicants will respond to fiscal oversight and internal control inquiries – see page 15
3	Information previously uploaded is now submitted as online forms or RFP Charts – see page 15
4	<b>LSC Resource Information, or LRI</b> , ( <a href="http://www.lri.lsc.gov">www.lri.lsc.gov</a> ) is an online library created to facilitate the sharing of innovative projects and “best-practice” resources with the legal services community. LSC provides an opportunity for applicants to contribute to LRI – see page 18
5	<b>Assistance to applicants preparing competitive grant proposals:</b> a) LSC Competitive Grants Service Desk – <a href="mailto:competition@lsc.gov">competition@lsc.gov</a> b) LSC Resource Information – <a href="http://www.lri.lsc.gov">www.lri.lsc.gov</a> c) LSC Performance Criteria – <a href="http://www.grants.lsc.gov/resources/reference-materials">www.grants.lsc.gov/resources/reference-materials</a> d) Responses to Frequently Asked Questions – <a href="http://www.grants.lsc.gov/assistance/faqs">www.grants.lsc.gov/assistance/faqs</a> e) LSC Applicant Informational Session – <a href="http://www.grants.lsc.gov/assistance">www.grants.lsc.gov/assistance</a> , and see page 12 f) Guidance on Responding to the RFP – <a href="http://www.grants.lsc.gov/assistance/responding-rfp-inquiries">www.grants.lsc.gov/assistance/responding-rfp-inquiries</a>

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**Resources for preparing the LSC competitive grant proposal:**

- **Reference Materials** – [www.grants.lsc.gov/resources/reference-materials](http://www.grants.lsc.gov/resources/reference-materials)  
LSC Act, Regulations, Performance Criteria, Appropriations Acts, ABA Standards for the Provision of Civil Legal Aid, and more.
- **Application Documents** – [www.grants.lsc.gov/resources/application-documents](http://www.grants.lsc.gov/resources/application-documents)  
Preview the RFP forms, and download complete instructions for the grant proposal. (*Note: RFP forms must be submitted through the online system at [www.lscgrants.lsc.gov](http://www.lscgrants.lsc.gov).*)
- **LSC Grants Notices** – [www.grants.lsc.gov/resources/notices](http://www.grants.lsc.gov/resources/notices)  
Key Dates, the List of Service Areas in Competition and more.
- **Applicant Assistance** – [www.grants.lsc.gov/assistance](http://www.grants.lsc.gov/assistance)  
Applicant Informational Session registration, FAQs, Guidance on Responding to RFP Inquiries, and more.

## LEGAL SERVICES CORPORATION REQUEST FOR PROPOSALS - INSTRUCTIONS

Applicants should read this Request for Proposals (RFP) and the LSC Performance Criteria in their entirety before preparing the grant proposal. In responding to the RFP, applicants must demonstrate that they are or will be part of a delivery system that assures the availability of a full range of legal services in the service area for which they are applying, that they are capable of delivering high quality legal services, and that their legal services delivery strategies effectively and efficiently address the most pressing legal needs of eligible clients in the service area. This RFP contains the instructions and requirements for preparing the grant proposal and submission requirements. It also includes references to applicable laws and regulations. All successful applicants will be expected to be in strict compliance with these requirements.

### OVERVIEW

#### LSC COMPETITIVE GRANTS

The Legal Services Corporation (LSC) is a private, non-profit corporation established by Congress in 1974 to provide funding for the provision of civil legal services to low-income persons.

LSC proposes to award grants to programs in order to serve every county in the United States; the District of Columbia; the U.S. territories (including American Samoa, the Commonwealth of Puerto Rico, the U.S. Virgin Islands and Guam); and an area that includes the Commonwealth of the Northern Mariana Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau. LSC regulations require all programs to be administered by local governing or policy bodies, a majority of whose members are appointed by state and/or local bar associations and at least one-third of whose members are eligible clients. LSC-funded programs provide legal services to eligible clients pursuant to established local priorities that respond to the most pressing legal needs of the client community.

LSC has published suggested priorities for use by the local governing or policy bodies in setting their local priorities. See LSC Program Letter 96-2 at [www.grants.lsc.gov/rin/grantee-guidance/program-letters](http://www.grants.lsc.gov/rin/grantee-guidance/program-letters). The most common categories of cases handled by LSC recipients are family, housing, income maintenance, consumer, health, and employment. Case types frequently encountered include evictions, debt collection, foreclosures, divorces, child custody, domestic abuse, access to health care, and benefit claims such as unemployment, disability, food stamps, and public assistance.

Congress adopted legislation mandating a system of competition for the award of LSC grants and contracts, which became effective April 1, 1996. As a result, LSC adopted regulation 45 C.F.R. Part 1634, entitled Competitive Bidding for Grants and Contracts. Under this competitive bidding process, LSC invites proposals from interested parties for the provision of civil legal services in the service areas listed at [www.grants.lsc.gov/about-grants/where-we-fund](http://www.grants.lsc.gov/about-grants/where-we-fund). Consistent with the law and regulations, LSC will not grant any preference to current or previous recipients of LSC funds.

Through this competitive process, LSC will fund those qualified attorneys, organizations and entities that will most effectively and efficiently provide high quality legal representation to eligible clients within a comprehensive, statewide integrated delivery system.

In the event that enactment of future congressional legislation necessitates changes in the timing and/or content of this RFP, notice will be provided to the public and all applicants. In such circumstances, continued funding may be provided to the current recipient during any interim period necessitated by congressional actions.

**SIGNIFICANT CHANGES IN THE 2014 RFP**

For calendar year 2014 grants, LSC will be using a fully Automated Request for Proposals (RFP) for standard grant applicants, i.e., for those grant applicants who have not had an LSC program quality visit (PQV) since January 2011.

Applicants will no longer upload the proposal narrative as a Word or WordPerfect document. Instead, applicants will enter answers into the text boxes in response to specific RFP Inquiries. We believe this will make it easier to provide information directly responsive to the particular inquiry. See page 19 for complete guidance on using the new Automated RFP.

Other changes for the 2014 RFP include an expanded set of inquiries that help assess the capacity of the applicant's fiscal oversight and internal controls, and additional inquiries pertaining to the applicant's subgrants. See the Grant Proposal Forms Checklist on page 15 for more information about the Fiscal Grantee Application Form. See page 39 for more information about the subgrant inquiries and uploads.

Throughout the Automated RFP, there are convenient links to research resources, such as the LSC Performance Criteria, the LSC regulations, LSC Resource Information, or LRI ([www.lri.lsc.gov](http://www.lri.lsc.gov)), the LSC competitive grant service desk at [competition@lsc.gov](mailto:competition@lsc.gov), and technical support at [techsupport@lsc.gov](mailto:techsupport@lsc.gov).

Other aspects of the 2014 Automated RFP are similar to the 2013 RFP for standard grant applicants.

**LSC PERFORMANCE CRITERIA**

The RFP, one of the primary tools LSC uses for assessing applicant capacities, is developed based on the LSC Performance Criteria and the American Bar Association Standards for the Provision of Civil Legal Aid. The LSC Performance Criteria are aimed at ensuring that all LSC grantees provide high quality legal assistance and participate in a comprehensive and integrated delivery system that provides a full range of legal services to eligible clients. LSC will use the Performance Criteria to guide its evaluation of grant proposals and its funding determinations.

The RFP follows the format and structure of the Performance Criteria. The RFP inquiries are, to the extent practicable, derived from each of the four performance areas of the Performance Criteria. An applicant's responses to RFP inquiries and the applicant's proposal in its totality must demonstrate:

- a reasoned and thorough assessment of the most pressing legal needs in the communities it serves, a clear strategy for addressing those needs, and procedures for evaluating the efficiency and effectiveness of its advocacy and overall delivery system
- effective relations with the client population, procedures that ensure clients are treated with dignity and sensitivity, a delivery structure that maximizes the use of limited resources for legal services delivery, and an intake system that provides broad and timely access to services for eligible clients
- comprehensive legal work management systems and procedures that result in the delivery of high quality legal services and other services that benefit the low-income population, and active private attorney involvement
- an engaged and effective governing board, effective leadership, strong internal operations, high quality administrative systems and procedures, and effective coordination with other service providers in the service area

Applicants that have not fully established these practices, systems, and procedures must demonstrate to LSC's satisfaction that they have the capacity to do so within the grant period.

LSC advises all applicants to be familiar with the Performance Criteria and to refer to it in preparing their grant proposals. The LSC Performance Criteria are at [www.grants.lsc.gov/resources/reference-materials](http://www.grants.lsc.gov/resources/reference-materials).

### REQUESTS FOR INFORMATION

Applicants should direct all inquiries to the LSC competition service desk at [competition@lsc.gov](mailto:competition@lsc.gov).

### COMPETITION DATES

Notice of Intent to Compete Due Date	May 10, 2013 (5:00 p.m. E.D.T.)
Applicant Informational Session Conducted <i>To participate, register online at <a href="http://www.grants.lsc.gov/assistance/applicant-informational-session">www.grants.lsc.gov/assistance/applicant-informational-session</a></i>	May 21, 2013 (2:00 p.m. E.D.T.)
Grant Proposal Due Date	June 3, 2013 (5:00 p.m. E.D.T.)
Grant Decisions Published	December 2013

### LOCATIONS WITH SERVICE AREAS IN COMPETITION

The following states have one or more service areas in Competition:

Alabama *	Kentucky	New Mexico	Texas
Arkansas	Louisiana	New York	Vermont
American Samoa	Maryland	North Dakota	Virginia
Arizona	Massachusetts	Ohio	West Virginia
California	Michigan	Oklahoma **	Wisconsin
Connecticut	Minnesota	Pennsylvania	Wyoming
Delaware *	Mississippi	Puerto Rico	
District of Columbia	Missouri	South Dakota	
Illinois	New Hampshire	Tennessee	

\* Only the migrant service area is in competition for this state.

\*\* Only the migrant and Native American service areas are in competition for this state.

See the complete list of service areas in competition at [www.grants.lsc.gov/about-grants/where-we-fund](http://www.grants.lsc.gov/about-grants/where-we-fund).

## ELIGIBILITY AND FUNDING

### ELIGIBILITY

The following persons, groups, and entities are eligible to compete for a grant:<sup>1</sup>

1. current recipients
2. non-profit organizations that have as a purpose the provision of legal assistance to eligible clients
3. private attorneys, groups of attorneys or law firms<sup>2</sup>

<sup>1</sup> All successful applicants must have a governing or policy body consistent with the requirements of 45 C.F.R. Part 1607 of the LSC regulations. An applicant that is not in compliance at the time the grant is awarded will be required to be in compliance with 45 C.F.R. Part 1607 within sixty days from the date the grant award is made.

<sup>2</sup> A group of attorneys can compete for LSC grants under two options:

4. state or local governments
5. sub-state regional planning or coordination agencies that are composed of sub-state areas whose governing boards are controlled by locally elected officials

As described in Section IV of the RFP, all applicants should review the provisions of the Legal Services Corporation Act (LSC Act), regulations, guidelines, and the 1996 LSC appropriations act and subsequent appropriations acts. These provisions contain restrictions on the activities of recipients of LSC funds and may affect the eligibility of potential applicants. All of these materials are available from the Reference Materials page at [www.grants.lsc.gov/resources/reference-materials](http://www.grants.lsc.gov/resources/reference-materials).

### **NOTICE OF INTENT TO COMPETE (NIC)**

In order to participate in the competition process, an applicant must submit a NIC to LSC, by May 10, 2013. Applicants cannot access the other components of the RFP until the NIC is approved by LSC. Applicants access and electronically submit the NIC using the online application system at [www.lscgrants.lsc.gov](http://www.lscgrants.lsc.gov). Applicants complete the NIC by:

1. identifying the service area(s) for which they are seeking an LSC grant
2. providing the names and brief biographical and relevant experience information of the applicant's principals and key staff
3. providing the names and brief biographical and relevant experience information of the applicant's current or proposed governing or policy body members and their appointing organizations

Any applicant, including a current recipient of LSC funds that fails to timely submit a NIC will be ineligible for the 2014 grant year competition. LSC, in its sole discretion, can extend the submission date of the NIC in the event of extraordinary circumstances. Applicants are notified within 48 hours of submission whether the NIC has been approved or disapproved.

### **GOVERNING/POLICY BODY REQUIREMENT**

LSC recipients are required to have a governing or policy body (board) consistent with the requirements of 45 C.F.R. Part 1607. The regulation is designed to ensure that: a) the recipient's board is qualified to guide the recipient in its efforts to provide high quality legal services; b) the recipient is accountable to its clients; and c) the board reasonably reflects the diversity of the community and is sensitive to its needs.

The regulation (45 C.F.R. § 1607.3) requires that the composition of the board be at least one-third eligible clients appointed by appropriate client groups, and at least sixty-percent attorneys. The remaining members of the board may be appointed by the grantee's board or selected based on the grantee's policies or bylaws. A majority of the entire board must be McCollum attorneys (i.e., attorneys who are appointed by the bar associations representing a majority of the attorneys in the service area(s)).

Applicants that do not have a board that complies with 45 C.F.R. § 1607.3 will be required to submit a plan, along with their grant proposal, to meet the requirement. Compliance with 45 C.F.R. § 1607.3 is determined based on filled board positions.

### **PRIVATE ATTORNEY INVOLVEMENT REQUIREMENT**

Successful applicants (including private attorneys, groups of attorneys and law firms) for Basic Field-General funding will be required to comply with 45 C.F.R. Part 1614, which requires that an amount equal to at least 12½% of the annual LSC basic field-general award will be devoted by the applicant to the involvement of private attorneys in the delivery of legal services to the poor. This requirement seeks to leverage limited

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1. it may choose to compete as a non-incorporated body; or
  2. it may elect to incorporate as a non-profit

resources by involving the bar through pro bono and compensated programs that generate additional services for eligible clients. Applicants are urged to review 45 C.F.R. Part 1614 in its entirety before responding to RFP inquiries on PAI contained in this RFP Narrative Instruction.

### **SUBGRANTS**

As part of the competitive grants process, applicants are required to submit specific information concerning each current and prospective subgrant of LSC Basic Field-General, Basic Field-Migrant and/or Basic Field-Native American funding, as well as each current and prospective subgrant of non-LSC funds if the subgrant involves PAI activities. The information required for subgrants is detailed on page 39 of this instruction.

Applicants are required to comply with 45 C.F.R. Part 1627 of the LSC Regulations ([Subgrants and membership fees or dues](#)). The LSC Regulations are available at [www.grants.lsc.gov/resources/reference-materials](http://www.grants.lsc.gov/resources/reference-materials).

### **AWARD PERIOD**

Grants awarded under this competitive process will be for periods of up to three years. LSC anticipates that most grants will be awarded for periods ranging between one and three years. Some grants may also be awarded for less than one year. Oversight on compliance with the terms of the grant, the LSC Act, regulations, guidelines, and instructions may be conducted during the grant period. Applicants awarded multi-year grants will be required to submit reports and a grant renewal application as part of the annual grant renewal process. In accordance with 45 C.F.R Part 1618, LSC may impose sanctions or take other actions at any time during the grant term to enforce compliance with LSC requirements.

### **AVAILABILITY OF FUNDS**

For purposes of completing the 2014 grant application, please use the funding amounts listed at [www.grants.lsc.gov/about-grants/where-we-fund](http://www.grants.lsc.gov/about-grants/where-we-fund). These amounts reflect the 2013 appropriation.

Please note that 2014 funding is subject to future Congressional action and there is no guarantee that the funding amounts shown in the list will be available. The final 2014 grant awards will be based on the amounts, terms, and conditions contained in the FY 2014 appropriation and most accurate current census data obtained from the United States Census Bureau. **The 2014 grant awards may vary significantly from the amounts provided in the attached list. LSC will provide final census data and the 2014 funding amounts once that information is available.**

Revised budgets and plans, based on the final 2014 appropriation and updated census data, may be required from all successful applicants. LSC reserves the right to: 1) vary the amount awarded from the amount applied for; and 2) provide funding in graduated amounts to assist new recipients with start-up and transition.

### **SERVICE AREAS**

#### **SERVICE AREAS**

There are three types of service areas: Basic Field-General, Basic Field-Native American, and Basic Field-Migrant. The list of service areas for which 2014 grants are available is at [www.grants.lsc.gov/about-grants/where-we-fund](http://www.grants.lsc.gov/about-grants/where-we-fund). Applicants may apply for grants for one or more of the service areas. LSC will not consider proposals to divide service areas into smaller units. Applicants must apply for the full amount of the grant funds available for the service area(s) included in their proposal.

After consideration of the grant proposals, staff reports, and other available information, the LSC President shall determine the applicants to be awarded grants. The President's determination may include awarding a grant for one or more of the service areas competed for by an applicant, or not awarding a grant to any of the applicants for a particular service area.

If there are service areas for which no applicant applies or for which there is no qualified applicant, LSC has discretion to determine how legal services are to be provided to the service area. The options include, but are not limited to, enlarging the service area of a neighboring recipient or entering into a short term grant or contract with another qualified provider for the provision of legal services in the service area until the completion of a competitive grants process within a reasonable period of time. (See 45 C.F.R. §§ 1634.8, 1634.9.)

### **COMBINING SERVICE AREAS**

If a successful applicant is awarded more than one service area, LSC may in its discretion, combine the service areas into a single service area.

### **FULL RANGE OF LEGAL SERVICES**

LSC seeks to fund proposals to provide a full range of legal services throughout each service area, consistent with the restrictions of the LSC Act and the appropriations acts. The RFP (beginning on page 24) requires applicants to describe plans to provide services to meet the most pressing legal needs of the eligible client population in the service area. The types of cases typically undertaken on behalf of low-income clients include Consumer/Finance, Education, Employment, Family, Juvenile, Health, Housing, Income Maintenance and Individual Rights.

Where applicants plan to provide less than the full range of legal services to eligible clients in a service area, e.g., services limited to legal assistance in a single area of the law or a few areas of law such as housing, divorces, and bankruptcy, or proposals limited to a particular type of legal assistance such as advice, referral and brief service, the grant proposal will not be accepted, unless the applicant demonstrates to LSC's satisfaction, that it is or will be part of a delivery system that assures the availability of a full range of legal services in that service area. The grant proposal in its totality must meet this threshold requirement to be considered qualified.

The requirement to provide or assure the availability of a full range of legal services cannot rest on a mere assertion to do so. The grant proposal must affirmatively describe a collaborative arrangement with partners in the service area that develops and implements a delivery system that assures a full range of legal services. The applicant must also describe the capacity of the participants in the collaborative arrangement to address issues and case types not handled by the applicant.

### **APPLICABLE LAW AND GRANT REQUIREMENTS**

Applicants should be thoroughly familiar with the provisions of the LSC Act, regulations and guidelines, and with the provisos contained in current and pending Congressional appropriations acts. Recipients will be required to comply with all requirements contained therein. The terms and conditions of the RFP are subject to change, pending Congressional action on the FY 2014 appropriation and authorization bills.

### **APPLICABLE LAW**

Grants made pursuant to this solicitation will be subject to the LSC Act of 1974, as amended and applicable appropriations acts, all lawful requirements of the rules and regulations, policies, guidelines, instructions, and other directives of LSC. Any amendments or other applicable laws adopted during the period of this grant shall also apply. The LSC Act, as amended, can be found at 42 U.S.C. § 2996; the implementing regulations can be found at 45 C.F.R. Part 1600, *et seq.* The LSC regulation on competitive bidding for grants and contracts can be found at 45 C.F.R. Part 1634. The LSC Appropriation Acts identify and incorporate, by reference, restrictions on recipients of LSC funds from 1996 to date.

The LSC Act of 1974 as amended and the LSC regulations are at [www.grants.lsc.gov/resources/reference-materials](http://www.grants.lsc.gov/resources/reference-materials). The LSC appropriations acts, policies, guidelines and other directives are also at this site. Applicants are encouraged to review these documents prior to filing a competitive grant proposal.

The legal requirements noted above are included by reference in the LSC Grant Assurances (Form C) for 2014. Applicants must certify that they will comply with the LSC Grant Assurances by signing and returning the LSC Certification Form (Form I) to LSC. Applicants should retain a copy of the Grant Assurances in their files, but should not return the Grant Assurances to LSC. Successful applicants may be required to sign additional special grant conditions. LSC will fund only those applicants capable of delivering high quality legal services. Therefore, applicants will be evaluated according to the LSC Act and regulations, the LSC Performance Criteria, the ABA Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means, and the ABA Standards for the Provision of Civil Legal Aid, except where the provisions of the Criteria and ABA Civil Standards conflict with applicable law or other funding restrictions. The LSC Performance Criteria and the ABA Standards are available at [www.grants.lsc.gov/resources/reference-materials](http://www.grants.lsc.gov/resources/reference-materials).

LSC supports and encourages planning efforts that promote comprehensive, statewide integrated delivery systems. The LSC Performance Criteria emphasize the value and importance of such coordination and planning. LSC Program Letters 02-3, 02-2, and 2000-7, require LSC recipients to engage in a statewide planning process. LSC Program Letters and LSC Performance Criteria are available at [www.grants.lsc.gov/resources/reference-materials](http://www.grants.lsc.gov/resources/reference-materials). LSC considers formal arrangements, such as mergers and consolidations to be consistent with the competitive process. However, certain actions by applicants, such as specific agreement among potential competitors, including current recipients, not to compete for a particular service area or to assign who will compete for particular service areas, may have implications under Federal and state antitrust laws. Applicants interested in pursuing voluntary mergers should consult antitrust counsel before taking actions or entering into agreement(s) that could be viewed as restraining competition.

#### **GENERAL LSC REPORTING REQUIREMENTS**

All recipients of LSC funds will be subject to compliance oversight for the period of the grant award. This will include, but will not be limited to, audits conducted according to the LSC Audit Guide for Recipients and Auditors and the Accounting Guide for LSC Recipients (2010 edition). LSC may require submission of periodic reports of program activity and financial status during the grant period. Additionally, the LSC Act authorizes LSC to require reports and other information from recipients to assure compliance with LSC regulations and other requirements. LSC reporting requirements are at [www.grants.lsc.gov/rin/important-reporting-dates](http://www.grants.lsc.gov/rin/important-reporting-dates).

#### **NONDISCRIMINATION**

No person or entity shall be discriminated against in the awarding of these grants on the basis of race, gender, age, color, national origin, religion, disability, sexual orientation or any other basis prohibited by law. LSC policy requires the adoption of employment policies and procedures that meet the requirements of applicable laws prohibiting employment discrimination, and requires recipients to take affirmative action to ensure equal employment opportunity. LSC expects to fund those applicants whose employment policies and practices indicate an organizational value of diversity in employment.

#### **FREEDOM OF INFORMATION ACT**

The Freedom of Information Act and the associated LSC regulation may require the release of certain grant proposals or documents to the public. In general, during the competition process, LSC will not release any competitive grant documents that would cause competitive harm to an applicant. For specific guidance on the availability of information submitted by any applicant, both before and after grants are awarded, refer to LSC's Freedom of Information Act regulation, 45 C.F.R. Part 1602, and the Preamble to the Competitive Bidding for Grants and Contracts regulation, 45 C.F.R. Part 1634. The LSC Regulations are available at [www.grants.lsc.gov/resources/reference-materials](http://www.grants.lsc.gov/resources/reference-materials).

## APPLICATION PROCESS AND INSTRUCTIONS

### NOTICE OF INTENT TO COMPETE

In order to participate in the competition process, an applicant must submit a NIC to LSC, by May 10, 2013. See page 8 for more information about the NIC.

### APPLICATION SUBMISSION PROCEDURES

All competitive grant documents are submitted electronically through the online application system at [www.lscgrants.lsc.gov](http://www.lscgrants.lsc.gov). Once at the site, log in using your primary email address and password, click on the related "Application Submission" link to begin the application. See Grant Proposal Components on page 15 for more information about required grant documents. Do not submit copies of any documents that are not requested by LSC. Video and audio presentations will not be accepted.

### GRANT ASSURANCES AND CERTIFICATION

The LSC Grant Assurances (Form C) delineate the rights and responsibilities of LSC and the recipient pursuant to the provisions of the grant. Applicants certify compliance with the grant assurances and other requirements using the LSC Certification Form (Form I). Form C and Form I will be available during the month of August 2013. **LSC will notify applicants of the specific date once that information is available.**

### ACKNOWLEDGMENT OF RECEIPT

Applicants will receive an email acknowledging LSC receipt of grant documents after submitting the NIC, the grant proposal, and after submitting Form I. All emails pertaining to the grant including acknowledgments are sent to the applicant's primary email address. For purposes of the grants process, the primary email address is the one entered in the LSC grants online application system login page at [www.lscgrants.lsc.gov](http://www.lscgrants.lsc.gov).

### APPLICANT INFORMATIONAL SESSION

LSC will conduct an Applicant Informational Session Tuesday, May 21, 2013 (2:00 p.m. E.D.T.) to respond to applicants' questions concerning this RFP. This is a free Webinar conference. It is designed to provide an understanding of the information needed to prepare the 2014 grant proposal and to promote participation in the competition process. To register for the conference, go to [www.grants.lsc.gov/assistance](http://www.grants.lsc.gov/assistance). Applicants will have an opportunity prior to and during the session to email questions to LSC for response. Additionally, LSC publishes frequently asked questions and responses at [www.grants.lsc.gov/assistance/faqs](http://www.grants.lsc.gov/assistance/faqs).

### NONCONFORMING SUBMISSIONS

Grant proposals determined to be substantially incomplete or nonconforming upon first submission will be rejected. For grant proposals determined to be substantially complete, but in need of minor amendment, LSC will notify the applicant of the need for amendment. Applicants will be given seven calendar days from their receipt of the notice to revise and deliver a conforming and complete grant proposal to LSC. Applicants who fail to complete and/or revise the grant proposal within the designated time period will be disqualified.

### NEW APPLICANTS

Applicants who have not previously received a grant from LSC must respond to each RFP inquiry, unless otherwise indicated. If the applicant does not yet have a particular system, strategy, procedure, policy, task, or activity in place at the time the grant proposal is submitted to LSC, the grant proposal must demonstrate the applicant's capacity and plans for adopting a particular system, strategy, procedure, policy, or for accomplishing a task or activity.

### Quick Reference

To qualify for an LSC grant, applicants must:

- File a NIC for each service area, due May 10, 2013
- Submit a qualified Grant Application for each service area, due June 3, 2013
- Return 2014 LSC Certification (Form I), available August 2013
- Sign and retain the 2014 Grant Assurances (Form C), available August 2013

## **NOTICE OF INTENT TO WITHDRAW GRANT PROPOSAL**

Applicants who wish to withdraw their grant proposal submission must notify LSC in writing as soon as possible. Include the applicant name and service area code(s) of the service area(s) for which the grant proposal is being withdrawn. The withdrawal notification must be signed by the applicant and dated. Once the notice is signed, convert it to PDF and email it to [competition@lsc.gov](mailto:competition@lsc.gov). No notice is required if a potential applicant has submitted a Notice of Intent to Compete but does not submit a completed grant proposal.

## **GRANT PROPOSAL REVIEW AND SELECTION PROCESS**

### **GRANT PROPOSAL REVIEW**

Proposals are reviewed pursuant to the procedures required by 45 C.F.R. Part 1634. For service areas where there is a single applicant, LSC staff completes the proposal review and prepares a funding recommendation. In addition to the staff review, LSC reserves the right to have the proposal reviewed by an outside reviewer.

For service areas with more than one qualified applicant, LSC will convene a review panel of outside evaluators. The review panel will review the grant proposals and any summaries prepared by LSC, and will make recommendations to LSC regarding awards for the service areas. In addition to the outside review panel process, LSC will evaluate the grant proposals through an internal staff review process. Both the review panel recommendation and the staff recommendation will be considered by the LSC President in making the final funding decision.

For both single and multiple applicant service areas, LSC may undertake site visits with some or all applicants before making final grant decisions.

### **SELECTION CRITERIA**

LSC evaluates each grant proposal according to the nine selection criteria contained in the [LSC regulation on competitive bidding for grants and contracts](#), 45 C.F.R. § 1634.9. As outlined in these instructions in the Responding to the RFP Inquiries and Charts section beginning on page 18, each applicant must demonstrate its ability to meet the selection criteria listed below.

1. Whether applicant has a full understanding of the most pressing needs of the eligible clients in the area to be served. 45 C.F.R. § 1634.9(a)(1).
2. The quality, feasibility, and cost-effectiveness of the applicant's legal services delivery and delivery approach in relation to the LSC Performance Criteria and the ABA Standards for the Provision of Civil Legal Aid, as evidenced by, among other things, the applicant's experience with the delivery of the type of legal assistance contemplated under the proposal. 45 C.F.R. § 1634.9(a)(2).
3. Whether the applicant's governing or policy body meets or will meet all applicable requirements of the LSC Act, regulations, guidelines, instructions and any other requirements of law in accordance with a time schedule set out by LSC. 45 C.F.R. § 1634.9 (a)(3).
4. The applicant's capacity to comply with all other applicable provisions of the LSC Act, rules, regulations, guidelines and instructions, as well as with ethical requirements and any other requirements imposed by law. Evidence of the applicant's capacity to comply with this criterion may include, among other things, the applicant's compliance experience with LSC or other funding sources or regulatory agencies, including, but not limited to, Federal or State agencies, bar associations or foundations, courts, IOLTA programs, and private foundations. 45 C.F.R. § 1634.9(a)(4).
5. The reputations of the applicant's principals and key staff. 45 C.F.R. § 1634.9(a)(5).

6. The applicant's knowledge of the various components of the legal services delivery system in the State and its willingness to coordinate with the various components as appropriate to assure the availability of a full range of legal services, including: (a) its capacity to cooperate with state and local bar associations, private attorneys and pro bono programs to increase the involvement of private attorneys in the delivery of legal assistance and the availability of pro bono legal services to eligible clients; and (b) its knowledge of and willingness to cooperate with other legal services providers, community groups, public interest organizations and human services providers in the service area. 45 C.F.R. § 1634.9(a)(6).
7. The applicant's capacity to develop and increase non-LSC resources. 45 C.F.R. § 1634.9(a)(7).
8. The applicant's capacity to assure continuity in client services and representation of eligible clients with pending matters. 45 C.F.R. § 1634.9(a)(8).
9. The applicant does not have known or potential conflicts of interest, institutional or otherwise, with the client community and demonstrates a capacity to protect against such conflicts. 45 C.F.R. § 1634.9(a)(9).

A primary consideration for LSC of all grant proposals is the use of limited LSC resources to produce high quality, effective and economical legal assistance that seeks to meet the most pressing legal needs of eligible clients. For guidance regarding this primary consideration, applicants are directed to the Reference Materials page at [www.grants.lsc.gov/resources/reference-materials](http://www.grants.lsc.gov/resources/reference-materials). Relevant documents include the:

- [LSC Performance Criteria](#)
- [ABA Standards for the Provision of Civil Legal Aid](#)
- [ABA Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means](#)
- [LSC Act](#) and [regulations](#)

Grant proposal evaluations are based on the LSC Act, LSC Regulations, LSC Performance Criteria, and the ABA Standards, except where those provisions are in conflict with applicable law or other funding restrictions.

## **AWARD NOTIFICATION AND GRANT NEGOTIATIONS**

### **GRANT NEGOTIATIONS**

LSC may, at its discretion, conduct discussions and/or site visits with some or all applicants before making final grant decisions. Applicants may be subject to additional grant conditions as part of the final grant award.

### **TRANSITION ISSUES**

LSC seeks to implement this competitive grant process with the least amount of disruption to current clients and the client community at large. Specific transition plans will be developed with input from the parties affected by the funding decision, as appropriate, to help accomplish an orderly transition. At the point that a decision has been made to fund an applicant, LSC will contact that applicant to assist in preparation of a specific transition plan. All parties affected by the funding decision are required to actively participate in an orderly transition process and work to resolve any transition issues to the satisfaction of LSC. Transition plans must demonstrate to the satisfaction of LSC that client services are not interrupted throughout the service area during the transition period. LSC shall make the final determination about transition plans and funding to assure that services to clients are not interrupted.

## FINAL AWARD DECISIONS

Final award decisions are made by the President of LSC. In making the final awards, LSC may award a grant or contract to an applicant for a period of up to three years. LSC reserves the right to choose other alternatives to ensure the provision of legal assistance to the service area.

## GRANT PROPOSAL COMPONENTS

A complete competitive grant proposal consists of the forms and document uploads listed in the charts below. The charts identify the required document format where applicable. Applicants must submit all grant documents and forms to LSC at [www.lscgrants.lsc.gov](http://www.lscgrants.lsc.gov). Limit the grant proposal to items specifically requested in the RFP. No other materials will be accepted unless requested by LSC. Applicants may, however, be required to submit additional materials prior to the final award of grant funds.

### GRANT PROPOSAL FORMS CHECKLIST

The checklist below identifies all of the forms that must be completed as part of the grant proposal.

All forms and instructions for preparing forms are available at [www.lscgrants.lsc.gov](http://www.lscgrants.lsc.gov). To access and submit grant proposal forms log into [www.lscgrants.lsc.gov](http://www.lscgrants.lsc.gov), click on the “Submit Application” link for the desired service area, select the appropriate form, enter the required data, and click the save button after data entry is complete. All forms are required for all applicants, unless otherwise noted. Applicants can preview the grant proposal forms at [www.grants.lsc.gov/resources/application-documents](http://www.grants.lsc.gov/resources/application-documents).

### Important Reminders

- In order to submit a grant proposal, all applicants must first submit a Notice of Intent to Compete (NIC). See page 8 or more information
- Preview the application as it will appear in the LSC Grants online application system by going to the Application Documents page at [www.grants.lsc.gov/resources/application-documents](http://www.grants.lsc.gov/resources/application-documents).
- All forms must be completed and submitted through the online system at [www.lscgrants.lsc.gov](http://www.lscgrants.lsc.gov).

GRANT PROPOSAL FORM		DESCRIPTION
<input type="checkbox"/>	<b>RFP Inquiries and Charts</b>	Applicants will respond to all RFP Inquiries and Charts through the online system. See page 18 for more details.
<input type="checkbox"/>	<b>Project and Subgrant Information</b>	Applicants will respond to inquiries regarding current and proposed subgrants. For certain types of subgrants, applicants will also be required to provide supplemental information for each subgrant. See page 39 for more information.
<input type="checkbox"/>	<b>Budget Forms</b> D-12, D-14, D-2, D-4	Budget forms collect projected 2013 and 2014 revenue and expense information. <i>Form D-2 and D-4 are only required for applicants that are not current recipients of LSC funding.</i>
<input type="checkbox"/>	<b>Form E-1</b>	Form E-1 collects actual 2012 staffing information. <i>This form is only required for applicants that are not current recipients of LSC funding.</i>
<input type="checkbox"/>	<b>Form G-1</b>	Form G-1 captures 2012 client services information. <i>This form is only required for applicants that are not current recipients of LSC funding.</i>
<input type="checkbox"/>	<b>Form G-12</b>	Form G-12 captures projected expenditures for cases, other services, and supporting activities.

GRANT PROPOSAL FORM	DESCRIPTION
<input type="checkbox"/> <b>Forms F-1 and F-2</b>	<p>These forms capture the name, contact information, and demographic information of each board member; the name of the appointing organization; and the relevant experience of each board member.</p> <p>Additionally, applicants that do not have a governing or policy body that complies with 45 C.F.R. Part 1607.3 use these forms to provide a plan to meet the governing/policy body requirements. See page 37 for more information about the plan.</p>
<input type="checkbox"/> <b>Form D-13</b>	<p>Form D-13 captures information regarding PAI (Private Attorney Involvement) expenses.</p>
<input type="checkbox"/> <b>Form K</b>	<p>Form K captures information about current office technology (hardware and software). <i>Form K is different from the Technology Plan.</i></p>
<input type="checkbox"/> <b>Form D-15</b>	<p>Form D-15 captures projected LSC and non-LSC expenses for carrying out applicant's 2013 Technology Plan.</p> <p>At a minimum this budget should contain entries for: 1) software and hardware acquisition costs; 2) software and hardware maintenance costs; 3) IT staffing costs (internal and/or out-sourced); and 4) staff training costs (for IT staff and to ensure all program staff can effectively use the program's technologies).</p>
<input type="checkbox"/> <b>Organizational Overview</b>	<p>The overview captures a description of the geographical and cultural characteristics of the applicant's service area(s), the scope of legal services provided by the applicant, and the delivery methods and distinctive characteristics of the applicant's organization. See page 38 for more information about this form.</p>
<input type="checkbox"/> <b>List of References</b>	<p>Applicants must provide five professional references for its organization or, in the case of a new organization, provide references for its principals.</p>
<input type="checkbox"/> <b>Conflicts of Interest</b>	<p>Applicant must disclose any potential significant conflicts and should describe its capacity to protect against any such conflicts that may arise during the term of the grant or contract.</p>
<input type="checkbox"/> <b>List of Disciplinary Complaints and Malpractice Lawsuits</b>	<p>Applicants must list all professional disciplinary complaints, criminal convictions, civil contempt, and malpractice lawsuits and/or claims made against the applicant or any of its attorneys during the past thirty-six months, as well as all pending lawsuits and/or claims, regardless of the date of the lawsuit or the date the claim was initiated.</p>
<input type="checkbox"/> <b>List of Performance Evaluations and Monitoring Reports</b>	<p>Applicants must list the name of the report, the date of the report, and the name of the agency that prepared the report for all non-LSC evaluation and monitoring reports received within the past thirty-six months.</p>
<input type="checkbox"/> <b>Fiscal Grantee Funding Application</b>	<p>Applicants must respond to questions regarding their board of directors and management involvement in providing fiscal oversight, competence of financial employees, policies and procedures, corrective actions, fiscal special grant conditions, investigatory inquiries, and accounting system. Each question must be answered or the form will not be considered complete and cannot be submitted.</p>

## DOCUMENT UPLOADS CHECKLIST

The checklist below identifies all of the documents that must be completed as part of the grant proposal.

To upload files, log into [www.lscgrants.lsc.gov](http://www.lscgrants.lsc.gov), click on the “Submit Application” link for the desired service area, and then click the “Uploads” link on the left navigation bar. Click “Select Upload type” at the bottom of the screen to select the type of document to be uploaded. All documents should be uploaded as PDF files.

	UPLOAD DOCUMENT	RFP REFERENCE/ INSTRUCTION
<input type="checkbox"/>	<b>Organizational Chart</b>	The organizational chart should depict the components of applicant’s organization, the titles of the management and executive positions responsible for those components and the number of staff positions in each component.
<input type="checkbox"/>	<b>Resumes</b>	Provide resumes of the Executive Director (CEO or functional equivalent), Governing/Policy Body Chair, Chief Financial Officer, Litigation Director, or other most senior attorney(s). For lawyers and law firms, provide the resumes of the partners, senior associates, and administrative managers who will be most involved in management or service delivery if a grant is awarded. <i>Submit all resumes as a single PDF file.</i>
<input type="checkbox"/>	<b>Current Year PAI Plan</b>	See page 8 for instructions regarding the PAI plan.
<input type="checkbox"/>	<b>2014 Technology Plan</b>	See page 38 for instructions regarding the technology plan.
<input type="checkbox"/>	<b>IRS Form 990</b>	Upload a copy of applicant’s 2012 Form 990 filed with IRS
<input type="checkbox"/>	<b>Certificate of Good Standing</b>	Upload a current certificate of good standing issued by your state or territory.
<input type="checkbox"/>	<b>Accounting Manual</b>	Upload the most recent (Board approved) version of the program’s Accounting Manual.
<input type="checkbox"/>	<b>Segregation of Fiscal Duties Worksheet</b>	Fully complete, and upload, the segregation of duties worksheet which is provided as a Word document on the Uploads page.
<input type="checkbox"/>	<b>Current Budget Schedules</b>	Upload a schedule showing actual revenue and expenses compared to budget with change in dollars and percent from the result of operations during the most recently completed audit year.
<input type="checkbox"/>	<b>Current Fidelity Bond or Insurance Policy</b>	Upload evidence of current fidelity bond coverage or current insurance policy in effect at time of application.
<input type="checkbox"/>	<b>Special Fiscal Grant Conditions from Other Funding Sources</b>	Upload a copy of any special fiscal grant conditions imposed by other (non-LSC) funding sources, which are currently in effect. Include a narrative of any actions taken to date, or planned in the future, to address those items.
<input type="checkbox"/>	<b>Performance evaluations and monitoring reports (PEM)</b>	Upload one copy of all performance evaluation and monitoring reports, received within the past thirty-six months, from non-LSC funders and other agencies.
<input type="checkbox"/>	<b>Subgrant Inquiries, and Additional Subgrant Documents if Applicable</b>	Applicants are required to submit specific information concerning each current and prospective subgrant of LSC Basic Field grant award funds, as well as each current and prospective subgrant of non-LSC funds if the subgrant involves PAI activities. See page 39 for instructions regarding subgrant information.

	UPLOAD DOCUMENT	RFP REFERENCE/ INSTRUCTION
<input type="checkbox"/>	<b>Financial Audit Reports</b>	Submit one copy of independent financial statement audits for the last three years and the appropriate management letters. <i>Only required for applicants that are not current recipients of LSC funding.</i>
<input type="checkbox"/>	<b>LRI submission</b>	See below on this page for instructions on providing LRI materials. <i>LRI submissions are optional.</i>
<input type="checkbox"/>	<b>Certification Form (Form I)</b>	See page 12 for more information about the Certification Form. <i><b>This form is submitted in August.</b></i>

### OPTIONAL LRI SUBMISSION

LSC Resource Information, or LRI, ([www.lri.lsc.gov](http://www.lri.lsc.gov)) is an online library containing innovative delivery approaches, strategies and tools. LRI provides materials on topics such as: foreclosure projects, case management systems, intake, PAI, technology, and pro se. LRI also contains links to LSC and non-LSC funded civil legal services providers and other law-related organizations and institutions.

LSC is providing applicants an opportunity to join their colleagues in showcasing novel or particularly effective delivery strategies. Applicants may have two pages per service area to describe innovative techniques or ideas that promote collaborative partnerships and/or quality legal services to low-income people.

Title these pages “LRI.” Applicants may address any topic that promotes legal services delivery. Contact LSC at [lri@lsc.gov](mailto:lri@lsc.gov), if you have questions about this opportunity or for general information about LRI. Applicants are encouraged to visit [www.lri.lsc.gov](http://www.lri.lsc.gov) regularly for model concepts and “best practices” in legal services delivery.

A weight is not assigned to “LRI” materials submitted, nor will it impact grant award decisions. With the applicant’s permission, LSC may feature selected innovative techniques or ideas on LRI.

## RESPONDING TO THE RFP INQUIRIES AND CHARTS

### GENERAL GUIDELINES

Applicants’ responses to the RFP Inquiries and Charts must be responsive to the information requested. The applicant should describe its proposed legal services delivery approach in relation to the LSC Act and regulations, the LSC Performance Criteria, the ABA Standards for the Provision of Civil Legal Aid, and the ABA Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means. Applicants will be evaluated according to LSC regulations, the LSC Performance Criteria and the ABA Civil Standards, except where the LSC Performance Criteria or ABA Standards conflict with current law or other funding restrictions.

Particular attention should be given to the quality, feasibility, and cost-effectiveness of the selected delivery approaches. Applicants will be evaluated regarding their active participation in an integrated delivery system, which seeks to make the most efficient use of all resources, strives for innovations in delivery mechanisms, and creatively involves the private bar. Where the answer to an inquiry involves work that is being done collaboratively within the state delivery system, please discuss that. For example, discuss the collaborative resource development efforts in applicant’s response to resource development inquiries.

Except where otherwise noted, responses to inquiries requiring statistical data projections will reflect projections for the first full year of the grant period.

As noted earlier, a primary consideration for LSC of all grant proposals is the use of limited LSC resources to produce high quality, effective, and economical legal assistance that seeks to meet the most pressing legal

needs of eligible clients within a comprehensive delivery system integrated statewide. LSC evaluates each grant proposal according to nine specific selection criteria, contained in the LSC regulation on competitive bidding for grants and contracts, 45 C.F.R. § 1634.9, and listed on page 13. Through the requirements of the RFP, the applicant's responses to RFP Inquiries and Charts address these criteria and, together with the required forms, documentation, and other information available to LSC, they will provide the basis for LSC's award decisions.

### **WEIGHTING**

The table below indicates the weight LSC assigns to each Performance Area. Consider the weight in determining the level of information and emphasis to place in responding to the RFP Inquiries and Charts.

<b>Performance Area</b>	<b>Weight</b>
Performance Area One	18%
Performance Area Two	20%
Performance Area Three	35%
Performance Area Four	27%

### **PREPARING RESPONSES TO THE RFP INQUIRIES AND CHARTS**

Applicants respond to the RFP Inquiries and Charts through the online system. However, to assist applicants in preparing their responses, page 24 of this document contains the full list of RFP Inquiries and Charts.

### **GRANT PROPOSALS FOR MULTIPLE SERVICE AREAS**

Applicants may seek funding for more than one service area. It is possible that LSC will not grant an award for every service area sought.

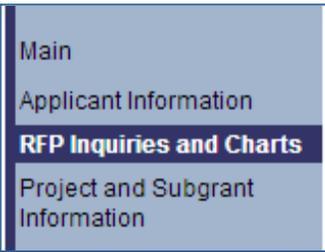
When applying for multiple service areas, applicants must prepare grant proposals for each service area separately. In responding to the RFP Inquiries in each grant proposal, applicants are expected to specifically describe the service delivery system for that service area.

In some instances, the response to an RFP Inquiry may be the same for two or more service areas applied for. In those instances, applicants may enter a response for the service area receiving the largest grant, and in the grant proposals for the additional service area(s), may state "Applicant services and activities are the same for this service area as for (*state the service area*)."

### **USING THE AUTOMATED RFP: OVERVIEW**

As noted previously, applicants will no longer upload the proposal narrative as a Word or WordPerfect document. Instead, applicants will respond to all RFP Inquiries and Charts through the online system at [www.lscgrants.lsc.gov](http://www.lscgrants.lsc.gov). The RFP Inquiries and Charts are organized according to the Performance Criteria. Within the system, there is a page for each Performance Criteria. Those pages provide text boxes for applicants to enter responses to the RFP Inquiries for that criterion. The pages also provide links that lead to each of the relevant RFP Charts for that criterion.

**ACCESSING THE INQUIRIES AND ENTERING RESPONSES**



Once you have logged into the online system at [www.lscgrants.lsc.gov](http://www.lscgrants.lsc.gov), click on the “RFP Inquiries and Charts” link on the navigation bar on the left side of the screen.

The next screen will show a list of the Performance Criteria. The column titled “PA” indicates the Performance Area; the column titled “C” indicates the criterion number. *Note that Performance Area One, Criterion 3 and Performance Area Four, Criterion 8, will not appear in the list. The RFP addresses those topics elsewhere, and there are no RFP Inquiries or Charts for either of those criteria.*

Criteria		
PA	C	Criterion
1	1	Periodic comprehensive assessment and ongoing consideration of the most pressing legal needs
1	2	
1	4	
2	1	
2	2 and 3	
3	1a	
3	1b	
3	1c	Legal Representation - Legal representation and resources
3	2	Private attorney involvement
3	3	Other program services to the eligible client population
3	4	Other program activities on behalf of the eligible client population
4	1	Board governance
4	2	Leadership
4	3	Overall management and administration
4	4	Financial administration
4	5	Human resources administration
4	6	Internal communication
4	7	General resource development and maintenance
4	9	Participation in an integrated legal services delivery system

To begin responding to the RFP Inquiries and Charts, click on the link for any of the Performance Criteria. The system will open the page for that criterion, and display all of the RFP Inquiries and Charts associated with that criterion. The complete page for Performance Area Three, Criterion 1a is shown below.

**PA 3, C 1a: Legal Representation - Applicant's capacity to carry out its work**

**RFP Inquiries for this Criterion**

**Inquiry 1:** Discuss applicant's staff expertise and awareness of developments in legal services delivery. Address:  
a the expertise of applicant's staff as it relates to applicant's priorities, and how applicant's specialized legal expertise (both within and outside the program) in providing direct legal representation, including litigation of complex issues  
b how applicant remains informed about innovative practices and developments in legal services delivery. Describe any innovative approaches to legal services delivery implemented by applicant within the past twenty-four months.

Response:

**Inquiry 2:** Describe applicant's staff's access to research materials and tools (e.g., online legal research libraries, poverty law manuals, practice manuals) and knowledge management (e.g., brief form banks, substantive listservs, document management such as HotDocs, and other web-based resources).

Response:

**RFP Charts for this Criterion**

[Training](#)

For the RFP Inquiries, the full text of each RFP Inquiry is displayed on the applicant's screen, followed by a text box. In this example the criterion has two inquiries. *Note that for Performance Area 3, Criterion 4 there is a chart, but no RFP Inquiries.*

Applicants may prefer to draft the responses using their word processing application and copy the response into the text boxes.

For the RFP Charts, a link is provided for each chart. In this example the criterion has one chart, the Training chart. *Note that the following criteria have no RFP Charts: Performance Area 3, Criterion 3 and Performance Area 4, Criteria 3, 4, 5, 6 and 7.*

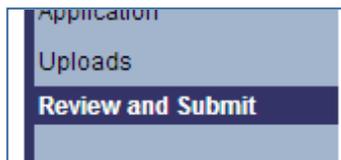
To respond to the RFP Chart, click on the link and the chart page will open. When finished responding to the RFP Chart, click on the "Save and Return to Criterion" button at the bottom of the chart page and the system will redirect you back to the criterion page.

For the 2014 grant cycle, LSC has replaced two additional RFP Inquiries with RFP Charts. The full list of RFP Charts is below.

Performance Area	Criterion	RFP Charts
Performance Area One	1	<ul style="list-style-type: none"> <li>Needs Assessment – Data Collection Methods</li> <li>Needs Assessment – Data Sources and Tools</li> </ul>
	2	<ul style="list-style-type: none"> <li>Priorities, Goals, Strategies and Desired Outcomes</li> </ul>
	4	<ul style="list-style-type: none"> <li>Outcomes Met for Previous Priorities – <i>new for 2014</i></li> </ul>
Performance Area Two	1	<ul style="list-style-type: none"> <li>Intake System Technology</li> <li>Intake Methods: Relative Percent and Time Elapsed Before Receiving Service – <i>new for 2014</i></li> </ul>
	2 & 3	<ul style="list-style-type: none"> <li>LEP Plan and Components</li> </ul>
Performance Area Three	1a	<ul style="list-style-type: none"> <li>Training</li> </ul>
	1b	<ul style="list-style-type: none"> <li>Legal Work Management</li> <li>Casehandling Protocols</li> <li>Case Development Activities</li> </ul>
	1c	<ul style="list-style-type: none"> <li>Accomplishments for Clients (Excluding PAI)</li> </ul>
	2	<ul style="list-style-type: none"> <li>Private Attorney Involvement</li> <li>Methods Used to Recruit Private Attorneys</li> <li>Methods Used to Retain Private Attorney Volunteers</li> <li>Accomplishments for Clients through PAI</li> </ul>
	3	<i>none</i>
	4	<ul style="list-style-type: none"> <li>Involvement with Justice and Advocacy Community</li> </ul>
Performance Area Four	1	<ul style="list-style-type: none"> <li>Board Policies and Practices</li> </ul>
	2	<ul style="list-style-type: none"> <li>Continuity of Operations Planning</li> </ul>
	3	<i>none</i>
	4	<i>none</i>
	5	<i>none</i>
	6	<i>none</i>
	7	<i>none</i>
9	<ul style="list-style-type: none"> <li>Accomplishments for Clients with Other Providers</li> </ul>	

### SAVING AND PRINTING THE GRANT PROPOSAL

Applicants will be able to download, save and print out a copy of the entire grant proposal as a PDF file. The file will include responses to the RFP Inquiries and Charts, as well as all other grant proposal forms and uploads.



To download the file, click on the “Review and Submit” link on the navigation bar on the left side of the screen. On the following page, under the “View Full Submission” heading, find and click on the “View PDF” button. This will generate a PDF of the applicant’s entire grant proposal that applicants can print or save.

In the PDF document, the RFP Inquiries and applicant responses will appear side by side in two columns. The left column will show the complete text of the RFP inquiry. The right column will show the applicant's response.

<b>Performance Area Three:</b>	
<b>Criterion 1a: Legal Representation - Applicant's capacity to carry out its work</b>	
<b>Inquiry</b>	<b>Applicant Response</b>
<p>1 Discuss applicant's staff expertise and awareness of developments in legal services delivery. Address:</p> <p>a) the expertise of applicant's staff as it relates to applicant's priorities, and how applicant uses specialized legal expertise (both within and outside the program) in providing direct legal representation, including litigation of complex issues</p> <p>b) how applicant remains informed about innovative practices and developments in legal services delivery. Describe any innovative approaches to legal services delivery implemented by applicant within the past twenty-four months.</p>	<p>a) Sample applicant response. Sample applicant response. Sample applicant response. Sample applicant response.</p> <p>b) Sample applicant response. Sample applicant response. Sample applicant response. Sample applicant response.</p>

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## RFP INQUIRIES AND CHARTS

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### PERFORMANCE AREA ONE

Effectiveness in identifying the most pressing civil legal needs of low-income people in the service area and targeting resources to address those needs

**Weight: 18%**

**Relevant Regulation:** 45 C.F.R. Part 1620

**Relevant ABA Standards:** 2.1, 2.2, 2.3, 2.6, 2.11, 3.1-3.6

#### Performance Area One, Criterion 1

Periodic comprehensive assessment and ongoing consideration of the most pressing legal needs

#### RFP Inquiries for this criterion

1. State the date when applicant conducted the most recent comprehensive assessment to identify the most pressing civil legal needs and problems of the low-income population and when the applicant plans to conduct the next comprehensive assessment.
2. Discuss how the applicant identifies the legal problems and needs of those with special access challenges and those who are uniquely or disproportionately affected by specific legal issues such as: populations with limited English proficiency (LEP), individuals with disabilities, homeless people, individuals with limited literacy, seniors, children, rural residents, individuals who lack transportation, institutionalized individuals, and Veterans.
3. Discuss how applicant analyzed the availability of other providers and resources in the service area that can help meet the identified legal needs and problems. For example, such organizations may provide legal assistance to address pressing needs not within the applicant's priorities, perform extended service or other assistance that augments the applicant's work, or conduct work restricted by LSC regulations.
4. List and briefly discuss the most pressing legal needs and problems applicant identified in the service area.
5. Regarding legal needs and problems that emerge in the periods *between* the comprehensive legal needs assessments, describe:
  - a. how the applicant identifies those legal needs and problems
  - b. any new pressing legal needs and problems applicant identified within the past twenty-four months
  - c. the response(s) and adjustment(s) applicant made to its work and delivery system to address those newly-identified legal problems and needs

#### RFP Charts for this criterion – *links take applicants to the charts on separate pages*

**Legal Needs Assessment – Data Collection Methods**

**Legal Needs Assessment – Data Sources and Tools**

**Performance Area One, Criterion 2**

Setting goals and objectives, developing strategies and allocating resources

**RFP Inquiries for this criterion**

1. How has the applicant allocated resources and staffing responsibilities to reflect its goals, objectives and desired outcomes?
2. Discuss the ways the applicant's case acceptance guidelines and how they relate to the applicant's goals, objectives and desired outcomes.

**RFP Charts for this criterion** – *links take applicants to the charts on separate pages*

**Priorities, Goals, Strategies and Desired Outcomes****Performance Area One, Criterion 3**

Implementation

There are no RFP Inquiries or Charts for this criterion.

Performance Area One, Criterion 3 addresses implementation of goals, objectives and strategies. The RFP addresses these topics elsewhere.

**Performance Area One, Criterion 4**

Evaluation and adjustment

**RFP Inquiries for this criterion**

1. Describe applicant's most recent strategic planning process. Specifically address:
  - a. the date of the most recent strategic planning process
  - b. staff and board involvement
  - c. the evaluation of the efficiency and effectiveness of applicant's advocacy and service delivery system, including components of the system (e.g., intake, pro se, limited service, extended service, community legal education, private attorney involvement)
  - d. the evaluation of strategies that ensure effective legal services delivery in response to the most critical legal needs
  - e. the goals applicant plans to achieve to help ensure the growth, stability, and viability of the program (e.g., office location, staffing, technology, organizational structure, administration, resource development)

**RFP Charts for this criterion** – *links take applicants to the charts on separate pages*

**Outcomes Met for Previous Priorities**

## PERFORMANCE AREA TWO

Effectiveness in engaging and serving the low-income population throughout the service area

**Weight: 20%**

**Relevant Forms:** Form K - Technology Form

**Relevant Regulation:** 45 C.F.R. §§ 1611.7, 1611.8, 1616.3, 1616.4, 1616.5, 1616.7, 1624.5

**Relevant ABA Standards:** 2.4, 2.5, 4.1, 4.2, 4.5, 4.6, 6.1

### Performance Area Two, Criterion 1

Dignity and Sensitivity

#### RFP Inquiries for this criterion

1. Respond to each of the inquiries below pertaining to the applicant's intake system.
  - a. Briefly describe applicant's intake system. Is applicant's intake process centralized or coordinated among offices and units, or is intake handled separately by each office or unit? Explain.
  - b. What are the days/hours applicant is open for intake by (i) telephone, (ii) walk-in, and (iii) email or other method in each office/unit.
  - c. Discuss applicant's criteria for processing walk-in applications such as emergencies only, no home telephone, traveled a significant distance to office, etc.
  - d. Does applicant accept toll-free telephone calls at each office/unit that processes intake applications? If not, explain.
  - e. Does applicant require prospective clients to complete written applications or questionnaires as part of the intake process? If so, explain why this information is not obtained through telephone or in-person interviews.
  - f. State the date of applicant's most recent written intake procedures and policies and describe the three most notable changes from prior procedures and policies.
2. Discuss applicant's intake system staffing. Address:
  - a. staffing for processing intake applications. Include the number of positions (e.g., attorney, paralegal, supervisory, screener) involved in the intake function and a description of duties assigned to each position.
  - b. the supervision of the intake staff and oversight of the intake process, including the provision of advice and referrals during the intake and case acceptance process. Who conducts the supervision and oversight and with what frequency? Are the supervisors attorneys?
  - c. the initial and ongoing training of staff engaged in intake
3. Discuss access to applicant's intake system. Address:
  - a. how access to intake and information about applicant's services are publicized to the low-income community, agencies, courts and other service providers that interact with the low-income community
  - b. how applicant assures access to services to prospective clients who are Veterans, have limited English proficiency, have disabilities, lack transportation, are homeless, are institutionalized, lack telephones, or who may experience other access barriers
  - c. applicant's collaboration with other legal services providers in the service area to minimize multiple referrals of the same prospective client
4. Discuss evaluation of applicant's intake system.
  - a. Describe how applicant's intake system has been evaluated internally and externally in the last twenty-four months. Address all aspects of the intake system that have been evaluated including but not limited to: access, overall structure, staffing, in-person appointments, data entry, language capacity, call volume, hold time, time for call backs, time for making acceptance decisions.

- b. Identify any notable changes applicant made to the intake system in the last twenty-four months based on the results of the evaluations. Discuss the evaluation findings that prompted these changes.

**RFP Charts for this criterion – *links take applicants to the charts on separate pages***

### **Intake System Technology**

#### **Intake Methods: Relative Percent and Time Elapsed Before Receiving Service**

## **Performance Area Two, Criterion 2 & 3**

Engagement with the low-income population & Access and utilization by the low-income population

### **RFP Inquiries for this criterion**

1. Describe outreach activities applicant has performed in the last twenty-four months, and those it plans to perform in the next year, to major segments of the low-income population in the service area. Discuss applicant participation at meetings of community groups and service providers.
2. Explain the rationale for office locations including their geographic proximity to diverse client communities in the service area, courts, administrative agencies, other social service providers and public transportation.
4. Identify what languages are spoken by significant segments of the client community and which of those languages are spoken by the intake and other staff.
5. Discuss applicant's staff diversity. Address:
  - a. how applicant's staff diversity compares with the racial, ethnic and linguistic characteristics of the service area
  - b. how applicant promotes diversity among program management, advocates, and other staff

**RFP Charts for this criterion – *links take applicants to the charts on separate pages***

### **LEP Plan and Components**

## PERFORMANCE AREA THREE

Effectiveness of legal representation and other program activities intended to benefit the low-income population in its service area.

**Weight: 35%**

**Relevant Forms:** Form D – Budget Forms

**Relevant Regulation:** 45 C.F.R. Parts 1614, 1616, 1611, 1629

**Relevant ABA Standards:** 2.3, 2.7, 2.8, 2.9, 2.10, 2.12, 3.1, 3.3, 3.4-1, 3.4-2, 3.5, 3.6, 4.1, 4.2, 5.1, 5.2, 6.1, 6.2, 6.3, 6.4, 6.5, 6.6

**Relevant ABA Pro Bono Standards:** 2.4, 3.4-7, 3.5, 4.2, 4.4, 4.5, 4.6

### Performance Area Three, Criterion 1a

Legal representation: Applicant has in place adequate capacity to carry out its work, insofar as its resources permit.

#### RFP Inquiries for this criterion

1. Discuss applicant's staff expertise and awareness of developments in legal services delivery. Address:
  - a. the expertise of applicant's staff as it relates to applicant's priorities, and how applicant uses specialized legal expertise (both within and outside the program) in providing direct legal representation, including litigation of complex issues
  - b. how applicant remains informed about innovative practices and developments in legal services delivery. Describe any innovative approaches to legal services delivery implemented by applicant within the past twenty-four months.
2. Describe applicant's staff's access to research materials and tools (e.g., online legal research, libraries, poverty law manuals, practice manuals) and knowledge management (e.g., brief and form banks, substantive listservs, document management such as HotDocs, and other web-based resources).

**RFP Charts for this criterion – *links take applicants to the charts on separate pages***

#### Training

**Performance Area Three, Criterion 1b**

Legal representation: Applicant utilizes systems, approaches, and techniques sufficient to ensure that the representation is carried out with maximum effectiveness.

**RFP Inquiries for this criterion**

1. Describe mechanisms used to keep clients informed and have them participate in decisions about their cases. Address:
  - a. how confirmation is provided to clients about advice given to them and decisions they make concerning their cases
  - b. how clients are informed of their responsibilities in the representation
  - c. the frequency of contact with clients
  - d. whether clients receive opening letters, periodic communications, and closing letters
2. Describe the applicant's methods of case assignments and supervision that affect the appropriateness of casehandlers' caseloads in relation to their experience and expertise.
3. Discuss applicant's provision of limited service. Address:
  - a. how applicant determines which client groups, individual clients, and legal problems benefit most from limited service
  - b. case types and/or situations for which applicant customarily provides limited service
  - c. how applicant's provision of limited services has been evaluated internally and/or externally in the last twenty-four months. Identify any notable changes made as a result of these evaluations.

**RFP Charts for this criterion – *links take applicants to the charts on separate pages***

**Legal Work Management**  
**Casehandling Protocols**  
**Case Development Activities**

**Performance Area Three, Criterion 1c**

Legal representation: Applicant's legal representation achieves as much as is reasonably attainable for the client, given the extent of the representation, the client's objectives and the circumstances of the case. Consistent with applicable rules and decisions governing professional responsibility, program goals and objectives, client objectives, and funding requirements, in its representation and work applicant maximizes the use of its resources and achieves in its representation and work the greatest possible benefits and systemic solutions for other low-income people who may face similar legal problems, and for the eligible population as a whole.

**RFP Inquiries for this criterion**

1. Describe how advocates identify issues within an individual case (or cluster of cases) that are appropriate for a systemic approach or solution.
2. Describe how the effectiveness of applicant's legal representation, including outcomes, has been evaluated internally and/or externally in the last twenty-four months. Identify any notable changes made as a result of these evaluations. Discuss the evaluation findings that prompted these changes.

**RFP Charts for this criterion**

**Accomplishments for Clients (Excluding PAI)**

**Performance Area Three, Criterion 2****Private attorney involvement**

**Note:** Applicants are required to upload the PAI Plan for the current year as part of the grant proposal. New applicants who do not have a current year PAI Plan/project should submit a prospective plan for the following year that will address inquiries 1 through 3 below.

**To the extent the PAI plan addresses the inquiries below, include page and paragraph references to the PAI plan.** If the PAI plan does not address all of the inquiries below, provide a response to the inquiries that are not addressed in the PAI plan. See page ## for instructions for preparing the PAI Plan.

**RFP Inquiries for this criterion**

1. Respond to each of the inquiries below regarding applicant's PAI plan.
  - a. State how the current year PAI plan addresses the legal needs of eligible clients in the geographical area (service area) served by the applicant consistent with the applicant's priorities (see 45 C.F.R. § 1614.4(a)(1)).
  - b. Describe the mechanisms available for private attorneys to participate in applicant's delivery of legal services (see 45 C.F.R. § 1614.4(a)(2)). In the description discuss how applicant will involve private attorneys in its work, such as case handling, special projects involving law firms, local government legal departments, the legal departments of local corporations and other legal organizations, hotlines, full service and pro se clinics, the use of bilingual attorneys with LEP clients, community education, writing pamphlets, major litigation, transactional work, contributing to websites, technical assistance, mentoring of staff, co-counseling with staff, and staff training (see LSC Program Letter 07-2 and examples contained therein. State whether the private attorneys are participating as pro bono, by contract for reduced fee or judicare.
  - c. Discuss the results of applicant consultations with the client community, private attorneys, and bar associations in the service area in the development of the PAI plan (see 45 C.F.R. § 1614.4(a)(3)).
2. Describe the process used to a) identify cases suitable for referral to the PAI project and b) route cases to private attorneys. Identify the number, title and experience level of staff involved in the process.
3. Discuss how applicant will ensure quality control of its PAI efforts, including assuring that attorney participants are qualified, that participants will receive sufficient support and training in their efforts, and that all cases sent to participants are appropriate. Describe the applicant's procedures used to ensure timely referral, follow-up and disposition of PAI cases, and client satisfaction.

**RFP Charts for this criterion – links take applicants to the charts on separate pages****Private Attorney Involvement****Methods Used to Recruit Private Attorneys****Methods Used to Retain Private Attorney Volunteers****Accomplishments for Clients through PAI**

**Performance Area Three, Criterion 3**

Other program services to the eligible client population

**RFP Inquiries for this criterion**

1. Discuss applicant's community legal education efforts. Address:
  - a. applicant's community legal education efforts in the past twenty-four months
  - b. applicant's procedures for evaluating the efficiency and the effectiveness of its community legal education efforts
2. Discuss applicant's pro se efforts. Address:
  - a. applicant's efforts to provide assistance to persons proceeding pro se (not including community education) within the past twenty-four months
  - b. how applicant assesses whether pro se litigants require individual assistance and follow-up assistance
  - c. applicant's procedures for evaluating the efficiency and the effectiveness of its pro se efforts

**RFP Charts for this criterion** – *links take applicants to the charts on separate pages*

There are no RFP Charts for this criterion.

**Performance Area Three, Criterion 4**

Other program activities on behalf of the eligible client population

**RFP Inquiries for this criterion**

There are no RFP Inquiries for this criterion.

**RFP Charts for this criterion** – *links take applicants to the charts on separate pages***Involvement with Justice and Advocacy Community**

## PERFORMANCE AREA FOUR

Effectiveness of governance, leadership and administration

**Weight: 27%**

**Relevant Forms:** Form D (Budget Forms), Form F (Governing/Policy Board Forms), and Form K (Technology Form)

**Supplementary Documentation:** Performance Evaluations and Monitoring Reports

**Relevant Regulation:** 45 C.F.R. Parts 1607, 1620

**LSC Audit Guide for Recipients and Auditors:** Sections II.2, III.1

**Relevant ABA Standards:** 1.1 – 1.1-6, 1.2 – 1.2-4, 1.3, 2.2, 2.3, 2.4, 2.5, 2.10, 2.11, 2.12, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 5.1, 5.2, 5.3, 5.4, 5.5, 6.1, 6.2, 6.3, 6.4, 6.5, 6.6

### Performance Area Four, Criterion 1

Board Governance

#### RFP Inquiries for this criterion

1. Discuss the extent to which the composition of the board reflects the geographic, racial, gender and ethnic composition of the service area. Include any efforts the applicant is making to have the board composition more reflective of the service area demographics.
2. Describe any formal or informal training regarding board responsibilities received by the board in the last twenty-four months.
3. Describe how the board exercised its oversight and leadership responsibilities in the last twenty-four months. Address participation in:
  - a. major policy decisions and consideration of key challenges or opportunities faced by the applicant
  - b. significant board activities (excluding board meetings) that demonstrate the board's commitment to the applicant and the applicant's mission, efforts to promote community awareness of the applicant, and efforts to enhance the effectiveness of the applicant
  - c. applicant's strategic planning
  - d. the review of evaluations of applicant conducted by external organizations
  - e. resource development
4. Does the applicant's board's members overlap with a partner provider's board's members? If yes, state a) the name of the other organization and its relationship to applicant, b) the number of applicant's board members that are on the partner's board, and c) how potential conflicts of interest are identified and addressed.
5. Provide the date of the board's most recent evaluation of the executive director and describe the process used in the evaluation.

**RFP Charts for this criterion** – *links take applicants to the charts on separate pages*

#### Board Policies and Practices

## Performance Area Four, Criterion 2

### Leadership

#### RFP Inquiries for this criterion

1. Discuss applicant's efforts to ensure effective leadership.
  - a. Identify applicant's leadership team and their responsibilities.
  - b. Describe opportunities the applicant provides for the development of future diverse leaders.
  - c. Does applicant have a written leadership succession/transition plan to ensure leadership continuity in the event of an unexpected circumstance or decision affecting the existing program leadership positions? Briefly describe the written plan or applicant's approach to leadership succession/continuity.

#### RFP Charts for this criterion – *links take applicants to the charts on separate pages*

### Continuity of Operations Planning

## Performance Area Four, Criterion 3

### Overall management and administration

#### RFP Inquiries for this criterion

1. Discuss applicant's efforts to ensure effective management and administration. Address:
  - a. applicant's management structure and discuss how the applicant uses middle managers
  - b. applicant's process for involving staff, board members, and other stakeholders in major policy matters, and how and to whom applicant communicates major policy decisions
  - c. applicant's systems and procedures that ensure compliance and enforcement of LSC's policies and regulatory requirements, identify staff training provided and the frequency of applicant's internal compliance reviews
2. Describe applicant's technology planning process including: a) who participated in the planning process; b) the basic elements of the planning process; c) how technology planning is integrated into the applicant's overall service delivery planning, including how the applicant uses technology to improve areas such as intake, outreach, document production and/or other processes through which it delivers services; and d) how technology planning is reflected in the applicant's current annual budget. Applicant is required to submit a current technology plan based on the instructions provided in Attachment 4, and a 2014 technology budget.
3. State whether applicant has a technology use policy (including the Internet) and if so, briefly discuss the policy.

#### RFP Charts for this criterion – *links take applicants to the charts on separate pages*

There are no RFP Charts for this criterion.

**Performance Area Four, Criterion 4**

## Financial administration

**RFP Inquiries for this criterion**

1. Describe applicant's systems and procedures for budgeting and planning. Address:
  - a. the planning/budgeting process for ensuring that resources are appropriately allocated to achieve applicant's priorities, goals, and objectives
  - b. the extent to which applicant engages in budget and financial planning beyond the current year

**RFP Charts for this criterion – *links take applicants to the charts on separate pages***

There are no RFP Charts for this criterion.

**Performance Area Four, Criterion 5**

## Human resources administration

**RFP Inquiries for this criterion**

1. Describe the process used to formally evaluate staff. State the frequency staff is evaluated and the proportion of staff evaluated in the last twenty-four months. State how the evaluations are used to improve performance and promote professional development.
2. Describe applicant's human resources administration effort. Address:
  - a. the number of human resource administration staff expressed in Full Time Equivalents (FTEs), their qualifications, and any training or other professional development opportunities provided
  - b. whether applicant has assessed salaries and benefits in the last twenty-four months
  - c. the procedures for maintenance of accurate and timely personnel records
  - d. whether human resource administration plans and policies have been reviewed in the last twenty four months
  - e. the process for resolving employee complaints
3. Discuss applicant strategies used to retain and promote high-quality staff. Address:
  - a. applicant's retention efforts, including whether the applicant's attorneys receive loan repayment assistance with law school debt, reimbursement for bar examination fees, paid leave for bar examination study time, or other similar benefits
  - b. applicant's methods for recognizing exceptional staff accomplishments
  - c. applicant's efforts to address the development of future leadership for the program, such as mentoring systems; leadership training and other initiatives; recognition of key staff as leaders; providing opportunities for staff to develop and exercise leadership skills; and providing promotion opportunities

**RFP Charts for this criterion – *links take applicants to the charts on separate pages***

There are no RFP Charts for this criterion.

### Performance Area Four, Criterion 6

#### Internal communications

##### RFP Inquiries for this criterion

1. Describe applicant's policies and procedures for promoting and assuring regular communication among staff and among offices. Address:
  - a. the frequency of staff meetings in offices and units, program-wide meetings, and the frequency of office visits conducted by the executive director and/or other key management staff
  - b. the methods used for communication among leadership, management and staff, such as staff meetings, conference calls, video conferences, an intranet, or newsletters

##### RFP Charts for this criterion – *links take applicants to the charts on separate pages*

There are no RFP Charts for this criterion.

### Performance Area Four, Criterion 7

#### General resource development and maintenance

##### RFP Inquiries for this criterion

1. Describe applicant's resource development capacity. Address:
  - a. the number of resource development staff expressed in Full Time Equivalent (FTEs), their qualifications, and any training or other professional development opportunities provided
  - b. use of resource development consultants or contractors
2. Describe applicant's resource development activities over the past twenty-four months and those planned for the next twenty-four months. Address:
  - a. obtaining funds from government, foundations and other private sources
  - b. bar member or other major private fundraising campaigns
  - c. efforts to obtain cy pres or other awards
  - d. development efforts with community organizations and agencies serving the low-income population
  - e. leveraging non-financial resources, e.g., donations of office equipment, law student and retired attorney volunteers, law school faculty or other law school resources, and former clients and/or lay advocates
3. Describe applicant's efforts to publicize its accomplishments in newsletters, annual reports, newspaper articles and website postings. Discuss how these efforts are used to promote fundraising, and give any evidence of their success. Discuss recognition the applicant gives to donors.

##### RFP Charts for this criterion – *links take applicants to the charts on separate pages*

There are no RFP Charts for this criterion.

### Performance Area Four, Criterion 8

#### Coherent and comprehensive delivery structure

There are no RFP Inquiries or Charts for this criterion.

Performance Area Four, Criterion 8 addresses program effectiveness and capacity to meet the most pressing needs of the client community; innovation and creativity in service delivery; and allocation of resources. The RFP addresses these topics elsewhere.

**Performance Area Four, Criterion 9**

## Participation in an integrated legal services delivery system

**RFP Inquiries for this criterion**

1. Describe applicant's contributions to statewide and/or regional efforts within the past twenty-four months to foster an integrated legal services delivery system. Address applicant contributions to:
  - a. ensure the availability of a full range of civil legal assistance
  - b. eliminate access barriers for low-income persons and provide meaningful services to low-income persons
  - c. effectively utilize resources including financial resources, volunteers and in-kind resources
  - d. increase communications and the exchange of information among legal services providers
  - e. ensure training and assistance in key areas of law and practice

*This inquiry is only for applicants who provide: a) services limited to a few types of legal services (e.g., housing and family law); b) full service to a limited portion of the service area; or c) limited service (i.e., counsel and advice, limited action). If applicant provides a full-range of service throughout the service area, state that in one sentence and do not respond to the inquiry.*

2. If critical legal needs of the client community have not been included in applicant's priorities or case acceptance criteria because another legal resource is available to meet those needs, does applicant have a reasonable assurance or expectation that the alternate legal resource provides high quality service? Discuss the basis for this assurance or expectation.

Note: An applicant providing less than a full range of service is required to demonstrate to LSC's satisfaction that it is or will be part of a delivery system that does provide a full range of legal services.

**RFP Charts for this criterion – links take applicants to the charts on separate pages**

**Accomplishments for Clients with Other Providers (required only for programs that are not full service providers)**

## OTHER REQUIREMENTS

**Note:** No specific weight is assigned to any of the requirements in this part. These are threshold requirements in order to receive LSC funds. Failure to meet these requirements disqualifies an applicant

### GOVERNING/POLICY BODY

LSC recipients are required to have a governing or policy body (board) consistent with the requirements of 45 C.F.R. Part 1607. The regulation is designed to ensure that the recipient's board is qualified to guide the recipient in its efforts to provide high quality legal services and to ensure that the recipient is accountable to its clients.

The regulation makes a distinction between governing and policy boards. A governing board has authority to govern the activities of a recipient receiving funds under 42 U.S.C. § 2996e(a)(1)(A). A policy board is established by a recipient to formulate and enforce policy with respect to the services provided under a grant or contract made under the Act. A policy board must be approved by the President of LSC through a waiver of the governing body regulations.

The regulation requires that the composition of the board be at least one-third eligible clients appointed by appropriate client groups, and at least 60 percent attorneys. The remaining members of the board may be appointed by the grantee's board or selected based on the grantee's policies or bylaws. A majority of the entire board must be McCollum attorneys (i.e., attorneys who are appointed by the bar associations representing a majority of the attorneys in the service area(s)).

Compliance with 45 C.F.R. § 1607.3 is determined based on filled board positions. Applicants that currently do not have a board that complies with 45 C.F.R. § 1607.3 are required to submit a plan to meet the requirement along with their grant proposal. Those applicants will be required to respond to the following questions:

1. In consideration of applicant's bylaws, identify the number of vacant:
  - client board positions to be filled in order to be in compliance
  - attorney board positions to be filled in order to be in compliance
  - McCollum attorney board positions to be filled to be in compliance
2. Identify the names of the appointing organizations the applicant is in contact with for filling the client and/or attorney board positions
3. Describe applicant's strategy, including timeline, for coming into compliance with 45 C.F.R. § 1607.3

<b>Relevant Form:</b>	Form F – Governing/Policy Body Forms
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### CAPACITY TO COMPLY WITH THE LSC ACT AND REGULATIONS

There is no narrative required for this section of the Request for Proposals. However, during the proposal review process, applicants may be requested to provide copies of:

1. IRS tax-exempt certification, if applicable
2. Current malpractice insurance information
3. Articles of Incorporation and Bylaws, partnership articles, or other governing documents

Do not submit IRS tax-exempt certification, malpractice insurance information, or articles of incorporation and bylaws with the grant proposal. Instead, applicants must sign the Certification Form (Form I), indicating that these documents are available to LSC upon request.

<b>Relevant Form:</b>	Form C – Grant Assurances Form Form I – Certification Form
<b>Supplemental Documentation:</b>	<ol style="list-style-type: none"> <li>1. Independent financial audits for the last three years, if available (applies only to applicants who are not currently LSC recipients).</li> <li>2. IRS tax-exempt certification, if applicable</li> <li>3. Current malpractice insurance information</li> <li>4. Articles of Incorporation and Bylaws, partnership articles, or other governing documents</li> </ol>

#### **APPLICANT 2014 TECHNOLOGY PLAN INSTRUCTION**

Upload applicant’s Technology Plan for 2014 as a separate PDF file. Include the following information on the title page or header of the Technology Plan: applicant name, applicant number, and “2014 Technology Plan.”

LSC encourages applicants to develop and submit a comprehensive plan that addresses applicant’s current and planned uses of technology in all facets of its operations, including how the applicant is using and will use technology to innovate and improve its services. At a minimum, the technology plan should address the applicant’s use of technology in the following areas: management of client and case data, intake (including online), telephone advice, case management, case supervision, document management, needs assessments, resource development, support for private attorneys, use of websites and other web-based resources, data security, and training. Applicants should consult the Technologies That Should Be in Place in a Legal Aid Office Today document when preparing their plans at [www.lsc.gov/sites/default/files/LSC/pdfs/technologybaselinereport.pdf](http://www.lsc.gov/sites/default/files/LSC/pdfs/technologybaselinereport.pdf).

Additionally, applicants can review LSC’s technology planning resources, including sample technology plans at [www.lri.lsc.gov/program-administration/technology/planning](http://www.lri.lsc.gov/program-administration/technology/planning).

#### **APPLICANT CURRENT YEAR PAI PLAN INSTRUCTION**

Applicants are required to upload the current year PAI Plan as a separate PDF file. Applicants are encouraged to review 45 C.F.R. Part 1614 before developing their Private Attorney Involvement (PAI) plan. Pursuant to 45 C.F.R. § 1614.4(b) applicants are required to present their PAI plans to all local bar associations and to summarize responses received.

Include the following information on the title page or header of the PAI plan: applicant name, applicant number, and “Year of PAI Plan.” Use RFP Budget Form D13 to prepare and submit applicant’s PAI budget.

New applicants who do not have a current year PAI Plan/project should submit a prospective plan for the following year that will address the RFP Inquiries at Performance Area Three, Criterion 2.

#### **OVERVIEW OF THE APPLICANT’S ORGANIZATION AND DELIVERY SYSTEM AND ORGANIZATION CHART**

LSC requires each applicant to provide an overview of its organization and delivery system and a current copy of the program’s organization chart. The overview is to contain a concise description of the geographical and cultural characteristics of the applicant’s service area(s), the scope of legal services provided by the applicant, and the delivery methods and distinctive characteristics of the applicant’s organization. LSC may use excerpts from the overviews in publications and presentations. The organization chart should depict the components of applicant’s organization, the titles of the management and executive positions responsible for those components and the number of staff positions in each component. Applicants will upload the organization chart. Please see the upload instructions on page 17.

The overview is submitted as an online form. See page 15 for instructions on accessing the online form used to transmit this information. Instructions for preparing the overview are provided below and with the online form.

**Consider the suggestions below in preparing the overview:**

**Description of the geographical and cultural characteristics of the service area.**

This description should address whether the applicant's service area is either urban or rural or a mix, and explain which counties or cities (or the number of counties or cities) classify it as such. If there have been significant changes, the response might explain what those changes are and how those changes affect the eligible client population of the service area. If there have been no significant changes, the response would indicate this and go on to explain the characteristics that have consistently affected the eligible client population. In describing the distinctive characteristics of the service area it would be helpful to make note of the things such as the service area's poverty, changes in population, area-specific legal issues, or other such characteristics.

**Describe the scope of legal services to be provided by the applicant.**

This description should address whether the applicant provides a full range of services, and examples of what those services include and whether the full range of service is extended throughout the service area. Programs that do not provide a full range of service should indicate this and explain methods employed to ensure that a full range of services is provided to the client population.

**Describe the delivery methods and distinctive characteristics of the applicant's organization.**

This description should address the methods of delivery used by the applicant organization. This response should also detail the distinctive characteristics that the applicant considers to be unique to its organization.

## **SUBGRANTS**

As part of the competitive grants process, applicants are required to submit specific information concerning each current and prospective subgrant of LSC Basic Field-General, Basic Field-Migrant and/or Basic Field-Native American grant award funds, as well as each current and prospective subgrant of non-LSC funds if the subgrant involves PAI activities.

### **SUBGRANT INQUIRIES AND ADDITIONAL DOCUMENTS**

Respond to the Subgrant Inquiries, found on page 41, separately for each subgrant that matches the description above. Copy and paste the set of questions for each subgrant.

For subgrants of LSC Basic Field-General, Basic Field-Migrant and/or Basic Field-Native American grant award funds, applicants are also required to submit the following information for each current and proposed subgrant:

1. Resumes of the following positions (or functional equivalent) for the subgrantee: Executive Director or CEO, Governing/Policy Body Chair, Chief Financial Officer, and Litigation Director.
2. Up to three professional references for the subgrantee's organization or, in the case of a new organization, the applicant's principals. Provide the reference's name, title, affiliation, email address, mailing address, and telephone number. Do not submit letters of reference or letters of recommendation.
3. A copy of all performance evaluations and monitoring reports by non-LSC funders, regulatory agencies, or evaluators of the subgrantee within the past twenty-four months, if any.

4. *Only for subgrants that are intended to provide a full range of legal services to a specific geographic area within the overall service area.* A list of the subgrantee's professional disciplinary complaints, criminal convictions, civil contempt, and malpractice lawsuits and/or claims made against the applicant or any of its current attorneys during the past thirty-six months.

#### **SUBMISSION TO LSC**

After responding to the Subgrant Inquiries for each subgrantee and assembling the supplemental information for each subgrantee, combine *all subgrant documents* into a single PDF file and upload it through the online system at [www.lscgrants.lsc.gov](http://www.lscgrants.lsc.gov).

**Note:** The subgrant information described here is not a substitute for preparing and submitting the subgrant agreement to LSC. As required by 45 C.F.R. Part 1627, all subgrants must be submitted via online application in LSC Grants for written approval, at least 45 days prior to the agreement's proposed start date. The subgrant agreement must be submitted to LSC no later than November 12, 2013. Applicants are encouraged to thoroughly review the LSC regulation on subgrants, 45 C.F.R. Part 1627. The LSC Regulations are available at [www.grants.lsc.gov/resources/reference-materials](http://www.grants.lsc.gov/resources/reference-materials).



**Question #10 is only for subgrants that are not to provide a full range of legal services to a specific geographic area within the overall service area. If the response to Question 9 above was “yes” because the subgrant does provide a full range of legal services to a specific geographic area, skip Question 10 and proceed to Question 11.**

**10.** Describe the activities performed/to be performed by the subgrantee.

*For 2013 subgrants that are expected to continue, if the current and prospective activities are different, describe both.*

**11.** Describe the qualifications of the subgrantee (e.g., length of time in existence, number of staff, type of organization, reputation in the legal community).

**12.** When was the subgrant originally initiated?

**13.** Why was the subgrant initiated?

**14.** Describe the applicant’s system for providing oversight, (a) assessing the quality of the work performed by the subgrantee, and (b) ensuring that the subgrantee adheres to the terms and conditions of the subgrant agreement. This may include an on-site visit, a monthly or quarterly progress report, review of legal work, monitoring case statistics, reviewing the financial report, or other methods. Include a description of the oversight provided by the board of directors.

*For 2013 subgrants that are expected to continue, if the current and prospective systems of oversight are different, describe both.*

**15.** For current subgrants, describe three accomplishments obtained in the past year.

**16.** Describe the benefits to the applicant of the subgrant relationship with this subgrantee.

*For 2013 subgrants that are expected to continue, if the current and prospective benefits are different, describe both.*

***Questions 17-21 below are only for subgrants that are intended to provide a full range of legal services to a specific geographic area within the overall service area.***

In answering the following questions, describe the subgrantee's responsibilities and the relationship between the applicant and the subgrantee. Use a maximum of ten pages for this section.

- 17.** Describe the geographical area for which the subgrantee is providing or will provide a full range of legal services.
  
- 18.** Describe the subgrantee's responsibilities and involvement in assessing the legal needs of the client community; identifying new and emerging legal needs; establishing priorities and setting goals, based on the most critical legal needs; and strategic planning.
  
- 19.** Describe the subgrantee's office and staffing structure; the operation of the intake system; the subgrantee's Limited English Proficiency policies, and the subgrantee's involvement in outreach efforts.
  
- 20.** Describe the subgrantee's systems for legal work management and supervision; staff training; plans to ensure access to specialized expertise and legal research materials; use of private attorneys; and community legal education and pro se efforts.
  
- 21.** Describe the subgrantee's board governance, overall management and administration; financial management, resource development efforts, and participation in an integrated legal services delivery system.