

# **Technology Initiative Grants Application Instructions for 2017 Grant Funding**

**Issued: April 20, 2017**

**Application Submission Deadline: June 1, 2017 by 11:59 p.m. EDT**

**Submit online at: <http://lscgrants.lsc.gov>**

**TIG Application Process: <http://tinyurl.com/TIGProcess2017>**

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**Legal Services Corporation  
Technology Initiative Grant Program  
Application Instructions for 2017 Grant Funding**

**I. Funding Opportunity Description**

These Instructions provide guidance for submission of applications for the 2017 Technology Initiative Grant (TIG) program. LSC's TIG program was established in 2000. Since that time, LSC has made over 670 grants totaling more than \$57 million. With these grants, LSC grantees have built a foundation for more efficient and effective service delivery that includes national systems for statewide websites; enhanced capacity for intake and case management systems; and automated forms to support pro se assistance, staff, and pro bono efforts.

***A. Purpose and Key Goals of the Technology Initiative Grant Program***

TIG awards are intended to improve legal services delivery to the low-income population and to increase access by low-income persons to high quality legal services, to the judicial system, and to legal information. Through the Technology Initiative Grant program, LSC encourages grantees to use technology in innovative ways to:

1. Effectively and efficiently provide high quality legal assistance to low-income persons and to promote access to the judicial system through legal information, advice, and representation;
2. Improve service delivery, quality of legal work, and management and administration of grantees; and
3. Develop, test, and replicate innovative strategies that can enable grantees and state justice communities to improve clients' access to high quality legal assistance through an integrated and well managed technology system.

***B. Grant Categories and Areas of Interest for FY 2017***

LSC will accept projects in two application categories:

- 1) Innovations and Improvements
- 2) Replication and Adaptation

For 2017, LSC announced an area of interest, Projects That Respond to LSC's Statewide Website Evaluation. These proposals should be submitted in the Innovations and Improvements category. The designation of this area of interest does not in any way limit the scope of proposals in which LSC is interested.

For additional information on the Grant Categories and the Area of Interest, see the [Notice of Request for Letters of Intent to Apply for 2017 Technology Initiative Grant Funding](http://www.lsc.gov/grants-grantee-resources/our-grant-programs/tig) published by LSC on January 26, 2017 and available at <http://www.lsc.gov/grants-grantee-resources/our-grant-programs/tig>.

## **II. Application Deadline**

Complete applications for the fiscal year 2017 LSC grant program are due no later than **11:59 P.M. EDT, Thursday, June 1, 2017** (see Appendix I: Guidelines for Preparing Applications).

Applicants must submit applications electronically via the online system found at <http://lscgrants.lsc.gov>. LSC will not accept applications or portions of applications in e-mail or hard-copy format. The online application system will be available by the week of May 1, 2017.

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).

LSC will provide confirmation via email upon the completed electronic submission of each application. Keep this email as verification that an application was submitted. If no confirmation email is received, inquire about the status of your application at [techgrants@lsc.gov](mailto:techgrants@lsc.gov).

## **III. Eligibility and Funding**

### ***A. Eligible Applicants***

Eligible applicants must be: (1) current grantees of LSC Basic Field-General, Basic Field-Migrant, or Basic Field-Native American grants (2) that have submitted a Letter of Intent and (3) have been invited by LSC to submit a full application. All Applicants must be current with all information and reporting requirements for all other LSC grants (Basic Field, Technology Initiative Grants (TIG), Pro Bono Innovation Fund, or others). TIG awards are available only to current LSC grant recipients that are not subject to any short funding (i.e., less than one year) on basic field grants.

### ***B. Project Partner Organizations***

TIG awards are available to existing LSC grantees only. Although other entities are not eligible to apply, they are encouraged to participate as project partners. (See Third-Party Contracting in Section V. Application Process and Instructions).

### ***C. Funding Availability and Award Amount***

The availability of funding for TIG grants for FY 2017 depends on LSC's receipt of a full fiscal year appropriation. LSC is currently operating under a Continuing Resolution for FY 2017 which funds the federal government through April 28, 2017. The Continuing Resolution maintains funding at FY 2016 levels, but with an across-the-board reduction

of 0.19 percent. In FY 2016, LSC received an appropriation of \$4 million. A 0.19 percent rescission for all of FY 2017 would result in a \$7,600 decrease in the TIG appropriation.

TIG grant decisions for FY 2017 will be made in September 2017. LSC anticipates knowing the total amount available for TIG grants before August and will communicate this information to all Applicants as soon as LSC receives our final appropriation for the full fiscal year.

In 2016, 35 TIG projects were approved for funding with a median funding amount of \$86,245. (See [TIG's past awards webpage](#) for more information on past grants.) LSC recommends a minimum amount for TIG funding requests of \$40,000, but lower requests will be considered. There is no maximum amount for TIG funding requests that are within the total appropriation for TIG.

***D. Award Period***

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

***E. Activities Prior to Award or Starting Dates***

There is no obligation on the part of 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.

***F. 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.

***G. Type of Funding Instrument***

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

***H. 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 LSC Grant Requirements**

***A. Applicable Law***

Technology Initiative Grant funds are subject to all LSC requirements, including the requirements of the Legal Services Corporation Act (LSC Act), any applicable

appropriations acts and any other applicable laws, rules, regulations, policies, guidelines, instructions, and other directives of the Legal Services Corporation (LSC), including, but not limited to, [the LSC Audit Guide for Recipients and Auditors](#), [the Accounting Guide for LSC Recipients](#), [the CSR Handbook](#), [the 1981 LSC Property Manual](#) (as amended) and [the Property Acquisition and Management Manual](#), with any amendments to the foregoing adopted before or during the period of the grant. Before submitting an application, applicants should be familiar with LSC's subgrant and transfer requirements at 45 CFR Parts 1610 and 1627 (see <http://www.lsc.gov/about/laws-regulations/lsc-regulations-cfr-45-part-1600-et-seq>), particularly as they pertain to payments of LSC funds to other entities for programmatic activities.

For additional information and resources regarding TIG compliance, including transfers, subgrants, third-party contracting, conflicts of interest, grant modification procedures, and special TIG grant assurances, see [LSC's TIG compliance webpage](#).

#### ***B. Federal Policies and Procedures***

Applicant agrees that as a grantee it will be subject to [all provisions of Federal law relating to the proper use of Federal funds](#). A list of these laws is available at <http://www.lsc.gov/45-cfr-part-1640-applicable-federal-laws>. It understands that if it violates any of the Federal laws on the list, it may be subject to the summary termination of its LSC grant as authorized by Pub. L. 104-193, Tit. V., § 504(a)(19). It represents that it has informed employees and board members of the Federal laws and their consequences both to the recipient and to themselves as individuals as required by 45 C.F.R. § 1640.3. It will also notify any subgrantees about the applicability of these laws and obtain the subgrantees consent to their application.

Furthermore, TIG grants are subject to additional grant assurances, which LSC will base on the TIG Grant Assurances for 2016 available on the LSC website.

#### ***C. Reporting on Expenditure of Funds***

Grantees must conduct sufficient recordkeeping and have internal controls in place to track and identify the source and application of TIG funds. These methods should include separate reporting of the grant funds by line item in the annual audit and recordkeeping to track all time and costs charged to each TIG separate from other funds.

#### ***D. Waiver Authority***

Under extraordinary circumstances and when it is in the best interest of the eligible client community, LSC, upon its own initiative or when requested, may waive provisions in these Instructions at its sole discretion. Waivers may be granted only 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. Please see the "Contact Information" section of Appendix I for details.

#### ***E. Freedom of Information Act***

LSC may receive requests for copies of applications submitted to it. 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**

#### ***A. 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 project with a request for a project to expand the intake system.

#### ***B. 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.

#### ***C. Eligible Costs***

LSC will allow costs that are directly allocable to the project, subject to [45 C.F.R Part 1630](#). This includes costs for: personnel; fringe benefits; purchase or rental of computer hardware, software, and other end-user equipment; telecommunication services and related equipment; consultants and other contractual services, including evaluators; travel; and supplies. *Please note: 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 and included in the approved project budget.

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 TIGs. The procedures for requesting prior approval can be found in Section 3 of the [LSC Property](#)

[Acquisition and Management Manual \(PAMM\)](#). If you have questions about this process, please contact Lora Rath, Director, LSC Office of Compliance and Enforcement, Telephone: 202.295.1524; Email: [rathl@lsc.gov](mailto:rathl@lsc.gov).

#### ***D. Additional Funds from Other Organizations***

Applicants are strongly encouraged to seek additional support for projects by partnering with other LSC grantees as well as other organizations. The costs of activities undertaken by other entities should be included in project budgets so that LSC is advised of the total cost of the project and all sources of funding. LSC funds can be used by LSC grantees as matching funds for other federal grants.

#### ***E. 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. 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 is identified above in the Eligible Costs section concerning [45 CFR § 1630.5](#). Although applicants can propose a particular third-party contractor, approval of a TIG application does not imply LSC approval of any specific contractor for the project. All procurement transactions must be conducted in a manner to provide, to the maximum extent practical, open and free competition, and all third-party expenditures, regardless of cost, must be appropriately documented.

Three other considerations when dealing with third-party contracts are:

- (1) Competition in contracts for services:** When a grantee expends more than \$5,000 of TIG funds on a single contract for goods provided or services to be performed by a third-party that is not otherwise subject to the LSC Property Acquisition and Management Manual, the grantee will: (a) solicit bids from a minimum of three providers; if it is necessary to award a contract on the basis of fewer than three responses or to purchase from a "Sole Source" due to technical or quality requirements, unique and specialized expertise, the lack of dependable vendors, or when there is an emergency, the reasons for this shall be documented; (b) maintain documentation for LSC review, including: the solicitation and receipt of bids or sole-source justification; the reason for selection of a contractor; senior management approval of contractor selection and any sole source justification; the terms and conditions of the agreement; and all payments, adjustments and credits; (c) provide a copy of the contract to LSC with the payment request for the period in which the contract was executed; and (d) ensure the proper expenditure, accounting for, and audit of the contracted funds.

**(2) Subgrants:** All TIG funding is subject to [45 C.F.R. Parts 1610 and 1627](#) regarding restrictions on the use of LSC and non-LSC funds and subgrants, respectively. Applicants should review [LSC Program Letter 10-3](#) for a general explanation of these requirements to ensure compliance with these regulations. Applicants should be aware that LSC revised Parts 1610 and 1627, effective April 1, 2017 and that revised Part 1627 makes two material changes to the information presented in Program Letter 10-3: 1) TIG funding recipients must evaluate all proposed subawards of LSC funds against the criteria stated in section 1627.3; and 2) recipients must seek prior approval only of subgrants whose cost equals \$20,000 or more of LSC funds.

**(3) Administrative plans:** LSC requires administrative plans for grants where significant portions of the project management are contracted out to third parties. This might occur if the project proposes a technology-based project management contract or a project management contract with a significant partner, and 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 work with LSC staff to submit and have approved by LSC an administrative 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. Applicants have the option to upload a draft administrative plan in the Appendices to the Project Narrative.

Additional information and resources regarding TIG compliance, including third-party contracting and administrative plans, can be found on the [TIG compliance page](#) on the LSC website.

***F. Conflicts of Interest***

Applicants must indicate whether the proposed project raises any actual or potential conflicts of interest for staff, management, board members, volunteers, or anyone else involved in the proposed project or its development and application. Applicants must also disclose any actual or potential conflicts or interest in connection with any proposed contracts or subgrants related to the project. TIG awards are subject to the grantee's written policies regarding conflicts-of-interest and whistleblower protections as outlined in the current [LSC Grant Assurances](#). Grantees will be required to identify and resolve actual, apparent, or potential conflicts of interest, including updating prior information, at any time that they are discovered, even after payments to third parties are provided. Generally, grantees should identify and resolve possible conflicts prior to starting negotiations with a third party.

### ***G. 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 [Accounting Guide for LSC Recipients](#), means income earned by a grantee 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, grantees 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.

Regarding anticipated and unanticipated program income from a TIG award, anticipated program income must be documented appropriately in the project budget and, should an application be funded, 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. 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.

### ***H. Evaluation***

Evaluation provides a valuable 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, applicants must submit a draft evaluation plan that will be used to manage and evaluate the initiative. If funded, the 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.

### ***I. Contact Information***

For information on the status of a current TIG project, contact **Eric Mathison**, Program Analyst, Telephone: 202-295-1535; Email: [emathison@lsc.gov](mailto:emathison@lsc.gov).

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

For questions about proposals in AL, AR, DC, 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](mailto:ribadeneyraj@lsc.gov).

If you have a general question, please email [techgrants@lsc.gov](mailto:techgrants@lsc.gov).

## **VI. Selection and Review**

### ***A. 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 these Instructions. 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 be approved only after substantial modification, improvement, or narrowing of the proposal.

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.

3. Funding recommendations are reviewed by the LSC President and Vice President for Grants Management. 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.

***B. 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 using technology effectively and efficiently to provide high quality legal assistance to eligible clients and to promote full access to the judicial system by low-income people. See Appendix I, Part III, for detailed instructions on completing each section of the application. Reviewers will take any deficiencies in the applications into account in their scoring.

**1. Need for the Project (10%)**

Describe the specific problem(s) the proposed project will address. 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. Discuss what client input was obtained to identify the need for the project. Show how the target audience (clients, staff, self-represented litigants, etc.) has been included in the design phase of the project to ensure the proposed solution will meet their needs.

Finally, indicate if the proposed project is responding LSC’s area of interest for 2017: Projects That Respond to LSC’s Statewide Website Evaluation.

**2. Detailed Description of the Project (15%)**

Provide a full description of the project, including the specific technology(ies) the project will develop or implement. Describe how the technology proposed presents a solution to the problem identified in the Need for the Project. Identify what is unique about the proposed solution that sets it apart from technologies. Take the reviewer through all the steps of the process needed to implement the technology solution and how it will be used.

**3. Project Goals, Objectives, Activities and Evaluation (10%)**

The information in this section of the narrative should be consistent with the contents of the draft project evaluation plan, which must be submitted with this grant application. Instructions and guidance for developing effective goals, objectives, activities, and data sets for a TIG project are available on the [TIG Evaluation Plans](#) area of the LSC website. Draft evaluation plans should be developed using the [TIG Evaluation Plan automated form](#).

In this section, applicants should clearly:

- a) Articulate the goals and objectives of the project;
- b) Identify the specific activities and strategies that will be implemented to achieve the goals and objectives; and
- c) Specify the methods and data sets that will be used to evaluate the project.

Applicants should ensure that their responses clearly explain what tasks they will complete during the project to meet the grant's goals and objectives. (This can include details on product development, procurement of equipment or consulting services, staff training, outreach strategies, and other activities).

#### **4. Innovation (10%)**

A major goal of the TIG program is to test new methods to solve an existing problem or to make major improvements to existing methods. Applicants should be proposing solutions that prompt the reviewer to think "now that's new and exciting!". Innovation is based on curiosity, the willingness to take risks, and experimenting to test assumptions. Innovation questions and challenges the status quo. It is also based on recognizing opportunity and taking advantage of it.

#### **5. Justice Community Partnerships (5%)**

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. 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.

#### **6. Replication (10%)**

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) How the proposed project will promote replication by others in the legal services community, such as a plan to share information about the project at a conference or webinar, by providing a toolkit, and/or creating an online repository through GitHub or a similar service.
- 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) Whether a proposed project is replicating a prior TIG project at a reduced cost because of the benefits of replications and/or whether 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.

Proposals in the Innovation and Improvement category should likely focus more on factors a), b) and c), while Replication and Adaptation proposals should likely emphasize factors a) and d).

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.

**7. Program Capacity and Project Staffing (10%)**

Reviewers will assess the extent to which the applicant demonstrates the program's organizational capacities, including:

- ) Organizational experience and track record in managing and overseeing projects comparable to the one being proposed.
- ) A staffing plan that identifies specific staff members with sufficient capacity, qualifications, and experience to be effective and compliant with programmatic and fiscal requirements. This includes the involvement of senior management and board members, where appropriate. Identify the proposed staffing for the project as well as who has been involved in planning the project.
- ) Reviewers will assess the program's expertise and experience necessary to make the project a success. A good way to demonstrate this is to reference prior TIG projects 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.

**8. Past Performance (5%)**

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. Programs that have never received a TIG award should indicate this and will receive full review credit. LSC encourages full participation in the TIG program from all its grantees.

**9. Sustainability of the Project (10%)**

This is the 18<sup>th</sup> year of the TIG program, which has made over 670 grants. Many of the projects TIG has funded still exist and represent critical components of the service delivery system. To leverage limited TIG funds, it is important that there be other funds to sustain the project after project is completed. This will ensure that TIG funds will be available for new projects.

While starting a project can be very costly because of initial investments, sustaining it also means incurring ongoing costs such as software and maintenance fees, internet connectivity, and staffing. It is important that the applicant develop a written strategy for sustaining the project ("Sustainability Strategy") without ongoing TIG funding following its TIG project grant term. Reviewers will review the applicant's strategy for sustaining 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) 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, equipment, and overhead costs in dollar values; and
- b) A description of the grantee's overall strategy to meet these costs, including a list of likely or potential future funders.

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 the applicant may 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.

**10. Cost Effectiveness: Budget and Budget Narrative (15%)**

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 reasonable and appropriate to the activities proposed and sufficiently detailed so that reviewers can easily understand the relationship of items in the budget to the project activities. The *Budget Narrative* should support all costs included in the budget and explain how the costs of goods and services were determined.

## **Appendix I: Guidelines for Preparing Applications**

### ***I. 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 Application Instructions for 2017 Grant Funding (Instructions).

### ***II. Provisions Applicable to All Categories***

#### ***A. Online Application System***

LSC requires that each TIG applicant submit an online application using the LSC Grants Online System at <http://lscgrants.lsc.gov>. The online application system will be available by the week of May 1, 2017. Only those programs that received an invitation following the 2017 TIG Letter of Intent phase are eligible to submit a full application.

**The deadline for submission of TIG full applications is June 1, 2017 at 11:59 p.m. EDT. Additional instructions and information can be found [on the TIG website](#).**

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](mailto:techgrants@lsc.gov).

When an applicant logs in to their LSC Grants account, there will be a Task under the TIG section to submit a full application for each project that was invited from the Letter of Intent process. LSC recommends starting applications in the system at least three weeks before the deadline. We also recommend drafting the application in a Word document to cut and paste into the appropriate sections of the application in the online system. This will minimize problems in the event you lose work while you are in the system. You can be logged out of the system after a period of inactivity, so please save your work frequently. Please note that the input fields in LSC Grants will only accept plain text formatting. Do not paste any formatted copy such as tables, bullets, and bold.

Prior to submitting the application in the online system, you will be able to view a PDF of the full application. Be sure to review the PDF for completeness and save a copy of it for your records. Once the application is reviewed and final, submit it by clicking on the Submit button. You will receive a confirmation email upon the completed electronic submission of each application. Please keep this email as verification that an application was submitted. If no confirmation email is received, please inquire about the status of your application at [techgrants@lsc.gov](mailto:techgrants@lsc.gov).

**B. 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 at [techgrants@lsc.gov](mailto:techgrants@lsc.gov).

**C. Waiver Requests**

As stated in the **Instructions**, LSC does not intend to waive any provisions of the **Instructions**. Under extraordinary circumstances and when it is in the best interest of the eligible client community, LSC, upon its own initiative or when requested, may waive provisions in these Instructions at its sole discretion. Waivers may be granted only 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. Please see the "Contact Information" section of Appendix I for details.

**III. Instructions for Preparing Applications**

A TIG application is complete only when it contains the items referenced below (excluding the optional items). A sample TIG application is available for review at <http://tig.lsc.gov/grants/application-process>.

- **TIG Application Form**
- **Budget Form**
- **Budget Narrative**
- **Reporting on Expenditure of Funds**
- **Third-Party Contracting Form** (if the TIG budget includes contracts)
- **Project Narrative**
- **Appendices to the Project Narrative** (Optional) **includes timelines, technical diagrams, organizational charts, maps, résumés, etc.**<sup>1</sup>
- **Letters of Commitment from Key Partners**
- **Letters of Support**
- **Draft Evaluation Plan**
- **Lessons Learned from other Technology Projects**
- **Proposed Payment Schedule and Milestones**

**A. 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. Indicate in the checkboxes if the project

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<sup>1</sup> 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.

addresses an area of interest. Provide a concise, plain language, one-paragraph description of the project that can be published on the LSC website following the grant awards. Finally, fill out the information identifying the applicant and the person LSC should contact about the application.

**B. Budget Form**

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 relationship of items in the budget to the project activities. The **Budget Form** is part of the online application system available on <http://lscgrants.lsc.gov>. There are twelve budget line items available to be filled in. Each area is the total for that category. For example, item 4 is for equipment purchases and rentals. If the project plans to purchase 5 laptops, 5 tablet computers and 5 monitors, the costs of all 15 items would be added together for this category. The cost of any additional bandwidth or data plans would be listed under Telecommunications. Use the sum of these costs in this form only. In the **Budget Narrative**, include descriptions and specific costs for each of these items. The **Budget Form** is the summary; the **Budget Narrative** is itemized and detailed.

Indicate who is paying for each of the 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. *Note:* Do not request LSC funding to travel to the TIG Conference in column (A). LSC will add funding to send one person to the TIG Conference for each TIG awarded. The applicant may include travel for additional participants to attend the TIG Conference under columns (B) through (D).

**C. Budget Narrative**

Use the **Budget Narrative** to expand on the budget items listed in the **Budget Form**. This is the place where Applicants detail 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.

Fully explain each budget item, including descriptions and specific costs, so that it can be effectively evaluated. If the budget includes a request for personnel costs, identify the proposed personnel and the estimated time they will spend on the project. 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 and activities, should be clearly defined and communicated.

When the grant 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. Grantees may need to change their budgets during the course of the project, and many of these TIG budget changes require LSC approval.

LSC will allow costs that are directly allocable to the project, subject to 45 C.F.R. Part 1630. This includes costs for: personnel; fringe benefits; purchase or rental of computer hardware, software, and other end-user equipment; telecommunication services and related equipment; consultants and other contractual services, including evaluators; travel; and supplies. ***Please note: 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, and included in the approved project budget.

#### ***D. Description of Budget Line Items***

***Salaries and Wages:*** Include the salary or wages of all personnel who will staff or have responsibilities for the proposed project, indicating the share that will be attributable to LSC, the applicant, or another partner, either LSC-Funded or Non LSC-Funded. Each staff person included in the budget must be described in both the application *Narrative* and in the *Budget Narrative*. Individuals or personnel from other organizations with whom the applicant is planning to contract or subgrant TIG Funds will have their information listed separately in the appropriate *Contracts* and *Subgrants* budget line and in the *Third-Party Contracting Form*. For Columns (A) and (B) list each individual separately with his/her title, the percentage of time or number of hours that will apply to the grant and the annual salary or hourly rate applicable. Example: Joe Smith, the IT Director, will spend 30% of his time on the project.  $30\% \times \$60,000 = \$20,000$ .

***Fringe Benefits:*** Include the cost of benefit(s) for the project staff. In the *Budget Narrative*, Applicants will identify the fringe benefit rate and the benefit cost for each project staff position. Allowable fringe benefits typically include FICA, Worker's Compensation, Retirement, SUTA, Health and Life Insurance, IRA, and 401K or 403(b). Applicants may provide a calculation for total benefits as a percentage of the salaries to which they apply or list each benefit as a separate item. If the total fringe benefit amount is over 35% of the staff person's salary, applicants must list the covered items separately and justify the cost. Holidays, leave, and other similar vacation benefits are not included in the fringe benefit rates, but are absorbed into the personnel expenses (salary) budget line item.

***Travel:*** Include costs for project staff travel that is directly related to the project. Allowable costs are transportation, lodging, subsistence, and other related expenses. In the *Budget Narrative*, please provide a calculation that includes itemized costs for

airfare, transportation, lodging, per diem, and other travel-related expenses multiplied by the number of trips/project staff. Where applicable, identify the current standard reimbursement rate(s) of the organization for mileage, daily per diem, and similar supporting information. Reimbursement should not exceed the federal mileage rate unless a result of Applicant policy and justified in the *Budget Narrative*. Only domestic travel is allowable. *Do not include the cost of staff to attend the TIG conference under column (A) LSC Grant Request. LSC will add a TIG Conference fee as part of the award process.* Additional staff travel to the conference may be included under other columns.

*Equipment:* Equipment is defined as tangible, non-expendable personal property having a useful life of more than one year. In the *Budget Narrative*, if applicable, please show the unit cost and number of units you are requesting. Provide a brief justification for the purchase or rental of the equipment.

*Telecommunications Bandwidth Charges:* Technology projects may require the use of additional bandwidth directly related to the purpose of the project. Indicate any additional telecommunications costs, such as the cost of cell phone or tablet data plans, or additional bandwidth needed for a video conferencing project.

*Communications and Marketing:* Include the costs necessary to maintain communications and connectivity for the project, or to market and promote the project to clients or other constituents. This can include the use of social media, promotional materials, translation services, and advertising.

*Software:* Software can include the purchase of off-the-shelf software that is directly related to the project. It can also include software subscriptions, user licenses or add-on modules for existing software and necessary for the proposed project. Include each type of software and its purpose for the project.

*Supplies:* Include the funds for the purchase of consumable supplies and materials. In the *Budget Narrative*, Applicants should provide a list of the types of supplies that will be necessary for the project with a calculation for cost determinations.

*Contracts and Subgrants:* Include costs for third-party contractors to provide services related to the project's operations. This can include contractors to: develop new online templates; provide project management support in technology implementation efforts; conduct technical training; conduct surveys; provide graphic design or user interface services; or conduct web or software development work. In the LSC Grants online application system, Applicants with expenses listed under Contracts and Subgrants will be asked to complete an online Third-Party Contract Form for each entity with whom Applicants seek to contract. If the third-parties will engage in any programmatic activities the grantee would otherwise be expected to carry out in furtherance of the

project goals and activities, indicate the contract will be a subgrant. (See Third-Party Contracting below).

*Project Evaluation:* Include costs for project evaluation activities, including additional staff time, use of evaluation consultants, purchase of instrumentation, and other costs specifically for this activity and not budgeted in Personnel.

*Training:* Include the costs associated with training staff on project requirements or to enhance the skills staff need for effective project implementation. These costs can also include the expenses associated with training volunteers including materials, meeting space fees, and incidentals.

*Other:* Include and explain any other project-related costs not otherwise captured in the categories above.

**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 *Instructions*, any program income generated by a proposed project is subject to special conditions and needs to be identified appropriately in the budget.

#### ***E. Reporting on Expenditure of Funds***

The Applicant should include a statement of the methods that it will adopt and the records that it will keep to track and identify the source and application of the grant funds. These methods should include separate reporting of the grant funds by line item in the annual audit and recordkeeping to track all time and costs charged to this grant separate from other funds. See [LSC's Accounting Guide for LSC Grantees](#), 2010 Edition, for guidance on financial accounting and reporting standards.

#### ***F. 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 page](#) and 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.

Although applicants can propose a particular third-party contractor, approval of a TIG application does not imply LSC approval of any specific contractor for the project; all procurement transactions must be conducted in a manner to provide, to the maximum extent practical, open and free competition; and all third-party expenditures, regardless of cost, must be appropriately documented.

***G. 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 [TIG Evaluation Plans](#) area of the LSC website.

Reviewers will assess the presentation from the perspective of how well the narrative addresses the ***Review Criteria*** defined in the ***Instructions*** (See VI. Selection and Review). These are: **Need for the Project; Detailed Description of the Project; Project Goals, Objectives, Activities and Evaluation; Innovation; Justice Community Partnerships; Replication; Program Capacity and Project Staffing; Past Performance; Sustainability of the Project; and Program Budget and Budget Narrative**. Carefully review the descriptions of each of these criteria in the ***Instructions*** before preparing the ***Project Narrative***.

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

- ) The need for the project;
- ) A full description of the project, including the specific technology(ies) the project will develop or implement;
- ) The project’s goal, objectives, activities, and evaluation data;
- ) Innovation
- ) Justice community partnerships;
- ) Replication;
- ) Program capacity and the project staffing;
- ) Past Performance; and
- ) Sustainability of the project.

***H. 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, draft administrative plans, draft evaluation plans 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, .xls, .xlsx, pdf, and .rtf only. Any portion of the application that exceeds the specified page limits will not be reviewed.

***I. Draft Evaluation Plan***

Evaluation planning is a critical component of TIG project management, and TIG applications must include a draft evaluation plan. The evaluation plan draft should clearly articulate the goals and objectives of the project; identify the activities and strategies that will be implemented to achieve the goals and objectives; and specify the methodologies and data sets that will be used to evaluate the project's progress and accomplishments. Applicants should develop their evaluation plan using the [TIG evaluation plan automated form](#) found on the [TIG Evaluation Plans](#) area of the LSC website. Instructional and guidance materials are accessible from within the document as well as on the evaluation plan webpage. The contents of the draft evaluation plan should be consistent with the Project Goals, Objectives, Activities, and Evaluation section of the Project Narrative.

***J. Lessons Learned from Other Technology Projects***

This is the 18<sup>th</sup> round of grant awards in the TIG program. To date, over 670 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 TIG and legal aid technology projects (not just projects the applicant has completed, but related technology projects of other programs); how it builds upon

them, what was learned from them, and how the project will avoid any pitfalls they have faced.

Be sure to review the results of prior projects by looking at the materials on [LSNTAP.org](http://LSNTAP.org), replicable projects and final reports on the [TIG Reporting section of LSC's Website](#), 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. Document assembly projects should consult material available on the [document assembly support site](#) and website projects can find helpful resources on the [State Websites Support Site](#) and [Drupal for Legal Aid Websites](#).

***K. 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 may be no more than 40% of the grant total. The total of the final two payments 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 would come six months after the start of the project, payment three at the end of the year, payment four six months after that to allow for the collection of evaluation data and the draft of the final report, and payment five would be scheduled three months later to allow time for the revision and approval of the final report and submission of the final budget.

For each payment period generated, indicate the major activities and milestones that will be completed towards meeting the goals and objectives of the project. The milestones should reflect the *major activities and deliverables* identified in the draft evaluation plan that would need to be completed to achieve the project's goals and objectives. Milestones should also include relevant tasks for gathering evaluation data that will be needed for the final report.

**Please be sure to input each deliverable as a separate milestone in the online system. This is done using the "Add Milestone" button. For more information, see**

the [sample payment schedules available on the TIG website](#). Plan on including approximately 3-6 milestones per payment period.

Example – for a one year grant request of \$100,000, the five payments might be: payment one (initial payment) in January, 2018 for \$40,000; payment two in July 2018 for \$20,000; payment three in December 2018 for \$20,000; payment four in June 2019 for \$10,000; and payment five (final payment) in September 2019 for \$10,000 (the last two payments total 20% of the grant). An eighteen-month grant would have six payments, a two-year grant seven payments, etc.

#### ***L. 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.

#### ***M. Conflicts of Interest***

Prior to completing this section, applicants should review their program's written policies regarding conflicts of interest and whistleblower protections as outlined in the current LSC Grant Assurances. Applicants must indicate whether the proposed project raises any actual or potential conflicts of interest for staff, management, board members, volunteers, or anyone else involved in the proposed project or its development and application. If there are potential conflicts, discuss how your program will address them if awarded funding.

#### ***N. 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 ***Instructions***.
- ) ***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 submitted application includes the required materials.

***O. Contact Information***

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

For questions about proposals in CT, 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](mailto: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](mailto:grawdon@lsc.gov).

For questions about proposals in AL, AR, DC, 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](mailto:ribadeneyraj@lsc.gov).

If you have a general question, please email [techgrants@lsc.gov](mailto:techgrants@lsc.gov).

## **Appendix II: Guidance for Applicants**

### ***I. 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, cost effective, and 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 strategies 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 reviewed 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 LSC's area of interest for 2017, explain how the proposed approach can serve as a model to other programs and providers.

**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 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 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.

***II. 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 did not fund many projects that proposed to use available technologies in creative and interesting ways but 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 to 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 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: 2016 Grant Assurances - Sample

Below is the Grant Assurances document issued for *last year's 2016 TIG grant cycle*. All 2017 TIG grantees will be required to sign a similar document. Applicants should expect revised and/or additional grant assurances.

LEGAL SERVICES CORPORATION  
2016 TECHNOLOGY INITIATIVE GRANTS  
GRANT ASSURANCES

Grantee agrees that, for this Technology Initiative Grant (TIG):

- 1) **Products or Software.** With respect to any TIG-funded product or software:
  - a) Ownership of the TIG-funded product or software shall vest in either the Legal Services Corporation (LSC) grantee or the developer or vendor of the software, as the particular agreement between those parties so specifies. Regardless of who owns the TIG-funded product or software, both LSC and the LSC grantee shall have a royalty-free, nonexclusive, and irrevocable license to use, reproduce, distribute, publish and prepare derivative works of the TIG -funded product or software (subject to the terms below concerning preexisting products or software), including making the TIG-funded product or software available to other LSC grantees. Each party remains the owner of any preexisting products or software not developed using grant funds, and the license to any TIG-funded product or software does not include a license to such preexisting software or products. If the TIG-funded product or software is a modification or upgrade of a preexisting product or software, the above license applies to such modification or upgrade only if the modification or upgrade can be licensed and purchased separately from the preexisting product or software (e.g., as an add-on or a plug-in). If such modification or upgrade cannot be licensed and purchased separately from the preexisting product or software, the above license does not apply and other LSC grantees must separately license and purchase the TIG-funded product or software. Nothing herein prevents a developer or vendor of the product or software from charging costs related to the use of the product or software, such as costs for the implementation, integration, and on-going use (e.g., hosting and maintenance costs) of the product or software. The LSC grantee shall have a contract with the developer or vendor of the product or software, and such contract shall include the above terms to protect the rights of LSC and its grantees.
  - b) Such products or software programs, including websites, shall comply with or conform to the National Subject Matter Index (NSMI) standard developed by the Legal Aid Information Standards Group as found on <http://www.lsc.gov/grants-grantee-resources/grantee-guidance/reporting-requirements/tig-reporting/tig-compliance>. If this requirement is likely to substantially impede the successful completion of a project, the grantee shall communicate that to the assigned LSC TIG staff person and request a waiver of this requirement.

- c) Such products or software programs (including, but not limited to, document assembly products) shall comply with naming conventions currently under development, which can be found on <http://www.lsc.gov/grants-grantee-resources/grantee-guidance/reporting-requirements/tig-reporting/tig-compliance>. Naming conventions are definitions of fields within documents (respondent, litigant, address, etc.). If these conventions are likely to substantially impede the successful completion of a project, the grantee shall communicate that to the assigned LSC TIG staff person and request a waiver of this requirement.
- 2) **Accessibility.** In the development of any website, pro se materials, or other grant-supported product, the grantee shall consider and address the special needs of persons with disabilities to ensure that the sites, materials, and other products are accessible to them using standards based on or exceeding those imposed on federal agencies through Section 508 of the Rehabilitation Act, 29 U.S.C. § 794(d), and implementing regulations.
- 3) **Limited English Proficiency.** In the development of any website, pro se materials, or other grant-supported product, the grantee shall consider and address 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. Grantees shall write all new publications, forms, and materials produced under this grant in a clear, concise, and well-organized manner following plain language principles, examples of which can be found at [www.writeclearly.org](http://www.writeclearly.org) and [www.plainlanguage.gov](http://www.plainlanguage.gov).
- 4) **Milestone Modifications.** 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.
- 5) **Budget.** The final approved budget for the project is a part of the grant award package. Grantees are required to obtain prior written approval from LSC for changes in this approved budget when cumulative changes to the approved budget exceed the *greater of* (a) 10 percent of the grant amount or (b) \$10,000. Prior written approval from LSC must also be obtained when the change to an individual line item in the budget exceeds 20 percent of the affected line item *and* is a change of at least \$5,000. Requests for changes to the project budget should be made to the LSC TIG staff person assigned to the grant, who will provide instructions on what must be submitted to request a budget change. If a budget variance is discovered for which prior approval should have been obtained and was not, the grantee must contact the LSC TIG staff person assigned to the grant for instructions as soon as the variance is discovered. LSC may disallow costs for any budget variances that lack a required prior approval.
- 6) **Problems, Issues, or Modifications.** Grantee shall report to the assigned TIG staff person any significant problems, issues or proposed project modifications (e.g., changes in project design, staffing, equipment, contracting, or other changes that would affect the scope,

objectives, or activities of the project) within 30 days after these are identified. Changes to the project design, staffing, equipment, or contracting — or that would otherwise affect the scope, objectives or activities of the project — require written approval by LSC prior to implementation. Requests for changes to the project should be made to the assigned TIG staff person who will provide instructions on what must be submitted to request a change.

- 7) **Use of Funds.** All funds disbursed by LSC pursuant to this grant shall be used solely for the project for which this grant is being made as described in the grant documents. 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 grantee may not reprogram these budgetary savings for other uses without 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. Reprogramming requests must demonstrate that surplus TIG funds would be applied in a manner related to the original purpose of the grant. Reprogramming will not be allowed between TIG projects or to fund other grantee activities. As part of the final payment request (or as part of the close-out procedures if the grant is terminated), the grantee will submit a Final Financial Report in the format of the approved budget, with any approved modifications, showing the actual expenditures on the project, as well as a budget narrative explaining any changes in actual expenditures as compared to the approved budget. This is done online by the grantee as a task in LSC Grants. Grantees should consult the most current edition of LSC's Accounting Guide for LSC Recipients for guidance on financial accounting and reporting standards. E.g., <http://www.lsc.gov/sites/default/files/attach/2015/08/AccountingGuideforLSCRecipients-2010.pdf> (2010 ed.)
- 8) **Subgrants and Transfer Rules.** Grantee must comply 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 grantee will review all third-party payment arrangements for compliance with these regulations. Third-party payments are any expenditure 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 grantee may not transfer any TIG funds to another entity as a subgrantee until LSC approves the subgrant agreement. Nor may the grantee use TIG funds to pay any other entity for subgrant work that occurred prior to the LSC subgrant approval. The award of a TIG is not a subgrant pre-approval. LSC should be contacted with any questions regarding which third-party contracts require subgrant approval. LSC may disallow costs if the transfer or subgrant requirements are not followed.
- 9) **Procurements.** Approval of a TIG application does not imply LSC approval of any specific contractor, regardless of whether one was identified in the application. All procurement transactions must be conducted in a manner to provide, to the maximum extent practical, open and free competition. All third-party expenditures, regardless of cost, must be appropriately documented and are subject to [45 C.F.R. Part 1630 Cost Standards](#). As long as the grantee complies with the provisions on contracting set out below, it may add its own contracting requirements. In the event that the grantee expends \$5,000 or more of the TIG

funds from this grant on a single transaction to pay a third party or parties for goods or services, and that expenditure is not otherwise subject to the LSC Property Acquisition and Management Manual, it will:

- a) (1) solicit bids from a minimum of three providers or (2) document the reasons for doing otherwise if it is necessary to (i) award a contract on the basis of fewer than three responses or (ii) in rare instances, purchase from a “Sole Source” because of technical or quality requirements, unique and specialized expertise, the lack of dependable vendors, or when there is an emergency (reasonable efforts must be made, however, to confirm that only one vendor or contractor exists or is capable of meeting the grantee’s need);
  - b) maintain documentation for LSC review, including: the solicitation and receipt of bids or sole source justification; the reason for selection of a contractor; senior management approval of (1) contractor selection and (2) any sole source justification; the terms and conditions of the agreement; and all payments, adjustments, and credits;
  - c) provide a copy of the contract to LSC with the payment request for the period in which the contract was executed (the submission of said contract is only for the purpose of verifying the execution of said contract; grantees remain responsible to ensure that they comply with all applicable LSC requirements regarding, among other things, the process through which it was entered, its terms, and the expenditure of LSC funds pursuant to it); and
  - d) ensure the proper expenditure of, accounting for, and audit of the contracted funds.
- 10) **Payment Requests.** Within 30 days of the end of each payment period, grantee shall submit a Payment Request and milestone completion report through LSC Grants – <http://lscgrants.lsc.gov> – supplemented by supporting documentation as required by LSC.
- 11) **Termination.** This TIG can be terminated for four reasons: (1) by default if the grantee fails to provide required documentation on time, unless LSC, in its sole discretion, provides a written waiver or extension; (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; or (4) by default if the grantee ceases to be a grantee of an LSC Basic Field grant (General, Native American, or Migrant). In situations (1) and (4) the grant automatically terminates and close-out procedures will be initiated for the grant, including the consideration of what funds, if any, will be provided for any milestones of the grant completed prior to the termination of the grant and what funds, if any, will be returned to LSC. UPON AUTOMATIC TERMINATION THERE IS NO RIGHT TO APPEAL. When a grant is terminated for any of these reasons, the grantee 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 was not completed, and to return any unspent funds. Additionally, if LSC terminates a grantee’s TIG for failure of performance or failure to provide timely documentation, the grantee is not eligible to receive a TIG for three years after the grant is terminated except that this ineligibility shall not apply to programs that

work with LSC to end a TIG early after an unsuccessful project implementation resulting from technology limitations, a failed proof of concept, or other reasons outside of the grantee's control.

- 12) **Closeout.** If a grant is terminated for one of the four reasons specified in Grant Assurance 11, the closeout procedure will include a review of the non-expendable personal property with an aggregate current fair market value of \$5,000 or more to determine if the property should be (1) retained by the grantee, (2) retained by the grantee with LSC to be reimbursed for the percentage of the property's current fair market value that is equal to that percentage of the property's acquisition cost that was borne by LSC funds, (3) transferred to another LSC grantee, or (4) sold. If the property is to be sold, the grantee may retain the proceeds from the sale after compensating LSC for that percentage of the property's current fair market value, which is equal to the percentage of the property's acquisition cost (including payments for any installments or financing of acquisition costs) that was borne by LSC funds.

If LSC, in its sole discretion, determines that a transfer is appropriate and non-LSC funds were used in part for the acquisition, then the grantee shall be entitled to reimbursement from the transferee or LSC of the percentage of the property's current fair market value that is equal to that percentage of the property's acquisition cost that was borne by non-LSC funds. If the TIG grantee does not transfer the property when instructed to do so, then 100% of the current value of the property will be charged to the grantee and may be recovered as a disallowed cost under [45 C.F.R. Part 1630](#).

LSC may, at its discretion, allow the TIG grantee the option to purchase the LSC share of the property with non-LSC funds. If the TIG grantee is permitted to purchase the LSC share of the property, but fails to do so as part of the TIG closeout, then the value of the LSC share of the property will be charged to the grantee. Any charges under this Grant Assurance that are not resolved in the TIG closeout will be disallowed costs that may be deducted from any LSC funds and/or subject to collection by LSC.

- 13) **Program Integrity.** As part of its compliance with the LSC program integrity requirement, [45 C.F.R. § 1610.8](#), grantee will maintain objective integrity and independence from any organization that engages in LSC-restricted activities; and it will structure, monitor, and maintain any TIG-funded collaborations with non-LSC legal services providers consistent with maintaining overall program integrity. It will have a representative attend a mandatory LSC webinar on the program integrity requirements, if notified by LSC that it must attend based on the nature of the TIG activities.
- 14) **TIG Conference.** It will send one person, whose attendance will further the objectives of the grant, to the 2017 TIG Conference sponsored by LSC. This event will be held January 11–13, 2017, in San Antonio, Texas. LSC will add \$2,000 to the amount of each grantee's first TIG payment to cover costs related to this person's attendance at the conference, and this \$2,000 will be withheld by LSC to cover the cost for the person to attend the 2017 TIG 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

beyond the cost of the airfare, hotel, and conference fee. Grantee must account for the \$2,000 as both revenue and an expense in its audited financial statements. Grantee 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 grantee is unable to send a person to the conference, or the expenses related to the person's attendance are less than \$2,000. Any unused money provided for the TIG Conference purposes shall revert to LSC as funding for future TIG awards. The date and location of the TIG Conference are subject to change at LSC's sole discretion.

- 15) **LSC Logo.** Any materials created with grant funds shall display the LSC logo, including publications, websites, videos, and webcasts. It shall provide electronic copies or links thereto of these materials to the assigned LSC TIG staff person. Any such material will be subject to the terms of Grant Assurance #1 as a product.
- 16) **Conflicts of Interest and Whistleblower Protection.** This grant is subject to grantee's written policies regarding conflicts-of-interest and providing whistleblower protections.
- 17) **Staff Time.** 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 narrative 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 grantee.
- 18) **Tracking and Reporting of Funding, Timekeeping, and Recordkeeping.** It will sufficiently document and have internal controls in place to track and identify the application of TIG funds from this grant, by grant number, separate from all other grants (TIG, non-TIG, LSC or otherwise). These methods must include separate reporting of the grant funds by line item in the annual audit with a separate line item for each TIG grant or a reasonable alternative agreed to by LSC in writing. It must maintain accurate and separate timekeeping and recordkeeping to track all costs and time charged to this TIG by grant number and separate from charges to any other funds, including other TIGs, other LSC grants, and non-LSC grants. Personnel activity reports are required for all salary and wages charged directly to this grant, regardless of whether the timekeeping requirements of [45 C.F.R. Part 1635](#) apply. For additional guidance on these requirements, see [45 C.F.R. § 1628.3\(g\)](#), [45 C.F.R. § 1635](#), and [45 C.F.R. § 1630.3](#) and the most current edition of LSC's Accounting Guide for LSC Recipients (e.g., <http://www.lsc.gov/sites/default/files/attach/2015/08/AccountingGuideforLSCRecipients-2010.pdf> (2010 ed.)).
- 19) **Assurances from Other LSC Grants.** Any and all other LSC grant assurances for any other LSC grants that the applicant/grantee agrees to are hereby incorporated by reference, and those grant assurances will apply in full force and effect to the applicant/grantee'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/grantee during the term of the TIG funding. In the event of any conflicting language, the later terms will apply.

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