# Legal Services Corporation
# Technology Initiative Grants

# Notice

# Request for Applications to
# Apply for 2011 Grant Funding

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**Legal Services Corporation**
**Technology Innovative Grant Program**
**Notice of Availability of Funds to Apply for 2011 Grant Funding**

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# I. Summary

The Legal Services Corporation (LSC) issues this Notice describing the conditions under which applications will be received for 2011 Technology Initiative Grants and how LSC will determine which applications it will fund. This grant program provides an integral tool to help achieve LSC's Strategic Goals: to encourage grantees to use technology in innovative ways to increase access, to improve service delivery, and to enhance their management and administration. Projects funded under this program develop, test and replicate innovative technologies that can enable grant recipients and state justice communities to improve clients' access to high quality legal assistance through an integrated and well managed technology system that is integrated in the program's service delivery.

# II. Application Deadline

Complete applications for the fiscal year 2011 LSC grant program must be submitted through the TIG Online System (http://www.tig.lsc.gov) no later than **11:59 P.M. EDT, May 23, 2011.** LSC will not accept applications or portions of applications in e-mail or hard-copy format. Begin the process by going to: http://www.tig.lsc.gov/ and click on TIG Online Systems. The online application system will be available by May 2, 2011.

LSC will not accept applications submitted after the application deadline unless a waiver of the deadline has been approved in advance (see Section IV. Applicable Law and Grant Requirements-Waiver Authority). Therefore, allow sufficient time for online submission.

LSC will provide confirmation via email upon the completed electronic submission of each application. Keep this email as verification that the program's application was submitted. If no confirmation email is received, inquire about the status of your application at Techgrants@lsc.gov.

# III. Eligibility and Funding

### *Program Purposes*

TIG awards are intended to improve access to justice and access to legal information for our targeted client community. It is LSC's goal that technology be used effectively and efficiently to increase access to quality legal assistance. To accomplish this goal, LSC will provide grants to our existing program grantees in order to promote full access and high-quality legal representation through the use of technology.

### *Eligible Applicants*

Eligible applicants are LSC programs that submitted a Letter of Intent and were subsequently invited by LSC to submit a full application.

### Eligible Project Partner Organizations

TIG grants are available to existing LSC recipients only. Although other entities are not eligible to apply, they are encouraged to participate as project partners.

### Funding Availability

Approximately $3.4 million is anticipated for 2011 grant awards. In 2010, 43 TIG projects received funding with a median funding amount of $41,100. LSC places no limits on TIG funding requests, but grants for TIG projects typically range from $25,000 to $100,000.

### Award Period

Applicants may propose project terms between 12 and 36 months, with three additional months added to the grant term for evaluation and final reporting. Budgets submitted should be for the entire grant term.

### Activities Prior to Award or Starting Dates

Applicants are hereby notified that there is no obligation on the part of the LSC to cover pre-award costs. If an applicant incurs any project costs prior to the project start date negotiated at the time the award is made, it does so solely at its own risk of not being reimbursed by LSC.

### No Obligation for Future Funding

If an application is selected for funding, LSC has no obligation to provide any additional future funding in connection with that award. Renewal of an award to increase funding or extend the period of performance is at the sole discretion of LSC.

### Type of Funding Instrument

The funding instrument for awards under this program shall be a grant.

### Past Performance

Unsatisfactory performance of an applicant under prior LSC and non-LSC financial assistance awards, including TIG funding, may result in that applicant's proposal not being considered for funding.

### False Statements

A false statement on an application is grounds for denial or termination of funds and grounds for possible punishment by a fine or imprisonment as provided in 18 U.S.C. §1001.

# IV. Applicable Law and Grant Requirements

### Applicable Law

All grants made pursuant to this solicitation will be subject to the LSC Act of 1974, as amended, applicable appropriations acts, any other laws affecting LSC funds or LSC grantees and all lawful requirements of the rules, regulations, policies, guidelines, instructions, and other directives of LSC (LSC Laws, Rules and Regulations). Any amendments to or other applicable LSC Laws, Rules and Regulations adopted during the period of this grant shall also apply.

The LSC Act, as amended, can be found at 42 U.S.C. §2996 et seq. Public Law 111-117 (2009), contains the FY 2010 LSC appropriation, the provisions of which have been carried over into the first half of FY 2011 through continuing resolutions. Please check with LSC for the status of FY 2011 funding and associated restrictions and requirements. The FY 2010 appropriation incorporates most of the restrictions imposed on recipients of LSC funds by Public Law 105-119 and Public Law 104-134, the FY 1998 and 1996 LSC appropriations. Some of those restrictions have been modified by other laws, which are mostly addressed in the revised regulations and/or in LSC program letters. The LSC regulations can be found at 45 C.F.R. Part 1600 et seq. Please see the Federal Register for any regulations that have been revised or promulgated since the last publication of the Code of Federal Regulations. The LSC Laws, Rules and Regulations including program letters and other policies and guidelines can be found at www.lsc.gov or by contacting LSC directly.

### Federal Policies and Procedures

Recipients and sub-recipients are subject to all provisions of Federal law relating to the proper use of Federal funds listed in 45 C.F.R. § 1640.2(a)(1). It understands that if Applicant violates any Federal laws identified in 45 C.F.R. Part 1640, it may be subject to civil, criminal and/or administrative penalties.

### Grant Categories

LSC will accept projects in three application categories:

1. Website Improvement and Innovation
2. Replication and Adaptation
3. Open

### Grant Category 1:  Website Improvement and Innovation

The Website Improvement and Innovation category is designated for initiatives that will add new tools, promote website traffic, enhance accessibility, build community and increase the effectiveness of statewide websites to better serve their community, partners, advocates, and client population. From 2001-2010 LSC funded the creation and continuation of statewide website grants to help states build and coordinate effective websites for the use of clients, advocates and pro bono attorneys. In 2010, TIG created the Website Improvement and Innovation grant category to expand the potential

use of websites. Statewide websites should no longer be static repositories to post and download information. For instance, live help and video resources may provide better assistance and direction to clients looking for information, and Web 2.0 and social networking tools can provide opportunities to enhance websites to better engage and educate clients, advocates, pro bono attorneys, partners and communities. Every year, more of the client-eligible population is using the Internet. According to a May 2010 survey by the Pew Internet & American Life Project, individuals in 63% of households with incomes of less than $30,000 have access to and use the Internet, either from home or from public access points, at least occasionally, showing that websites continue to be an increasingly important tool for legal aid programs to use to expand their reach and services.

### *Grant Category 2: Replication and Adaptation*

The Replication and Adaptation category is for proposals that seek to replicate, adapt, or provide added value to the work of prior TIG projects. To leverage TIG funds, LSC has always stressed that grants be replicable. LSC requires that any software developed with TIG funding be available to other legal services programs at little or no cost. This policy has allowed LSC to develop two website templates, which have been successfully replicated at a fraction of the cost of development of standalone websites in each state. In 2011, LSC will continue to use a Replication Category to focus on the implementation of tested methodologies and technologies to encourage the replication and improvement of previous TIG projects. Replication and adaptation of prior TIG projects may include, but is not limited to:

### A: Replication of Previous TIG Projects

During the past eleven years of TIG there have been many successes. A list of some examples of replicable projects with contact information can be found at http://tig.lsc.gov/currenttigcycle.php. The final reports of a range of successful projects are available at: http://tig.lsc.gov/finalreportsamples.php. Although successful, many projects have not been replicated in other states and programs because of the costs incurred in doing so.

Applicants should look to previous successful TIG projects and determine how they could be replicated at a substantially reduced cost from the original project. Projects that lend themselves to replication are projects where software or content has already been created. Since any software developed through the TIG program is available to all LSC recipients at little or no cost, it is recommended that you look to these projects to see how they could benefit the delivery systems in your state.

Projects that do not lend themselves to replication are projects for the development or acquisition of hardware or technical equipment. In addition, the bandwidth costs of wide area networks (WAN) are driven by costs from local providers and benefit little from replication.

### B: Automated Form Replication

LawHelp Interactive (LHI[1]) is now deployed in 27 states. There are over 1,676 active HotDocs templates being hosted on the LawHelp Interactive National HotDocs Server. While there are differences from state to state in the content and format of the forms, many of these can be edited for use in other jurisdictions with less effort, hence a lower cost, than starting from scratch.

In addition to these templates, the server hosts more than 596 A2J[2] interviews to gather the information needed to complete the templates. Even if a form differs from one state to another, the information needed to populate the form will, for the most part, be the same. (What is the name of the plaintiff, the name of the defendant, the name of the children, etc.) This means the interviews are more easily replicated than templates.

All of these templates and interviews are available to be modified as needed. TIG has always sought to leverage its scarce grant dollars by encouraging replication, so we have created this specific category to invite such replication. Applicants should identify which forms and templates are to be adapted, then estimate the cost to do this and how much that would save over doing them from scratch.

## *Grant Category 3: Open*

The Open Category is designated for projects that do not fall within Grant Category 1 or 2 and that: (1) implement new or innovative approaches for using technology in legal services; (2) enhance the effectiveness and efficiency of other TIG initiatives or that enable the legal services community to better use technology to increase the quality and quantity of services to clients; and/or (3) enable grantees to substantially increase and/or improve the services provided their client communities.

There is no funding limit or matching requirement for applications in this category. However, additional weight is given to projects with strong demonstrated support from appropriate partners.

Proposals for initiatives with broad applicability and/or that would have impact throughout the legal services community are strongly encouraged.

For applications that do not have broad applicability or impact, LSC will carefully consider the size of the request and the cost-effective balance of risk and reward.

## *Areas of Interest*

LSC has always welcomed applications for a wide variety of projects. For 2011, LSC has five areas of particular interest in which programs are encouraged to submit proposals for innovative technology approaches. The inclusion of these areas does not in any way limit the scope of proposals in which LSC is interested. A new funding category is not required

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[1] LHI is an automated document server powered by HotDocs Server and made available to any LSC funded program at no charge.

[2] A2J Author is a free software program used to create guided interviews that collect information from users that can populate HotDocs documents, for online intake, or to guide users to resources.

for proposals that address these areas of interests because these are encompassed by the broad categories listed above.

These areas of interest are:

**Increasing Access to Legal Assistance for Limited English Proficient (LEP) Client Populations.** The most recent Census Bureau data indicate that at least 25 million people in the country have limited proficiency in English. In recent years, legal services programs serving both urban and rural populations have experienced increasing demands for assistance from this population. The higher incidence of poverty of LEP individuals compared to the broader population and the lack of services or information in LEP groups' native languages make it especially difficult for LSC grantees to serve LEP clients. Technology-enabled strategies can greatly enhance access to and utilization of legal services for LEP persons. To this end, LSC encourages technology-based proposals that seek to increase access to legal services of, and LSC grantees' capacities to respond to, the unique needs of LEP clients.

**Improving Fiscal and Administrative Operations.** The fiscal management and administration of a legal aid program, with multiple funding sources, evolving technology, numerous offices and new electronic banking arrangements, is a constantly challenging endeavor. There is an increased emphasis on internal controls with the enactment of Sarbanes Oxley and the fiscal audits of legal aid programs by the Government Accountability Office (GAO), LSC's Office of Compliance and Enforcement (OCE), and LSC's Office of Inspector General (OIG). In this category, LSC encourages proposals for applications that will use technology to improve operations by, for example, (1) fully integrating the timekeeping records with the accounting and payroll programs or (2) integrating payroll, human resource and accounting systems to avoid duplication of data entry and to comply with the internal fiscal controls found in LSC's Accounting Guide (2010 edition) and with applicable laws and regulations.

**Using Mobile Technologies to Provide and Increase Access to Legal Assistance.** Internet connectivity is no longer limited to hard wired locations. According to a July 2010 survey by the Pew Internet & American Life Project, "six in ten Americans go online wirelessly using a laptop or cell phone [46% have household incomes less than $30,000] . . . and mobile data applications have grown more popular over the last year." In addition, the survey showed that 72% of all Americans now use their cell phones for text messaging. The increased availability and use of mobile technologies, including tools and resources such as cell phones, smartphones, laptops, netbooks and tablets, combined with the increasing availability of broadband access to facilitate delivery of resources like video and web conferencing, provides an opportunity for legal aid programs to create innovative uses of these new tools. LSC encourages proposals to explore how these mobile technologies can be used by legal aid programs, for example by increasing pro bono involvement through mobile clinics, creating mobile apps, or using SMS text messaging to follow-up with clients about appointments and information.

**Leveraging Technology to Increase Pro Bono Attorney and Law Student Involvement.** The economic crisis has increased the need for legal services providers to engage private attorneys willing to help low-income clients. Many state justice communities have urged attorneys to get more involved in pro bono efforts, and some have suggested that particular categories of attorneys, such as retiring advocates, recent graduates, corporate and government attorneys are well-poised to expand access to justice in their states. In addition, nearly 150,000 law students are currently enrolled in an ABA-approved law school, and many of these students have a strong interest in providing legal help to those in need. LSC recognizes that technology can play an important role in recruiting pro bono attorneys and law students and providing them the tools necessary to effectively meet the legal needs of clients. To that end, LSC seeks proposals for projects that leverage creative uses of technology to enhance private attorney and law student involvement.

**Technology Tools with Applicability to Federal Laws.** A variety of technologies have the potential to enhance access to legal information and resources related to federal laws affecting the clients of LSC recipients.  These resources may be especially valuable given that they could be used by clients and advocates across the country. Substantive legal areas might include, but are not limited to: Social Security Disability, SSI, Individuals with Disabilities Education Act, Bankruptcy, Fair Labor Standards Act, Public and Federally Subsidized Housing, and Medicare. Resources for clients might include web-based legal information and guidance, including appropriate automated documents and videos. Advocate resources could include web-based trainings, informational materials and automated documents and court forms.  These technology tools should be developed so they can be readily used and/or adapted by advocates or clients across the country. Tools also might include mechanisms for coordinating and sharing information about federal legal issues. Additionally, LSC seeks proposals in this area to develop technology tools and initiatives that strengthen the community's compliance with federal accessibility laws and standards, including Section 508 and the Web Content Accessibility Guidelines.

## *Waiver Authority*

It is the general intent of LSC not to waive any of the provisions set forth in this Notice. However, under extraordinary circumstances and when it is in the best interest of our targeted client community, LSC, upon its own initiative or when requested, may waive provisions in this Notice. Waivers may only be granted for requirements that are discretionary and not mandated by statute or regulation. Waiver requests must be submitted by email to [TechGrants@lsc.gov](mailto:TechGrants@lsc.gov) and must set forth the extraordinary circumstances for the request. Copies of approved waiver requests must be included in the Appendices to the Project Narrative. To request a waiver of the application deadline, applicants must contact a TIG staff person prior to the deadline to explain the reasons for the waiver request. All waiver approvals are within the sole discretion of LSC.

### Freedom of Information Act

Because of the high level of public interest in projects supported by LSC, we anticipate receiving requests for copies of applications. Applicants are hereby notified that the applications they submit are subject to the Freedom of Information Act. For guidance on the availability of information submitted by any applicant, see LSC's Freedom of Information Act Regulation 45 C.F.R. Part 1602. To assist LSC in making disclosure determinations, applicants may identify sensitive information and label it "confidential."

## V. Application Process and Instructions

### One Project per Application

Each project for which funding is sought should be submitted in a separate application. For example, do not combine a request for an automated forms grant with a request for a grant to expand the intake system. Applicants may submit multiple applications, but each discrete project must be submitted separately.

### Incomplete Applications

All applications timely submitted will be reviewed for completeness as defined in the *Guidelines for Preparing Applications*. Incomplete applications will not be considered in the selection process. LSC may contact applicants to notify them of deficiencies or omissions in applications and allow additional material to be submitted, but is not required to do so. To ensure that the application is considered, timely submit a complete application.

### Eligible Costs

If included in the approved project budget, and subject to 45 CFR 1630, LSC will allow costs for: personnel; fringe benefits; computer hardware, software, and other end-user equipment; telecommunication services and related equipment; consultants, evaluators, and other contractual services; travel; rental of office equipment, furniture, and space; and supplies. Administrative costs must be captured through these line items only; no general 'administrative cost' line item will be approved. All costs must be reasonable and directly related to the project.

The provisions of 45 CFR 1630.5 requiring prior approval of the purchase of any individual item, or a group of related items, over $10,000 in value apply to TIG grants. In order to expedite purchases after the grant award, you may wish to include a request for prior approval with your grant application. The procedures for requesting prior approval can be found in Section 3 of the LSC Property Acquisition and Management Manual. This manual can be downloaded from the LSC Web site at http://www.lsc.gov/laws/pamm.php. For questions about this process, please contact Lora Rath, Deputy Director, LSC Office of Compliance and Enforcement, Telephone: 202.295.1524; Email: rathl@lsc.gov.

### *Additional Funds*

Applicants are strongly encouraged to seek additional support for projects by partnering with other LSC recipients as well as other organizations. Costs borne by other entities may be included in project budgets. LSC funds can be used by LSC recipients as matching funds for other federal grants.

### *Third-party Contracting Considerations*

LSC encourages applicants to work with other access to justice partners on projects and realizes that for many projects grantees will need to contract with third parties to accomplish the goals of the project. However, such partnerships and contracts can raise special issues and be subject to certain regulations and procedures. Grantees should be familiar with these and take them into account during the planning of the project. One such consideration was raised above in the **Eligible Costs** section concerning 45 CFR 1630.5. Three other considerations when dealing with third party contracts are:

1. Competition in contracts for services – Beginning in 2010 LSC has imposed certain requirements for third party contracts for services in excess of $10,000. These requirements are contained in Appendix III to this document, grant assurance 10. Applicants should read this grant assurance and be prepared to meet these requirements should they be awarded a grant.

2. Subgrants – As has been true since its inception, all TIG funding is subject to 45 CFR Parts 1610 and 1627 regarding transfers and subgrants. Applicants should review LSC Program Letter 10-3 for an explanation of these requirements to ensure compliance with these regulations.

3. Administrative plans – Beginning with the 2010 TIG awards, LSC is requiring administration plans for grants where significant portions of the project management are contracted out to third parties. (This requirement is not intended to apply where the contracts are primarily for hardware, software, or technical development work.) For any such grant, as identified by LSC staff, a milestone will be added to the first set of milestones requiring the grantee to submit and have approved by LSC an administration plan that clearly outlines the grantee's duties and responsibilities for financial oversight and audits, project management, contract coordination, evaluation, and reporting. When the grantee is receiving part of the grant as a fee for this administration, the plan will detail who will exercise these duties for the grantee and how the fee was calculated.

For additional information and resources regarding TIG compliance, including third-party contracting, see http://tig.lsc.gov/complianceresources.php.

### *Use of Derivative Income*

Applicants are advised that any derivative income generated by a proposed project is subject to special conditions listed later and the provisions of 45 CFR Part 1630 - *Cost Standards and Procedures*.

Derivative income, as defined in 45 CFR Part 1630 and the <u>Accounting Guide for LSC Recipients</u>, means income earned by a recipient from LSC-supported activities during the term of the LSC grant or contract, and includes, but is not limited to, income from fees for services (including reimbursed costs), sales and rentals of real or personal property, and interest earned on LSC grant or contract advances. However, recipients have no obligation to LSC with respect to program income earned from license fees and royalties for copyrighted materials, patents, patent applications, trademarks and inventions produced under a TIG award.

With regard to anticipated and unanticipated program income from TIG award, anticipated program income must be documented appropriately in the project budget and, should an application be funded, said program income must be reported to LSC. Unanticipated program income must also be reported to LSC, and should the application be funded, the budget for the project must be renegotiated to reflect receipt of this program income. And if it is anticipated that program income will continue after the term of the project, the application should describe how this income will be spent.

## *Evaluation*

Evaluation provides an invaluable project planning and management tool. Effective evaluation mechanisms enable project managers to assess progress toward goals, identify design or implementation problems and make necessary adjustments. They also generate the information required to effectively assess a project's achievements. Applicants will need to identify the methods and data they plan to use to assess progress toward the project objectives (see "Review Criteria" below). Additionally, funded projects will receive only an initial grant payment until they have submitted an evaluation plan approved by LSC. A final grant payment will not be provided until an approved final grant report is submitted; that report will include evaluation data about a project's activities, accomplishments and effectiveness.

## *Contact Information:*

For information on the grant status of a current TIG grant, contact **Eric Mathison**, Program Analyst, Telephone: 202-295-1535; Email: <u>emathison@lsc.gov</u>

For questions about proposals in CT, DC, IL, IN, ME, MA, MI, NH, NJ, NY, OH, PA, RI, WI, WV, VT, contact **David Bonebrake**, Program Counsel, Telephone: 202.295.1547; Email: <u>dbonebrake@lsc.gov</u>.

For questions about proposals in AK, AZ, CA, CO, GU, HI, ID, IA, KS, MP, MN, MT, NE, NV, NH, NM, ND, OK, OR, SD, TX, UT, WA, WY, contact **Glenn Rawdon**, Program Counsel, Telephone: 202.295.1552; Email: <u>grawdon@lsc.gov</u>.

For questions about proposals in AL, AR, FL, GA, KY, LA, MD, MS, MO, NC, PR, SC, TN, VI, VA, contact **Jane Ribadeneyra**, Program Analyst, Telephone: 202.295.1554, Email: <u>ribadeneyraj@lsc.gov</u>.

For questions about framing project goals and objectives and evaluation issues, please contact **Bristow Hardin**, Program Analyst, Telephone: 202.295.1553; Email: hardinb@lsc.gov.

If you have a general question, please email techgrants@lsc.gov.

# VI. Selection and Review

## *Selection Process*

Within two weeks of the submission deadline, LSC will notify all applicants that it received a properly completed application or that the application was insufficient in some regard. A notice of a complete submission merely acknowledges receipt of an application that will compete for funding with other applications, not that the application will be funded. The selection process lasts approximately four months and involves four stages:

1. During the first stage, each eligible application will be reviewed by LSC staff for completeness and eligibility.

2. Upon completion of the initial review process, each proposal will be reviewed to determine the degree to which a proposed project meets the Review Criteria as outlined in this Notice. Additional factors that may be used include a program's funding scope, the eligibility of costs included in an application's budget, and the extent to which an application complements or duplicates projects previously funded or under consideration by LSC or other federal programs. These analyses may include the suggestion that grants only be approved after substantial modification, improvement, or narrowing of the proposal.

Working with the Director of the Office of Program Performance, TIG staff identify a slate of applications for funding to be presented to the LSC President.

3. The LSC President determines the final TIG awards.

4. If necessary, negotiations will take place between LSC staff and the applicant to incorporate any suggested project modifications into the grant and to finalize each grant's payment schedule.

LSC may, at its discretion, make funding decisions sooner on any or all applications.

## *Review Criteria*

Reviewers will evaluate and rate each application using the following criteria. All successful applicants will demonstrate that their projects can accomplish LSC's goal of ensuring that technology is used effectively and efficiently to increase the accessibility and quality of legal assistance provided to the client community.

### 1. Need for the Project

Describe the specific problem(s) the proposed project will address and how it will benefit the client-eligible population. Identify the nature and scope of the problem(s). For

example, what are the current gaps in client services?  What are the limitations of the current operational systems?  Explain how and why current technology systems are insufficient.  Identify what is unique about the proposed project.  Also, indicate whether TIG-funded or other projects have sought to address this or similar issues. If there have been such projects, describe how the proposed project will differ from and incorporate the lessons from those projects. Finally, indicate if the proposed project is responding to one of LSC's areas of interest for 2011: Increasing Access to Legal Assistance for Limited English Proficient (LEP) Client Population, Improving Fiscal and Administrative Operations, Using Mobile Technologies to Provide and Increase Access to Legal Assistance, Leveraging Technology to Increase Pro Bono Attorney and Law Student Involvement, or Technology Tools with Applicability to Federal Laws.

## 2. **Project Goals and Objectives**

LSC expects that all TIG-funded projects will seek to increase the quality and quantity of services provided to clients.  In this section applicants should describe the proposed project's specific goals and objectives. The applicant should identify, in concrete and measurable terms, the project's anticipated outcomes and potential impacts for the client community. For example, the narrative should indicate the extent to which and ways in which the project will enhance services to clients or improve the programs operational effectiveness and efficiency.   Applicants should identify the specific types of data they will use to assess the project's achievements, e.g., usage data, levels of services, interviews or surveys of users. (For information about project objectives and evaluation, applicants should refer to the evaluation section of the TIG Website, especially information regarding TIG project evaluation plans:

www.tig.lsc.gov/eval_nonwebsite_grants.php.

## 3. **Justice Community Partnerships**

Technology Initiative Grants should reflect optimal collaboration and coordination and should incorporate and implement key elements of the statewide technology plan. Each application will be rated on how well the proposed project makes use of and includes broad participation from stakeholders throughout the justice community.  Most favorable consideration will be given to applications that can clearly demonstrate the participation of appropriate justice community stakeholders in the development and implementation of the proposed project.  Potential stakeholders include but are not limited to: court systems, bar associations, client groups, community organizations, government and other non-profit organizations, and non-LSC funded legal services providers.

## 4. **Replication**

LSC expects that each awarded project will either serve as a model for other legal services providers to follow or efficiently replicate a successful TIG Project. Accordingly, applicants should highlight their project's potential for replication and/or improvement of the legal services delivery system, focusing on the following factors:

a) the degree to which the problem identified by the applicant is commonly found in the legal services community, thereby demonstrating that it would be of value to other LSC-funded programs;

b) the relative advantage of the project's innovations over established approaches to addressing the specified problems, thereby demonstrating that other LSC-funded programs are likely to adopt the approach;

c) the ease of replication and adaptation, based on considerations such as cost and complexity, including the applicant's plans to build the innovation in such a way that it can be directly used in other jurisdictions, or can be modified at low cost for use in other jurisdictions; and

d) if a proposed project is replicating a prior TIG project at a reduced cost because of the benefits of replications and/or if the project will make improvements to the prior TIG project or is adding to it a new component, thereby increasing the likelihood of additional replications.

Note that any product or software program developed with these grants will vest in LSC or can be licensed for modification and/or use by other LSC programs for little or no charge (including access to development tools). It is not LSC's intent to help private companies develop products with LSC funds, only to have those companies then market these products to other LSC programs at or near the cost for the original development.

## 5. Program Capacity and Project Staffing

The application should describe the program's organizational capacities, e.g., experience in managing and staffing similar projects, understanding of the organizational support needed for the project, as well as the qualifications of the project team and partners. Identify the proposed staffing for the project as well as who has been involved in planning the project (i.e. executive director, IT staff, website coordinator, staff from proposed partners, etc.) Reviewers will be assessing the program's expertise and experience necessary to make the project a success. A good way to demonstrate this is to reference prior TIG grants that the program has successfully managed. It is important to clearly describe the staffing for the project. If existing staff will be working on the project, it is important to demonstrate that they will have the time to work on the project. One of the grant assurances for TIG states that: ***The total time commitments of any staff member working on this grant, to the program and all funders for all projects and responsibilities, shall not exceed 1.0 FTE.*** Reviewers should be able to tell from this section how the program will be complying with this assurance.

## 6. Past Performance

LSC has found that an important predictor of the success and timely completion of a TIG project is how grantees have performed on prior grants. Applicants should address this, especially if prior grants have not been completed on time. For any such grants, applicant should explain what factors caused the delays, what lessons were learned from these, and how what was learned will ensure timely performance on the proposed project.

### 7. Sustainability of the Project

This is the 12th year of the TIG program and it has made over 450 grants to date. Many of the projects begun with TIG funding are still in existence. In order to leverage the limited TIG funds, after TIG funding gets the project started, it is important that there are other funds to sustain it so that TIG may fund new projects.

While starting a project can be very costly due to initial investments, sustaining it also means incurring ongoing costs such as bandwidth and staffing. As such, it is important that the applicant create a written strategy for sustaining the project ("Sustainability Strategy") without ongoing TIG funding following its TIG grant term so that LSC may fund new projects.  Reviewers will review the applicant's Sustainability Strategy to sustain the project after the completion of the grant. Applicants should address the potential long-term viability of the project in their narratives and include the following:

> a) A description of the grantee's overall strategy to sustain the project after the completion of the grant, including a list of likely or potential future funders;
> b) An evaluation of the ongoing costs of the project projected two (2) years out from the completion of the grant, including but not limited to, projected staffing, bandwidth, equipment, and overhead costs in dollar values;
> c) A plan for how the grantee will meet the project's cost after the completion of the grant.

If an applicant needs to work with a project partner(s) or contractor(s) to provide LSC with the above listed information, it may do so but not cede responsibility for the applicant's Sustainability Strategy.  Some TIG grantees may also be required to submit a Sustainability Plan as a part of, and as an appendix to, their final project reports.  They will be notified if they are required to do so in their Grant Award Package.

# Appendix I: Guidelines for Preparing Applications

## *Introduction to the Guidelines*

The Legal Services Corporation (LSC) staff designed these *Guidelines for Preparing Applications* to help applicants provide enough information for LSC to make decisions on funding requests. This document supplements the *Notice: Request for Applications to Apply for 2011 Grant Funding*. (**Notice**)

## *One Project Per Application*

Each project for which funding is sought should be submitted in a separate application. For example, do not combine a request for a Replication grant with a request for a grant in the Open Category. Multiple applications may be submitted, but each discrete project must be submitted separately.

## *Provisions Applicable to All Categories*

### Online Application System

LSC requires that each applicant submit **an online application** using the TIG Online System at http://www.tig.lsc.gov. Submission through the TIG online system should be done by a person authorized to commit the applicant organization. Only one login per program will be able to manage the organization's TIG projects.  If you need to change the TIG responsible login for your program, the Executive Director should send a request to Techgrants@lsc.gov.

### Amendments to Applications after Application Deadline

LSC will **not** accept amendments to an application after the application deadline unless specifically requested by LSC staff. Applicants will be notified if any additional information is needed to evaluate the application. LSC may request information from applicants at any time.

### Changes in Applicant's Contact Information

If the contact information submitted on the *TIG Application Form* changes after submission, immediately notify LSC in writing or via email.

### Waiver Requests

As stated in the *Notice*, LSC does not intend to waive any provisions of the *Notice*. However, under extraordinary circumstances, and when it is in the best interest of the targeted client community to do so, LSC may, on its own initiative or when requested, waive certain provisions in the *Notice*. LSC cannot waive requirements that are statutory, only those that are discretionary. **A**s described in the *Notice*, requests to waive the application deadline will not be considered unless received by LSC prior to the application deadline.

- Programs planning to request a waiver prior to the application deadline must do so via email addressed to Techgrants@lsc.gov clearly stating (1) which provision(s) are asked to be waived, and (2) the extraordinary circumstances that necessitate the request. The request must be clearly identified as a "**Waiver Request**." LSC cannot guarantee that it will be able to resolve waiver requests before the application deadline.

## *Instructions for Preparing Applications in Open, Replication and Website Improvement and Innovation Categories*

A TIG application in the Website Improvement and Innovation, Replication and Adaptation, or Open category is complete only when it contains the items referenced below (excluding the optional item):

- **TIG Application Form**
- **Budget Form**
- **Budget Narrative**
- **Third Party Contracting Form**
- **Project Narrative**
- **Appendices to the Project Narrative** (Optional) **includes timelines, technical diagrams, organizational charts, maps, résumés, etc.[3]**
- **Letters of Commitment from Key Partners**
- **Letters of Support**
- **Information on Grantee's Prior TIG Projects**
- **Lessons Learned from other Technology Projects**
- **Proposed Payment Schedule and Milestones**
- **Statement of Additional Funds**

### TIG Application Form

Each application should begin with a completed *TIG Application Form*. The category under which the grant is being submitted will be filled in automatically according to the Letter of Intent submitted. Next, indicate the total amount of funds requested from LSC and the total cost of the proposed project. Also, give a brief description of the nature of the project. Finally, fill out the information identifying the applicant and the person LSC should contact about the application.

### Budget Form

As a component of the Feasibility review criterion, reviewers will analyze the budget request in terms of its clarity, cost-effectiveness, and consistency with the goals and objectives described in the *Project Narrative*. The proposed budget should be appropriate to the tasks proposed and sufficiently detailed so that reviewers can easily understand the

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[3] Do not use pointers to online resources. Reviewers will be instructed to ignore pointers to online resources. To include documentation available on the Internet, print the material and include it in the appendix.

relationship of items in the budget to the project activities. The *Budget Form* is part of the online application system available from http://www.tig.lsc.gov. There are fifteen budget items that must be filled in. Each area is the total for that category. For example, item 5 is for equipment purchases. If the project plans to purchase a server, a router and a battery backup, the costs of all three items would be added together for this category. Use the sum of these costs in this form only. In the *Budget Narrative*, set out descriptions and specific costs for each of these items. The *Budget Form* is the summary; the *Budget Narrative* is itemized.

Indicate who is paying for each of the 15 budget items. The *Budget Form* has five columns for (a) the amount requested from LSC, (b) the applicant's contributions, (c) additional funds from other LSC-funded partners, (d) additional funds from non-LSC-funded partners, and (e) the total of (a), (b) (c) and (d). All calculations will be automatically tabulated.

## Budget Narrative

Use the *Budget Narrative* to expand on the budget items listed in the *Budget Form*. This is the place for detail and for cataloging proposed expenditures in relation to the project timetable. If the term of the project is three years, give the proposed expenditures for each of those years. Most projects will have identifiable stages. LSC anticipates structuring the grants so that they are payable in installments, conditioned upon completion of these stages. Identify the budget requirements for each of the different stages of the project in the *Budget Narrative*.

Fully explain each budget item so that it can be effectively evaluated. The budget must be reasonable for the tasks proposed, and the relationship of items in the budget to the *Project Narrative*, especially the project objectives, should be clearly defined and communicated.

When the grant award is awarded, unless it is modified by agreement with LSC, the applicant is committed to the budget submitted in the application, including contributions from the applicant, from other LSC-funded partners, and from non-LSC funded partners. Be sure that the anticipated additional resources are realistic.

LSC will support most costs associated with a technology project. LSC allows costs for personnel, fringe benefits, computer hardware and software; other end-user equipment, telecommunication services and related equipment; consultants and other contractual services; travel; rental of office equipment; furniture and office space and supplies that are allowable under the applicable cost principles. Unspecified administrative costs will not be allowed.  The only cost category specifically excluded is construction costs (see the Eligible Costs section of the *Notice*).

*Discounts:* The value of products or services must reflect the fully discounted price to the applicant. For instance, if there is a 70% discount on computer equipment, then the value of the equipment should appear in the budget as the **actual amount paid** (i.e., 30% of the undiscounted price of the computer equipment).

*Program Income:* As indicated in the *Notice*, any program income generated by a proposed project is subject to special conditions and needs to be identified appropriately in the budget.

## Third Party Contracting

Applicants will utilize the *Third Party Contracting Form* to outline the contracts they plan to enter into during the proposed project. Programs will either identify a specific third-party entity that they intend to contract with or, if that entity is not yet known, indicate that the contractor will be decided later. Regardless of whether a specific contractor is identified, applicants should provide as much information as possible about the planned contracts, such as the expected contract amount, the contractor's staff that will work on the project, and the contractor's anticipated responsibilities. Third-party contracting requirements are available on the TIG Compliance Resources page at http://tig.lsc.gov/complianceresources.php; these requirements should be reviewed before submitting an application. If the project is funded, grantees can work with TIG staff to modify contracting information if necessary.

## Project Narrative

The *Project Narrative* is the applicant's opportunity to demonstrate to reviewers that the project fits LSC objectives. Provide specific information about the project's goals and objectives, the major activities that will be conducted to achieve the goals and objectives, the project's partners, and the people affected by the project's outcomes (e.g., clients, program staff, and partners). (Guidance for specifying TIG project goals, objectives and activities is available on the evaluation plan section of the TIG website: http://www.tig.lsc.gov/eval_nonwebsite_grants.php.)

Reviewers will assess the presentation from the perspective of how well the narrative addresses the *Review Criteria* defined in the *Notice*. These are: **Need for the Project, Project Goals and Objectives, Justice Community Partnerships, Replication, Program Capacity and Project Staffing, Past Performance and Sustainability of the Project.** Carefully review the descriptions of each of these criterions in the *Notice* before preparing the *Project Narrative*.

The *Project Narrative* should be clear and concise and address the following per the Review Criteria outlined in the Notice:

- A full description of the project, including the specific technology(ies) the project will develop or implement;
- The need for the project;
- The project's goals and objectives;
- Justice community partnerships;
- Replication;

- Program capacity and the project staffing;

- Past Performance;

- Sustainability of the project.

## Appendices to the Project Narrative

In addition to the *Project Narrative*, up to 32 total pages may be submitted to fully document the proposal.

**Relevant documentation:** Appendices may include documents such as timelines, technical diagrams, organizational charts, maps, letters of commitment from key partners, letters of support, and résumés. This may also include information on past projects and credentials of firms and outside consultants involved in the project.

**Letters of Commitment from Key Partners:** Letters of commitment to the project from any key partner whose participation is necessary for the completion of the project will be required.

**Letters of support:** we are recommending that you submit no more than three letters of support. Letters of support may come from members of the community who will benefit from the success of the project.

**Page limit:** The Project Narrative Appendices must not exceed thirty-two (32) pages**.** Uploads are limited to file extension types of .doc, docx, .pdf, and .rtf only. Any portion of the application that exceeds the specified page limits will not be reviewed.

## Lessons Learned from Other Technology Projects

This is the 12th round of grant awards in the TIG program. To date, 450 grants have been awarded. New projects should build upon the knowledge gained from these past projects. In this section of the application, elaborate on how the proposed project relates to prior projects; how it builds upon them, what was learned from them, and how the project will avoid any pitfalls they have faced.

For example, if a video conferencing project is proposed, be sure to review the results of the prior video conferencing projects by looking at the materials on LSNTAP.org, the LSC Resource Library (www.lri.lsc.gov), the TIG Website (www.tig.lsc.gov) and by speaking with technical and other staff from these programs. In this section demonstrate that this review has occurred and that the project will build upon and improve on the past projects.

## Proposed Payment Schedule and Milestones

Plan the project for two fixed payments (initial and final) and an interim payment for each six months of the grant term. If the grant is awarded, the initial payment will be made shortly after the grant acceptance letter is returned to LSC. LSC recognizes that many of the costs for a project are incurred early on, so the initial payment may be the largest, but it will be no more than 40% of the grant total. The final payment must be for

at least 20% of the grant request, up to a maximum of $50,000. Apportion the balance of the monies requested among the interim payments.

If the grant is awarded, the project goals, objectives, and activities will be agreed upon by LSC and the grantee, then included as part of the grant award package. Interim payments will be made for progress toward achieving project goals and objectives based upon the completion of activities and specific milestones required to achieve them. The final payment will be made after the **Final Report** is submitted and approved.

The dates and number of payments on the grant will be generated depending upon the length of the proposed project. If the project is expected to be completed in one year, payment two most likely would come approximately six months after the start of the project, payment three at the end of the year, then payment four would be scheduled three months later to allow time for the preparation and approval of the final report. **For each payment period generated, indicate the specific activities and milestones that will be completed towards meeting the goals and objectives of the project.**

**Example –** for a one year grant request of $100,000, the four payments might be: payment one (initial payment) in January, 2011 for $40,000; payment two in July 2011 for $20,000; payment three in December, 2011 for $20,000; and payment four (final payment) in March 2012 for $20,000 (20% of the grant total). An eighteen-month grant would have five payments, a two-year grant six payments, etc.

## Statement of Additional Funds

As noted above, the *Budget Form* should include a listing of LSC funding, program project contributions, funds from other LSC funded partners, and funds from non-LSC-funded partners. In this section, specify these other partners by name and identify how much each will be contributing.

## *General Suggestions*

- *Be succinct and clear*. Because of page limitations, discuss the project clearly and succinctly. Reviewers should learn what is proposed and how well it responds to the *Review Criteria* published in the *Notice*.
- *Review the Project Narrative once it is complete*. It should be a coherent and convincing presentation.
- *Use appendices to make the proposed project understandable*. Use the thirty-two (32) pages allocated for appendices to expand upon the important points or to provide additional information not addressed in the project narrative.
- *Check the application for completeness*. Reviewers can only evaluate proposals using the documentation that is provided. It is the applicant's responsibility to ensure that the uploaded copy includes the required materials.

## *For more information*

For information on grant status of current TIG grant, contact **Eric Mathison**, Program Analyst, Telephone: 202-295-1535; Email: emathison@lsc.gov

For questions about proposals in CT, DC, IL, IN, ME, MA, MI, NH, NJ, NY, OH, PA, RI, WI, WV, VT, contact **David Bonebrake**, Program Counsel, Telephone: 202.295.1547;  Email: bonebraked@lsc.gov.

For questions about proposals in AK, AZ, CA, CO, GU, HI, ID, IA, KS, MP, MN, MT, NE, NV, NH, NM, ND, OK, OR, SD, TX, UT, WA, WY, contact **Glenn Rawdon**, Program Counsel, Telephone: 202.295.1552;  Email: grawdon@lsc.gov.

For questions about proposals in AL, AR, FL, GA, KY, LA, MD, MS, MO, NC, PR, SC, TN, VI, VA, contact **Jane Ribadeneyra**, Program Analyst, Telephone: 202.295.1554, Email: ribadeneyraj@lsc.gov.

For questions about framing project goals and objectives and evaluation issues, please contact **Bristow Hardin**, Program Analyst, Telephone: 202.295.1553; Email: hardinb@lsc.gov.

If you have a general question, please email techgrants@lsc.gov.

# Appendix II: Guidance for Applicants

## Elements of a Successful Application:

**Partnerships.** LSC encourages projects that are partnerships with state and local courts, client groups, community organizations, libraries, senior organizations, state and local bar systems, advocacy organizations, etc. Applicants should have the support of designated state planning bodies. Applicants should also work closely with their peers when considering projects with broad community wide impact.

**An achievable and practical plan.** Feasibility is a threshold criterion – a proposal must be judged as feasible to be funded. Applicants should focus on four issues related to feasibility:

1. Technical approach – how the proposed system would be built, how it would work, how it would operate with other systems, and technological alternatives that have been considered;

2. Realistic budget – one that is appropriate to the tasks proposed, sufficiently detailed so that reviewers can easily understand the relationship of items in the budget to the project narrative, sufficiently flexible so that it can be modified to reflect changes in technology and opportunity;

3. Work plan implementation – the major steps, and time frames for implementation, that will be undertaken to achieve the project goals and objectives; and,

4. Sustainability – applicant's plan for sustaining the project beyond the grant period.

**An innovative approach with the potential to be replicated broadly throughout the country.** LSC expects that each awarded project will serve as a model for other communities to follow. In addition, since these grants are being provided to improve the delivery of legal services using technology, applications shall benefit – in the most practical way possible – the entire system. Applications will be scored according to how the project will benefit clients in specific localities, and also on how the project will improve the system as a whole. If the proposal is responding to one of LSC's areas of interest for 2011 (Increasing Access to Legal Assistance for Limited English Proficient (LEP) Client Populations, Improving Fiscal and Administrative Operations, Using Mobile Technologies to Provide and Increase Access to Legal Assistance, Leveraging Technology to Increase Pro Bono Attorney and Law Student Involvement, and Technology Tools with Applicability to Federal Laws.), explain how the proposed approach can serve as a model to other programs and providers who wish to address the same area.

**Available resources.** In assessing the qualifications of the project team, reviewers will assess the extent to which the applicant and its partners have the resources, expertise, and experience necessary to undertake, evaluate, and complete the project and disseminate results within the proposed period.

**Provide more access, not new barriers.** In 2004 the Washington State Supreme Court adopted the Access to Justice Technology Principles.

LSC believes that these principles embody worthwhile goals. Applicants should review these six principles and explain how their projects will not pose any additional barriers on access to justice. You need not relate your project to each of the six principles, but you should make it clear they have been considered and that your project strives to adhere to the spirit of promoting access without increasing barriers or violating privacy.

The Principles are:

- **Requirement of Access to Justice:** New technology or changes to technology must not reduce access or participation in the justice system, and whenever possible, shall advance access and participation.
- **Technology and Just Results:** The justice system shall use and advance technology that achieves a just process and a just result, and shall reject or minimize any technology use that reduces the likelihood of that result.
- **Openness and Privacy:** Technology can magnify the conflict between fostering openness and protecting privacy that are dual responsibilities of the justice system. Decision makers must balance protection of both values and maximize technology's beneficial effects while minimizing its detrimental effects.
- **Assuring a Neutral Forum:** Neutral, accessible and transparent forums for dispute resolution are fundamental to the Washington justice system. New technologies must be compatible with such forums, and should discourage forums which are not neutral, accessible and transparent.
- **Maximizing Public Awareness and Use:** Access to justice requires the public have available and understandable information about the system and its resources. The justice system should promote ongoing understanding of the tools afforded by technology to access justice by disseminating information as broadly as possible.
- **Best Practices:** To ensure implementation of the Access to Justice Technology Principles, those governed by these principles shall utilize "best practices" procedures or standards. The best practices shall guide the use of technology so as to protect and enhance access to justice and promote equality of access and fairness.

**Ensure Materials are Accessible and Understandable**. In the development of any website, pro se materials, or other grant-supported product, the applicant shall consider the special needs of persons with disabilities to ensure that the sites, materials and other products are accessible. Also, the applicant shall consider the special needs of persons with limited literacy, limited English proficiency, limited experience with or knowledge of computer-related technologies, limited access to computers, or those who have limited access to most Web-based or other computer-related systems for any reason. Finally, all pro se materials and websites should be created using plain language, then organized and formatted so they can be easily understood by users.

### Major Reasons Proposed Projects Have Not Been Funded:

Unsuccessful applicants for TIG grants did not receive funding for one or more of several different reasons. The factors that most often accounted for this lack of success included the following:

**Competition for limited resources.** Requests for TIG funding are greater than the funds available. In this situation, even proposals with significant merit may not be successful. LSC funds the projects that are deemed the strongest and that would be most likely to achieve TIG's objectives.

**Failure to specify how the proposed project would improve services to clients**. LSC received many unsuccessful applications that proposed to use available technologies in creative and interesting ways. However, these proposals did not answer the most important question: how will the proposed project improve the quality and/or quantity of services provided to eligible clients?

**Lack of state coordination**. Some applicants failed to address another basic criterion: effectively strengthening state delivery systems. Some proposed projects focused solely on the needs of individual programs. Others revealed the absence of essential coordination and cooperation within a state. For example, LSC received applications from three different programs within a single state. Each of these applicants asserted that their project was part of a statewide initiative supported by all the LSC grantees in the state, yet none of these applications made any mention of the other proposed projects.

**Unwarranted requests for staff support.** Many unsuccessful applicants sought TIG funding to support on-going staffing associated with existing systems. TIG does not support basic staffing. Instead, TIG grants fund staffing needed to develop and implement innovative technology initiatives and/or new systems that markedly expand the quality and quantity of services provided clients. Program funding for staffing is limited to short-term support required to implement the new initiatives. Once the new system is implemented, grantees are expected to fund necessary ongoing activities with funds from their basic field grant or other sources.

**Duplication of other initiatives.** Many applications, some with considerable merit, were not funded because they were for projects that were the same as or quite similar to projects already being funded through TIG.

**Inadequate planning and preparation or unrealistic goals**. Some unsuccessful applications failed to demonstrate requisite knowledge or preparation of the project they proposed. This shortcoming took various forms: insufficient knowledge of the costs and capacities of the necessary hardware or software; lack of awareness of the needed staffing expertise; inadequate arrangements with important partnerships; or unrealistic budgeting. Some applicants also sought goals that were unrealistic given the proposed project's activities and staffing.

**Absence of innovation**. Numerous applicants did not address the TIG program's fundamental goal: developing or implementing innovations and improvements in electronic technology systems with the potential to markedly expand the quality and

quantity of service to clients. Instead, they sought funding to meet basic technology needs that should be funded through the basic field grant or other sources.

## Appendix III: 2010 Grant Assurances - Sample

Below is the Grant Assurances document issued for the 2010 TIG grant cycle. All recipients of TIG 2011 grants will be required to sign a similar document. Applicants should expect revised and/or additional grant assurances.

**LEGAL SERVICES CORPORATION**
**2010 TIG GRANT ASSURANCES**

Recipient agrees that:

1. With respect to any product or software program developed with these grant funds:

    a) Ownership of the product or software shall vest in either the LSC recipient, or the developer of the software, as the particular agreement between those parties so specifies, provided that LSC shall reserve a royalty-free, nonexclusive and irrevocable license to reproduce, publish, or otherwise use the product or software, including making the product or software available to other LSC recipients. If ownership of the product or software does not vest with the grantee, the grantee shall reserve a royalty-free, nonexclusive and irrevocable license to reproduce, publish, or otherwise use the product or software. All contracts with vendors shall include language to this effect to protect the rights of LSC and its grantees and shall acknowledge agreement to this by the vendors.

    b) Such products, including websites, shall comply with or conform to the National Index and LSXML standards developed by the Legal Aid Information Standards Group as found on http://www.lsntap.org; (http://lsntap.org/LSXML_NSMI).

    c) Such products (including but not limited to document assembly products) shall comply with naming conventions currently under development on http://www.lsntap.org (https://lsntap.org/sites/all/files/hds_standards_and_practices.pdf). Naming conventions are definitions of fields within documents (respondent, litigant, address, etc.).

2. In the development of any website, *pro se* materials, or other grant-supported product, the recipient shall consider the special needs of persons with disabilities to ensure that the sites, materials and other products are accessible.

3. In the development of any website, *pro se* materials, or other grant-supported product, the recipient shall consider the special needs of persons with limited literacy, limited English proficiency, limited experience with or knowledge of computer-related technologies, limited access to computers, or those who have limited access to most Web-based or other computer-related systems for any reason.

4. It shall report to the assigned LSC TIG staff person significant problems, issues or plan modifications (e.g. significant delays, changes in design or equipment, staffing modifications) within 30 days after these are identified even if there is no associated budget revision requiring prior written approval.

5.  Any changes in the Payment Schedule timetable for achieving the milestones for this grant, including any modification of a milestone, must be approved in writing by LSC. Failure to achieve milestones in a timely manner may result in the termination of this grant.

6.  In the grant award package is the final approved budget for the project. Recipients are required to get prior written LSC approval for any change in this approved budget when the change exceeds 10 percent of the total budget or 20 percent of any line item in the budget. Changes in the approved budget for *any amount* that changes the scope of the project require prior written LSC approval. Requests for budget changes should be made to the TIG staff assigned to the grant who will provide instructions on what must be submitted to request a budget change. Also, as part of the final payment request for this grant, the recipient must submit a budget reconciliation showing the actual expenditures on the grant, as well as a budget narrative explaining any changes from the final budget in the award package. This is done online by the grantee as a task in LSC Grants.

7.  All funds disbursed by LSC pursuant to this grant shall be used solely for the project for which this grant is being made. In some cases, the ultimate cost of project implementation will be less than the originally approved budget because of reductions in the anticipated costs of hardware, software or other factors. The recipient may reprogram these budgetary savings only upon prior written LSC approval. Absent such written approval, all remaining funds must be returned to LSC no later than 60 days from completion of the project. As part of the final payment request (or as part of the close-out procedures if the grant is terminated), the recipient will submit a final budget in the format of the approved budget, with any approved modifications, showing the actual expenditures on the project.

8.  It has sole responsibility for any funding obligations that exceed the grant award amount.

9.  It will proceed in accordance with LSC regulations on transfers and subgrants, 45 C.F.R. Parts 1610 and 1627, in regard to the provision of TIG funds to third-parties. The recipient will review all third-party contracting for compliance with these regulations. Third-party contracting is any payment of TIG funds to a third party that is not part of the grantee's ordinary non-subgrant expenditures (such as salary, rent, utilities, etc.) All transfer and subgrant requirements, including LSC pre-approval of subgrants, will be followed. The award of a TIG is not a subgrant pre-approval. No third-party contracting will be entered into by the grantee prior to January 1, 2011. LSC will review the grant application and award package and inform the grantee prior to January 1, 2011, if LSC believes that any contemplated third-party contracting would be a transfer or subgrant. If the grantee has a need to engage in third-party contracts prior to January 1, 2011, then the grantee must contact LSC for priority review prior to entering into such contracts. LSC's review is limited to the information available to LSC at that time; the grantee is still ultimately responsible for compliance with these requirements in the actual implementation of the grant. LSC may disallow costs if the transfer or subgrant requirements are not followed.

10. In the event the Applicant: expends more than $10,000 of the funds provided to it pursuant to this grant on a single contract for services to be performed by a third party; or is required to develop an administrative plan in conjunction with receiving the grant, it will:

    a.  provide with the payment request for the period in which the contract was executed to LSC documentation setting forth a statement explaining how the

contract will further the fulfillment of the Applicant's obligations under the grant; a brief description of the services to be acquired, including the name of the contractor and the total dollar amount of the contract; and a brief description of the competition process used to select the contractor, including the names of the potential contractors who submitted proposals, the amounts of the proposals, and a brief explanation of the reasons for selecting the particular contractor. In the absence of competition, the description should explain what circumstances justified the contract being executed on a sole source basis;

b. provide with the payment request for the period in which the contract was executed to LSC a copy of the contract; and

c. ensure the proper expenditure, accounting for, and audit of the contracted funds.

11. Within 30 days of the end of each payment period, recipient shall submit payment requests and milestone completion reports through LSC Grants, grants.lsc.gov, supplemented by supporting documentation as required by LSC. All supporting documentation shall be uploaded using the LSC Grants and shall be in one of the following formats: Word (.doc), Excel (.xls), Adobe Acrobat (.pdf), or PowerPoint (.ppt).

12. Grants can be terminated for four reasons: 1) by default if the grantee fails to provide required documentation on time, subject to written LSC waivers or extensions made at LSC's sole discretion; 2) by modification or withdrawal when the grantee and LSC agree that the TIG should end early by mutual consent; 3) by termination based on LSC concerns about grantee performance and pursuant to LSC procedures, or 4) by default if the recipient ceases to be an LSC recipient. In situations (1) and (4) the grant automatically terminates and close-out procedures will be initiated for the grant for all activities for which timely documentation had been provided prior to the termination of the grant. UPON AUTOMATIC TERMINATION THERE IS NO RIGHT TO APPEAL. When a grant is ended for any of these reasons, the recipient agrees to work with LSC staff to close out the grant, to provide a final accounting, to provide a lessons learned report detailing why the grant failed, and to return any unspent funds.

13. It shall send one person, whose attendance will further the objectives of the grant, to the 2011 TIG Conference sponsored by LSC. This event will be held January 12-14, 2011 in Albuquerque, New Mexico. LSC will add $1,100 to the amount of each recipient's first TIG payment to cover costs related to this person's attendance at the conference, and this $1,100 will be withheld by LSC to cover the cost for the person to attend the TIG 2011 conference, including the cost of said person's airfare, hotel room, and conference fee, which provides at least two meals for each day of the conference. The grantee is responsible for any expenses that exceed this amount. Recipient has no other rights to this portion of the grant and may not use any portion of it for other purposes, even if, for any reason, the recipient is unable to send a person to the Conference, or the expenses related to the person's attendance are less than $1,100. Any unused money provided for the TIG conference purposes shall revert to LSC for future TIG funding. The date and location of the TIG conference are subject to change at LSC's sole discretion.

14. Any publications created with grant funds or used to promote TIG projects shall display the LSC logo. It shall forward electronic copies of these publications to the assigned TIG grant

manager via email. LSC shall retain a royalty-free, nonexclusive and irrevocable license to use, copy, distribute, and display on the LSC website any such publications.

15. It understands and will comply with the Disclosure of Interests for Determination of Conflicts Policy ("Policy") at: http://tig.lsc.gov/complianceresources.php; that it will distribute the Policy to the persons covered by the Policy; that it will ensure that the persons covered by the Policy sign the Conflict of Interest Acknowledgement and Disclosure Form ("Disclosure Form") found at: http://tig.lsc.gov/complianceresources.php; that it will maintain in a single location these forms and any written updates of them related to new conflict situations, or additional information to correct an inaccurate or incomplete previously signed and provided Disclosure Form; and that it will maintain in that location a statement of the resolution of each conflict situation and confirmation that the decision on the conflict resolution is documented in the board minutes with a copy of such minutes or a reference to where they are located, including whether the transaction involved is or is not in the best interest of the Organization. These materials will be made available to LSC, including the OIG, and other authorized parties as per the general requirements regarding access to grantee records in applicable laws, regulations, policies, grant assurances and other applicable authorities, and these materials will be retained as per normal retention requirements for LSC grant related documents. Violations of this policy, including failure to identify and resolve these issues in a timely fashion, could result in disallowed costs under 45 C.F.R. Part 1630 as well as other options available to LSC.

16. It understands that, if this grant is to develop an online intake system, there are special grant conditions that apply to this grant and, by accepting this grant, it is agreeing to abide by those special grant conditions in addition to the ones in this document. If this applies to your grant, you must download the 2010 TIG Special Grant Assurances for Online Intake Systems from http://tig.lsc.gov/complianceresources.php, sign them, and keep them available with these grant assurances.

17. By accepting this grant, it is committing that staff designated to work on this project shall be given sufficient time to achieve the milestones of the grant in accordance with the FTE or other measure of time allotment represented in the budget and budget narratives for this grant. The total time commitments of any staff member working on this grant shall not exceed 1.0 Full-time Equivalent (FTE) for all work to be performed for the applicant program together with time to be spent on all other projects for other entities receiving TIG grants.

18. Any and all other LSC grant assurances for any other LSC grants that the applicant/recipient has agreed to, are hereby incorporated by reference, and those grant assurances will apply in full force and effect to the applicant/recipient's use of all of its LSC TIG funding. The other grant assurances incorporated herein include both the grant assurances currently in effect and any future grant assurances agreed to by the applicant/recipient during the term of the TIG funding. In the event of any conflicting language, the later terms will apply.