

**2019 Request for Proposals for Basic Field Grant Funding**

**Post-Program Quality Visit (Post-PQV) Application Instructions**

|  |  |
| --- | --- |
| Schedule B Applicants | Opens May 14, 2018  Closes June 11, 2018 |
| Schedule C Applicants | Opens July 6, 2018  Closes August 6, 2018 |

Contact the LSC grants service desk

at [lscgrants@lsc.gov](mailto:competition@lsc.gov) if you have questions.

Table of Contents

[Introduction 3](#_Toc511391452)

[About the Legal Services Corporation 3](#_Toc511391453)

[Eligibility 3](#_Toc511391454)

[Full Range of Legal Services 5](#_Toc511391455)

[List of Applicants Eligible to Submit Post-PQV Grant Proposals 5](#_Toc511391456)

[Application Process 6](#_Toc511391457)

[Notice of Intent to Withdraw Grant Application 7](#_Toc511391459)

[Application Review Period 8](#_Toc511391460)

[How We Evaluate Applications 8](#_Toc511391461)

[LSC Selection and Performance Criteria 8](#_Toc511391462)

[Weighting 9](#_Toc511391464)

[Application Instructions 9](#_Toc511391465)

[Post-PQV Grant Proposal Components 11](#_Toc511391466)

[Document Uploads Checklist 12](#_Toc511391467)

[Preparing the Post-PQV Grant application 14](#_Toc511391468)

[General Guidelines 14](#_Toc511391469)

[Responding to Tier 1 Recommendations 14](#_Toc511391470)

[Significant Changes or Major Developments in the Delivery System 15](#_Toc511391471)

[Grant Proposals for Multiple Service Areas 17](#_Toc511391472)

[Accessing and Using the Post-PQV Forms 17](#_Toc511391473)

[Other Requirements 19](#_Toc511391474)

[Client Success Stories 19](#_Toc511391475)

[Governing/Policy Body 20](#_Toc511391476)

[2019 Technology Plan 20](#_Toc511391477)

[Current Year PAI Plan Instruction 21](#_Toc511391478)

[Organization Chart and Overview of your Organization and Delivery System 21](#_Toc511391479)

[Preparing the Organization Chart and the Overview of your Organization and Delivery System 22](#_Toc511391480)

[Questions about the Post-PQV RFP and LSC Contact Information 22](#_Toc511391482)

[Key Dates and Deadlines 23](#_Toc511391483)

[Freedom of Information Act 23](#_Toc511391484)

[2019 Grant Terms and Conditions 23](#_Toc511391485)

[LSC Certification Form 33](#_Toc511391486)

Introduction

The Legal Services Corporation (LSC) invites Post-PQV applications for its 2019 Basic Field Grant Program. Our Basic Field Grants support the work of organizations providing high-quality civil legal services to low-income people, including agricultural workers and Native American communities. Basic Field Grants are “general operating” grants, which may be used to support an organization’s legal services activities, including operating expenses and overhead. LSC awards Basic Field Grants to the applicants providing the most effective, economical, and high-quality legal services to eligible clients through an integrated legal-services delivery system.

About the Legal Services Corporation

LSC is a federally established and funded grantmaking organization that supports civil legal aid organizations across the country and in the U.S. territories. Its mission is to expand access to justice by funding high-quality legal representation for low-income people in civil matters such as divorce, child custody, domestic violence, consumer and debt, affordable housing preservation, eviction, and public benefits. It does not provide direct legal services itself.

LSC is headed by a bipartisan board of directors, whose 11 members are appointed by the President of the United States and confirmed by the United States Senate. Much like federal agencies, LSC receives an annual appropriation and is subject to ongoing congressional oversight. Otherwise, it generally conducts its day-to-day business like any other nonprofit organization.

LSC distributes almost 95 percent of its total funding in grants to independent legal aid organizations. LSC currently has 132 grantees with more than 800 offices in every county in the United States, the District of Columbia, and the American territories.

LSC performs robust oversight of its grantees, conducting audits and on-site visits to evaluate grantee quality and compliance with statutory and regulatory requirements and various funding restrictions. LSC also provides training and technical assistance to grantees. LSC encourages its grantees to leverage limited resources by partnering and collaborating with other funders of civil legal aid, including state and local governments, Interest on Lawyers’ Trust Accounts programs, state access to justice commissions, the private bar, philanthropic foundations, law schools, and the business community.

Eligibility

**Who is Eligible to file a Post-PQV application for a Basic Field Grant?**

You are eligible to file a Post-PQV Request for Proposals (RFP) if you:

1. are a current LSC grantee;
2. have had an LSC program quality visit since January 1, 2016;
3. have been notified that you will receive the final PQV report by July 2, 2018; and
4. are the only applicant for the service area.

LSC will notify you by email confirming whether you are the only applicant for the service area.

## Full Range of Legal Services

LSC seeks to fund proposals to provide a full range of legal services throughout each service area, consistent with the restrictions of the LSC Act and the appropriations acts.

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

The requirement to provide or assure the availability of a full range of legal services cannot rest on a mere assertion to do so. Your responses to the Post-PQV grant proposal together with the LSC final PQV report must affirmatively describe a collaborative arrangement with partners in the service area that assures a full range of legal services. You must also describe the capacity of the participants in the collaborative arrangement to address issues and case types not handled by you.

## List of Applicants Eligible to Submit Post-PQV Grant Proposals

You are a schedule “B” Post-PQV applicant if you received the final Post-PQV report by April 30, 2018. The deadline for submitting your Post-PQV application is June 11, 2018.

You are a Schedule “C” applicant if you receive the final Post-PQV report during the period May 1 through July 2, 2018. The deadline for submitting your Post-PQV application is August 6, 2018.

See the [Key Activities and Dates in the LSC 2019 Grants Process](https://lsc-live.box.com/shared/static/cnqirj6dno5linbq7egy0vfvwr81fb64.docx) for the full schedule of activities that apply to you.

|  | **1** | **2** | **3** | **4** | **5** |
| --- | --- | --- | --- | --- | --- |
|  | **State** | **Applicant Number** | **Applicant Name** | **Schedule** | **Service Area Code(s)** |
| 1 | FL | 610090 | Coast to Coast Legal Aid of South Florida | C | FL-18 |
| 2 | WY | 951050 | Legal Aid of Wyoming | C | WY-4, NWY-1 |
| 3 | NY | 233010 | Legal Aid Society of Northeastern New York | C | NY-21 |
| 4 | MO | 526051 | Legal Services of Southern Missouri | C | MO-7 |
| 5 | MT | 927000 | Montana Legal Services Association | C | MT-1, MMT, NMT-1 |
| 6 | FL | 610050 | Bay Area Legal Services | B | FL-16 |
| 7 | FL | 610040 | Legal Services of Greater Miami, Inc. | B | FL-5 |
| 8 | IN | 515030 | Indiana Legal Services | B | IN-5, MIN |
| 9 | NY | 233150 | Legal Aid Society of Mid-New York | B | NY-22, MNY |
| 10 | PR | 253010 | Puerto Rico Legal Services | B | PR-1, MPR |
| 11 | TX | 744050 | Legal Aid of NorthWest Texas | B | TX-14 |

**Service Areas**

Refer to the service areas identified in column 5 of the chart above. You may submit Post-PQV grant proposals for only those service areas for which you currently receive LSC funding. You must be the only applicant for the service area. If there is another qualified applicant for the service area, you (and the other applicant) must instead file a standard grant application. In addition, you must file a standard grant application to apply for any other service areas. LSC will not consider proposals to divide service areas into smaller units. You must apply for the full amount of the grant funds available for the service area(s).

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

Application Process

**Notice of Funds Availability**

In March of each year, LSC publishes in the Federal Register the geographical service areas in competition and the funding available for each of those service areas. The funding estimates for 2019 are based on the FY 2018 LSC appropriation. LSC may require successful applicants to submit revised budgets and applications based on the FY 2019 appropriation. Additionally, LSC reserves the right to provide funding in graduated amounts to assist new recipients with start-up and transition. The funding estimates, based on the FY 2018 LSC appropriation, can be viewed at <https://lsc-live.box.com/s/w61inzbpwbzveo1kzhr28tphzfaxqchh>.

**Request for Proposals (RFP)**

In May of each year, LSC issues the Post-PQV RFP announcing that it is requesting applications for its Basic Field Grants. The RFP contains detailed application instructions, the 2019 Basic Field Grant Terms and Conditions, and Grant Certification Form.

**[Applicant Information](#AIS_date)al Session (AIS)**

LSC holds a free webinar each year near the end of April to answer questions about the Post-PQV RFP and grant award process.

**Notice of Intent to Compete (NIC)**

To apply for a Basic Field Grant, you must notify LSC of your intent to compete for the grant by May 4, 2018. You may access and electronically submit the NIC using the online application system at <https://lscgrants.lsc.gov/>. In the NIC, you must:

* identify the service area(s) for which you seek a grant,
* provide names and brief biographical and relevant experience information about your principals and key staff, and
* provide names and brief biographical and relevant experience information about your current or proposed governing or policy body members and their appointing organizations.

If you fail to submit a timely NIC, you will be ineligible for the 2019 grants process. In its discretion, LSC may extend the NIC submission period.

LSC will notify you whether your NIC has been approved within two business days of submission. After your NIC is approved, you will have access to other components of the RFP.

**Apply through LSC’s Online System, LSC Grants**

You must prepare and submit the Post-PQV grant application using the LSC online application at <http://lscgrants.lsc.gov>. The application will require you to respond to Tier 1 recommendations, provide information in charts and forms, and upload supporting documents about your capacity to provide high-quality, economical, and effective legal services. The grant application [proposal components](#proposal_components) list the forms and documents required.

**Subgrants**

As part of the application, you must submit information about each of your current and prospective subgrants, as defined by [45 C.F.R. Part 1627](http://www.ecfr.gov/cgi-bin/text-idx?SID=58365d15e245ff61b8f9d3af631ff3c1&mc=true&node=pt45.4.1627&rgn=div5), for which LSC funds currently are or would be used. For more information about the subgrant application process, please visit <https://www.lsc.gov/grants-grantee-resources/grantee-guidance/subgrant-guidance>.

**Complete a Fiscal Application**

LSC evaluates the fiscal health of your organization before making Basic Field Grant funding decisions. LSC collects information about your fiscal policies, internal controls, and accounting practices through its Fiscal Grantee Funding Application (FGFA). This Application is available through LSC Grants. You must complete and submit the FGFA to LSC by May 29, 2018.

**Best Practices**

You may also submit information about your innovative delivery practices. LSC’s website at <http://www.lsc.gov/grants-grantee-resources/resources> contains information on innovative delivery approaches, strategies and tools. There are materials on topics such as: case management systems, intake, Private Attorney Involvement, technology, and pro se assistance. You may devote two pages per service area to describe innovative practices or ideas that promote collaborative partnerships and/or quality legal services to low-income people. Title these pages “Best Practices.”You may address any topic that promotes legal services delivery. We encourage you to visit the LSC website regularly for model concepts and “best practices” in legal services delivery. A weight is not assigned to “Best Practices” materials submitted, nor will it impact grant award decisions. With your permission, LSC may feature selected innovative techniques or ideas on our website.

**Acknowledgement of Receipt**

## LSC will send you an email acknowledging receipt of your application using the email address of the primary contact person identified in your grant application.

**Requests for Additional Materials**

LSC may ask you to provide copies of:

* Current malpractice, errors and omissions, fidelity, and liability insurance coverage
* Your Articles of Incorporation and Bylaws, partnership articles, or other governing documents.

**Material Changes to Your Application and Notice of Disciplinary Actions**

If, while your application is pending, you experience a material change to your organization, you must notify LSC within two business days. You must also notify LSC of any professional disciplinary complaints, criminal convictions, civil contempt, and malpractice lawsuits or claims made against you or any of your attorneys while your application is pending. Please also notify LSC if any identified disciplinary actions or complaints are resolved while your application is pending.

## Notice of Intent to Withdraw Grant Application

If you have submitted a grant application, but wish to withdraw it, please notify LSC in writing as soon as possible. You must include your name and service area code(s) of the service area(s) that you applied to serve. You must sign and date the withdrawal notice, convert it to a PDF, and email it to [lscgrants@lsc.gov](mailto:lscgrants@lsc.gov). You do not need to notify LSC if you submitted a Notice of Intent to Compete, but do not submit an application.

## Application Review Period

LSC reviews applications from June to November of each year. For service areas with a single applicant, LSC staff reviews the application and prepares a funding recommendation for LSC’s President, who decides which applicants will be awarded Basic Field Grants. LSC may conduct a site visit before making a final grant decision.

**Grant Award Decisions**

LSC’s President decides which applicants will receive grant awards. In December 2018, LSC will post the 2019 Basic Field Grant award decisions at <http://www.lsc.gov/grants-grantee-resources/our-grant-programs/basic-field-grant>.

LSC may award a grant for up to a three-year term. LSC may decide to award a grant for one or more of the service areas for which the applicant applied. LSC may decide not to award a grant for a particular service area. If LSC does not receive a grant application for a service area or does not receive a qualified application, LSC has discretion to determine how legal services are to be provided to the service area. Options include enlarging the service area of a neighboring recipient, entering into a short-term grant or contract with another qualified provider, or re-competing the service area.

How We Evaluate Applications

## LSC Selection and Performance Criteria

LSC makes grant decisions based on the selection criteria required by LSC regulations on competitive bidding for grants and contracts, 45 C.F.R. § 1634.9. The selection criteria are as follows:

1. Whether applicant has a full understanding of the most pressing needs of the eligible clients in the area to be served. [45 C.F.R. § 1634.9(a)(1)](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&n=45y4.1.3.11.35&r=PART&ty=HTML).
2. The quality, feasibility, and cost-effectiveness of the applicant’s legal services delivery and delivery approach in relation to the LSC Performance Criteria and the ABA Standards for the Provision of Civil Legal Aid, as evidenced by, among other things, the applicant’s experience with the delivery of the type of legal assistance contemplated under the proposal. [45 C.F.R. § 1634.9(a)(2)](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&n=45y4.1.3.11.35&r=PART&ty=HTML).
3. Whether the applicant’s governing or policy body meets or will meet all applicable requirements of the LSC Act, regulations, guidelines, instructions and any other requirements of law in accordance with a time schedule set out by LSC. [45 C.F.R. § 1634.9(a)(3)](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&n=45y4.1.3.11.35&r=PART&ty=HTML).
4. The applicant’s capacity to comply with all other applicable provisions of the LSC Act, rules, regulations, guidelines and instructions, as well as with ethical requirements and any other requirements imposed by law. Evidence of the applicant’s capacity to comply with this criterion may include, among other things, the applicant’s compliance experience with LSC or other funding sources or regulatory agencies, including, but not limited to, Federal or State agencies, bar associations or foundations, courts, IOLTA programs, and private foundations. [45 C.F.R. § 1634.9(a)(4)](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&n=45y4.1.3.11.35&r=PART&ty=HTML).
5. The reputations of the applicant’s principals and key staff. [45 C.F.R. § 1634.9(a)(5)](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&n=45y4.1.3.11.35&r=PART&ty=HTML).
6. The applicant’s knowledge of the various components of the legal services delivery system in the State and its willingness to coordinate with the various components as appropriate to assure the availability of a full range of legal services, including: (a) its capacity to cooperate with state and local bar associations, private attorneys and pro bono programs to increase the involvement of private attorneys in the delivery of legal assistance and the availability of pro bono legal services to eligible clients; and (b) its knowledge of and willingness to cooperate with other legal services providers, community groups, public interest organizations and human services providers in the service area. [45 C.F.R. § 1634.9(a)(6)](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&n=45y4.1.3.11.35&r=PART&ty=HTML).
7. The applicant’s capacity to develop and increase non-LSC resources. [45 C.F.R. § 1634.9(a)(7)](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&n=45y4.1.3.11.35&r=PART&ty=HTML).
8. The applicant’s capacity to assure continuity in client services and representation of eligible clients with pending matters. [45 C.F.R. § 1634.9(a)(8)](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&n=45y4.1.3.11.35&r=PART&ty=HTML).
9. The applicant does not have known or potential conflicts of interest, institutional or otherwise, with the client community and demonstrates a capacity to protect against such conflicts. [45 C.F.R. § 1634.9(a)(9)](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&n=45y4.1.3.11.35&r=PART&ty=HTML).

LSC measures your capacity to meet each of the selection criteria by evaluating whether your proposed approach to delivering legal services is consistent with [the LSC Performance Criteria](http://www.lsc.gov/sites/default/files/LRI/LSCPerformanceCriteriaReferencingABAStandards.pdf), which incorporates many best practices established by [the ABA Standards for the Provision of Civil Legal Aid](http://www.americanbar.org/content/dam/aba/administrative/legal_aid_indigent_defendants/ls_sclaid_civillegalaidstds2007.authcheckdam.pdf) and [the ABA Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means](http://www.americanbar.org/groups/probono_public_service/policy/standards.html).

You will also be evaluated on your use of limited LSC resources to produce high quality, effective and economical legal services that meet eligible clients’ most pressing legal needs consistent with the restrictions of the LSC Act, appropriations acts, and regulations. See <http://www.lsc.gov/about-lsc/laws-regulations-guidance> for more information on LSC laws and regulations.

## LSC will consider the level of your participation in an integrated delivery system, which seeks to make the most efficient use of all resources, strives for innovations in delivery mechanisms, and creatively involves the private bar. For additional guidance, please visit Grantee Guidance and Grantee Resources at <http://www.lsc.gov/grants-grantee-resources/grantee-guidance>.

## Weighting

LSC assigns weights to each Performance Area as outlined in the table below. Consider the weights when determining the level of information and emphasis to place in responding to the application questions, forms, and charts.

| **Performance Area** | **Weight** |
| --- | --- |
| Performance Area One | 18% |
| Performance Area Two | 20% |
| Performance Area Three | 35% |
| Performance Area Four | 27% |

Application Instructions

The Post-PQV RFP requires you to complete four tasks:

1. respond to the “Tier 1” recommendations from the final LSC PQV report;
2. inform LSC of significant changes or major developments in the delivery system (for each of the Performance Areas) since the PQV ended, and those anticipated during the grant year;
3. submit grant proposal attachments, which include but are not limited to the PAI Plan, Technology Plan, statistical charts (e.g., budget), and RFP charts (e.g., casehandling protocols); and
4. certify that the you will comply with applicable laws, regulations, rules and other requirements.

LSC reviews the Post-PQV grant application along with the final PQV report; together these documents supplant the standard grant application.

LSC evaluates the Post-PQV grant documents based on the LSC Act and regulations, the LSC Performance Criteria, the ABA Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means, and the ABA Standards for the Provision of Civil Legal Aid. The LSC President makes funding decisions based on the findings from the evaluations. Grants awards are for a maximum period of three years.

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

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

The LSC Performance Criteria serve as the framework of LSC’s quality standards aimed at ensuring that all LSC grantees provide high quality legal assistance and participate in a comprehensive and integrated delivery system that provides a full range of legal services to eligible clients. LSC will use the Performance Criteria to guide its evaluation of grant proposals and its funding determinations.

The final PQV report and Post-PQV RFP follow the format and structure of the LSC Performance Criteria. Your responses to the Post-PQV RFP, including responses to Tier 1 recommendations, together with the findings from the final LSC PQV report, must demonstrate:

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

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

LSC advises you to be familiar with the Performance Criteria. The LSC Performance Criteria are at <http://www.lsc.gov/grants-grantee-resources/grantee-guidance>.

## [Post-PQV Grant Proposal Components](#proposal_components)

A complete Post-PQV grant proposal consists of the RFP forms and the document uploads listed in the charts below. You must submit all grant documents and forms to LSC at <https://lscgrants.lsc.gov/>. Limit the grant proposal to items specifically requested in this Post-PQV grant application instruction. No other materials will be accepted unless requested by LSC. You may, however, be required to submit additional materials prior to the final award of grant funds.

All forms and instructions for preparing forms are available at <https://lscgrants.lsc.gov/>. To access and submit grant proposal forms, log into <https://lscgrants.lsc.gov/>, click on the “Submit Post-PQV Grant Application” link for the desired service area, select the appropriate form, enter the required data, and click the save button after data entry is complete.

| **Grant Proposal Form** | | **Description** | |
| --- | --- | --- | --- |
| ❑ | **Post-PQV Form and RFP Charts** | Use this form to:   * identify the status of each of the Tier 1 recommendations * describe actions taken in response to each recommendation * describe significant changes or major developments in the delivery system that have occurred since the PQV ended and those that are anticipated during the grant year * access the RFP charts * respond to supplementary inquiries, describing the systems and procedures that ensure compliance and enforcement of LSC’s requirements and regulations | |
| ❑ | **Project and Subgrant**  **Information** | Use this form to respond to inquiries regarding current and proposed subgrants. | |
| ❑ | **Budget Forms**  D-12, D-14 | Use this form to report projected 2019 revenue and expenses | |
| ❑ | **Form G-12** | Use the form to report projected expenditures for cases, other services, and supporting activities. | |
| ❑ | **Forms F-1 and F-2** | These formscapture the name, contact information, and demographic information of each filled board position; the name of the appointing organization; and the relevant experience of each board member.  If you do not currently have a governing/policy body that complies with 45 C.F.R. Part 1607.3 you must provide a plan to meet this requirement. | |
| ❑ | **Form D-13** | Use this form to report projected PAI expenses. | |
| ❑ | **Form K** | Use this for to report information about current office technology (hardware and software). | |
| ❑ | **Form D-15** | Use this form to report projected LSC and non-LSC expenses for carrying out your technology plan.  At a minimum, the expenses should include costs for: 1) software and hardware acquisition costs; 2) software and hardware maintenance costs; 3) IT staffing costs (internal and/or out-sourced); and 4) staff training costs for IT staff. | |
| ❑ | **Organizational Overview** | The overview captures a description of the geographical and cultural characteristics of your service area(s), the scope of legal services provided by you, and the delivery methods and distinctive characteristics of your organization. | |
| ❑ | **List of References** | | You must provide five professional references for your organization or, in the case of a new organization. |
| ❑ | **Conflicts of Interest** | You must disclose any potential significant conflicts and describe your capacity to protect against any such conflicts that may arise during the term of the grant. | |
| ❑ | **List of Disciplinary Complaints and Malpractice Lawsuits** | You must list all professional disciplinary complaints, criminal convictions, civil contempt, and malpractice lawsuits and/or claims made against your program or any of its attorneys during the past thirty-six months, as well as all pending lawsuits and/or claims, regardless of the date of the lawsuit or the date the claim was initiated. | |
| ❑ | **List of Performance Evaluations and Monitoring Reports** | You must list the name of the report, the date of the report, and the name of the agency that prepared the report for all non-LSC evaluation and monitoring reports received within the past thirty-six months. | |
| ❑ | **Fiscal Grantee Funding Application** | You must complete the Fiscal Grantee Application Form (FGAF), which addresses your capacity to provide fiscal oversite and comply with LSC fiscal and accounting requirements. The FGAF is completed on line at [https://lscgrants.lsc.gov](http://www.lscgrants.lsc.gov). The deadline for filing the FGAF is May 29, 2018. | |

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## Document Uploads Checklist

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

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

|  | **Upload Document** | **RFP Reference/ Instruction** |
| --- | --- | --- |
| ❑ | Board-approved strategic plan | Upload your program’s most recent strategic plan approved by your board of directors. If you do not have a board-approved strategic plan, please upload a memorandum signed by the executive director stating that. Use “no strategic plan” for the file name of the memorandum. |
| ❑ | Needs assessment report submitted to board to determine priorities | Upload the most recent report from your client needs assessment that you submitted to your board to inform its decision on program priorities. If you did not provide a report to your board to inform the board’s decision of program priorities, please upload a memorandum signed by the executive director stating that. Use “no needs assessment report” for the file name of the memorandum. |
| ❑ | Leadership succession/transition plan | Upload your current board-approved leadership succession/transition plan. If you do not have a leadership succession/transition plan, please upload a memorandum signed by the executive director stating that. Use “no leadership succession plan” for the file name of the memorandum. |
| ❑ | Technology use policy | Upload your current board-approved technology use policy. If you do not have a technology use policy, please upload a memorandum signed by the executive director stating that. Use “no technology use policy” for the file name of the memorandum. |
| ❑ | Resource development plan | Upload your current board-approved resource development plan. If you do not have a current board-approved resource development plan, please upload a memorandum signed by the executive director stating that. Use “no resource development plan” for the file name of the memorandum. |
| ❑ | Client Success Stories | All applicants are required to submit client success stories from the past calendar year. All client success stories must follow the example and use the template provided at the LSC Grants upload site. See instructions and guidelines above on page 19 regarding client success stories. |
| ❑ | **Organizational Chart** | The organizational chart should depict the organizational structure of your organization, the titles of management and executive positions responsible for each component, and the number of staff positions in each component. |
| ❑ | **Resumes** | Provide resumes of the Executive Director (CEO or functional equivalent), Governing/Policy Body Chair, Chief Financial Officer, Litigation Director, or other most senior attorney(s). For lawyers and law firms, provide the resumes of the partners, senior associates, and administrative managers who will be most involved in management or service delivery if a grant is awarded. *Submit all resumes as a single PDF file.* |
| ❑ | **Current Year PAI Plan** | For applicants who have a current year PAI plan/project, submit the PAI plan. For applicants who do not have a current year PAI plan/project, submit a prospective plan for the grant year. |
| ❑ | **2019 technology Budget Explanatory Notes** | You must provide an explanatory note for each budget line item that exceeds zero.  With each explanatory note, include the budgeted expense amount and the budget expense item.  This requirement is in addition to submitting the technology budget, i.e., form D15.  The following is a sample explanatory note for “program IT staffing costs.”  *Program IT Staffing Costs: $120,000 – We need a total of 1.5 FTE’s to manage and coordinate technology planning, acquisition, and administration during the grant year.* |
| ❑ | **2019 technology Plan** | You must state how you use technology in your services. Include, at a minimum, how you use technology in the following areas: management of client and case data, intake (including online), telephone advice, case management, case supervision, document management, needs assessments, resource development, support for PIA, use of websites and other web-based resources, data security, and training. |
| ❑ | **IRS Form 990 filed with IRS** | Upload a copy of your complete 2017 Form 990 filed with IRS |
| ❑ | **Certificate of Good Standing** | Upload a current certificate of good standing issued by your state or territory. |
| ❑ | **Accounting Manual** | Upload the most recent board-approved version of the program’s Accounting Manual. |
| ❑ | **Current Fidelity Bond or Insurance Policy** | Upload evidence of current fidelity bond coverage or current insurance policy in effect at time of application (e.g., a copy of your policy). |
| ❑ | **Performance evaluations and monitoring reports (PEM)** | Upload one copy of all performance evaluation and monitoring reports, received within the past thirty-six months, from non-LSC funders and other agencies. |
| ❑ | **Subgrants** | If you plan to enter into subgrant agreements, as defined by 45 C.F.R. Part 1627, you need to provide subgrant data to LSC using the online application at <https://lscgrants.lsc.gov/>. |
| ❑ | **Financial Audit Reports** | Submit one copy of independent financial statement audits for the last three years and the appropriate management letters. *Only required for applicants that are not current recipients of LSC funding.* |
| ❑ | **Best Practice submission** | If you choose to do so, you may devote two pages per service area to describe innovative practices or ideas that promote collaborative partnerships and/or quality legal services to low-income people. Title these pages “Best Practices.” |

Preparing the Post-PQV Grant application

## General Guidelines

The Post-PQV grant application requires you to identify the status of each Tier 1 recommendation from the final PQV report and describe the actions taken or planned in response to each Tier 1 recommendation. In addition, you will describe significant changes or major developments in the delivery system that occurred since the PQV ended, and those that are anticipated during the grant year.

The responses to the Tier 1 recommendations and to these inquiries combined with the final PQV report supplant the standard grant proposal. You will respond to these inquiries using the online form at [https://lscgrants.lsc.gov](http://www.lscgrants.lsc.gov). [Here is an illustration](#PPQV_form_illustration) of the online form used to respond to these inquiries.

Provide the detail necessary to notify LSC of the course of action(s) taken and the reason(s) for it. Where the recommendation is not being implemented, in whole or in part, it is in your interest to fully explain your consideration of the recommendation and to demonstrate that efficient and effective high-quality services will be provided during the grant term based on your decision.

Use your word processing application to prepare responses to the Tier 1 recommendations and paste that information into the online form. Your response to each Tier 1 recommendation is to be concise and to the point and should not exceed one full type written page.

Some recommendations ask you to “consider” a certain course of action rather than to take it. As a practical matter, recommendations should be answered the same way whether they are worded as instructions to implement a course of action or to consider it. A response to a recommendation to “consider” an action that was rejected upon consideration is only sufficient if it demonstrates that the course of action was considered and explains why it was not pursued.

## Responding to Tier 1 Recommendations

The Post-PQV form requires you to use the drop-down menu provided to identify the status of each Tier 1 recommendation. In addition to identifying the status, use the text box provided to describe the actions taken or planned in response to each Tier 1 recommendation.

***Your action to date: The LSC recommendation has been implemented.***

In the event the recommendation has been fully implemented, you should select “has been implemented” from the drop-down menu provided. In the text box, describe what was done to make it clear that the recommendation was fully implemented. Information describing the impact of having implemented the recommendation and the anticipated outcomes is of interest to LSC and should be included except where the impact and outcomes are evident.

***Your action to date:*  *The LSC recommendation is being implemented.***

Where the recommendation is being implemented as suggested, you should select “is being implemented” from the drop-down menu provided. In the text box, describe any aspect of the recommendation that has been completed, what aspect(s) remain to be completed, and why. To the extent necessary, include such details as: a timeline including the tasks to be completed, staff involved, the expected benefits, and outcomes.

***Your action to date:* *The LSC recommendation is being implemented in part or with certain modifications.***

Where a recommendation is being implemented in part or with modifications, you should select “is being implemented in part or with modifications” from the drop-down menu provided. In the text box, describe the course of action taken and the reasons for it. Explain why the recommendation is not being fully implemented. Give the reasons why the partial implementation or modification better suits your program’s needs and/or supports more efficient or effective service delivery, or why full implementation is not possible or practical.

***Your action to date:* *The LSC recommendation is being considered.***

If you are still considering how, whether, or to what extent to implement the recommendation, select “is being considered” from the drop-down menu provided. In the text box, address the following in the response:

* + what is under consideration and why?
  + what factors are influencing the decision? If resources are at issue, discuss the costs and any less resource-intensive ways to accomplish the goals of the recommendation
  + when the decision is expected to be made
  + the key persons in the decision-making process

***Your action to date:* *The LSC recommendation is not being implemented.***

If the recommendation is not being implemented, select “is not being implemented” from the drop-down menu provided. In the text box, it is important to explain, in detail, why that course of action is being taken. If you agree with the goals of the recommendation but you do not have the resources to pursue it at this time, this conclusion should be supported with an explanation of the financial implication and the reason that following the recommendation is not possible or feasible at the present time. If you do not agree with the recommendation, that conclusion should be supported with a thorough explanation as to why the recommendation is not, in the light of all the circumstances, in the best interests of the client community and/or the program and would not lead to more efficient and/or effective service delivery.

## Significant Changes or Major Developments in the Delivery System

You are required to describe significant changes or major developments since the PQV ended, and those that are anticipated during the grant year for each of the four performance areas. If there have been no significant changes or major developments since the PQV ended, and none are anticipated during the grant year, state that in one sentence under the appropriate performance area. If there have been significant changes or major developments since the PQV ended, or changes or developments are anticipated during the grant year, provide a thorough discussion of that under the appropriate performance area. Where applicable, discuss actions you took or plan to take in response to the significant change(s) or major development(s) in the delivery system.

Below, by performance area, are examples of types of significant changes or major developments to report in the Post-PQV grant proposal that have occurred since the PQV ended, or which are anticipated during the grant year. This listing is not intended to be exhaustive. Address all significant changes to the delivery system and those anticipated during the grant year, even those not included in the list below.

**Examples of significant changes for Performance Area One:**

* + a decision to conduct or postpone a client needs assessment
  + change in program priorities
  + new emerging needs identified
  + strategic planning postponed or concluded
  + changing your legal services delivery system from full service to provision of limited services only
  + shifts of 20% or more in resource allocations for cases, other services, or support activities

**Examples of significant changes for Performance Area Two**

* + opening or closing of offices
  + change in intake process such as implementing centralized or coordinated intake,  launching online intake or decrease/increase of intake hours of 10% or more
  + adoption of new Limited English Proficiency Plan
  + changing your legal services delivery system from a branch office delivery structure of three or more offices to one central office

**Examples of significant changes for Performance Area Three**

* + increases or decreases in advocacy staff of 20% or more
  + changes in legal work management (e.g., implementation of practice groups, adoption of new case management protocols/standards, changes in supervisory structure)
  + implementation of new projects (e.g., veteran’s projects, foreclosure clinics, medical/legal projects, pro bono initiatives)
  + new developments in PAI activities (pro bono hotlines, clinics, collaborations with law firms, co-counseling)
  + changing your legal services delivery system from a staff model to a Judicare model

**Examples of significant changes for Performance Area Four**

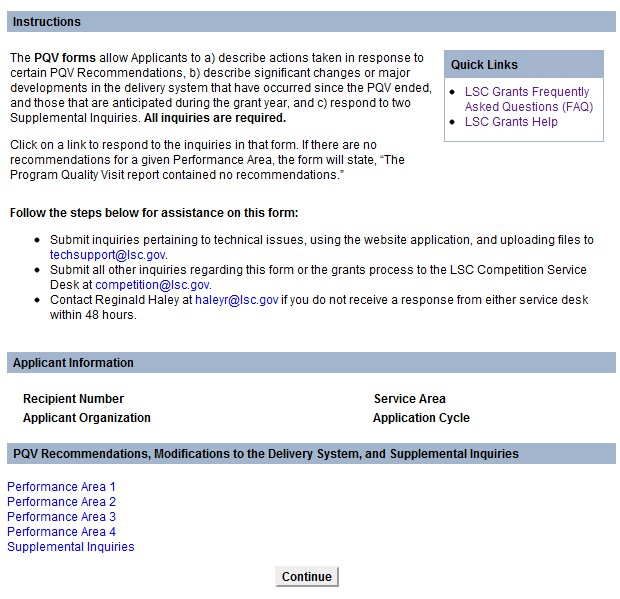
* + a fundamental change to the delivery system described in your PQV report
  + a change to your corporate structure
  + changes in senior management structure
  + disasters and responses to disasters
  + increase or decrease in non-LSC funding of 20% or more
  + significant changes in technology (e.g., acquisition of phone system or case management system)
  + major new partnerships/collaborations (e.g., with other LSC grantees, agencies, state bar, law schools)
  + new resource development strategies

## Grant Proposals for Multiple Service Areas

You will complete a separate Post-PQV grant proposal for each service area in which you receive funding. Each service area’s grant proposal will contain only those Tier 1 recommendations that are relevant to that service area.

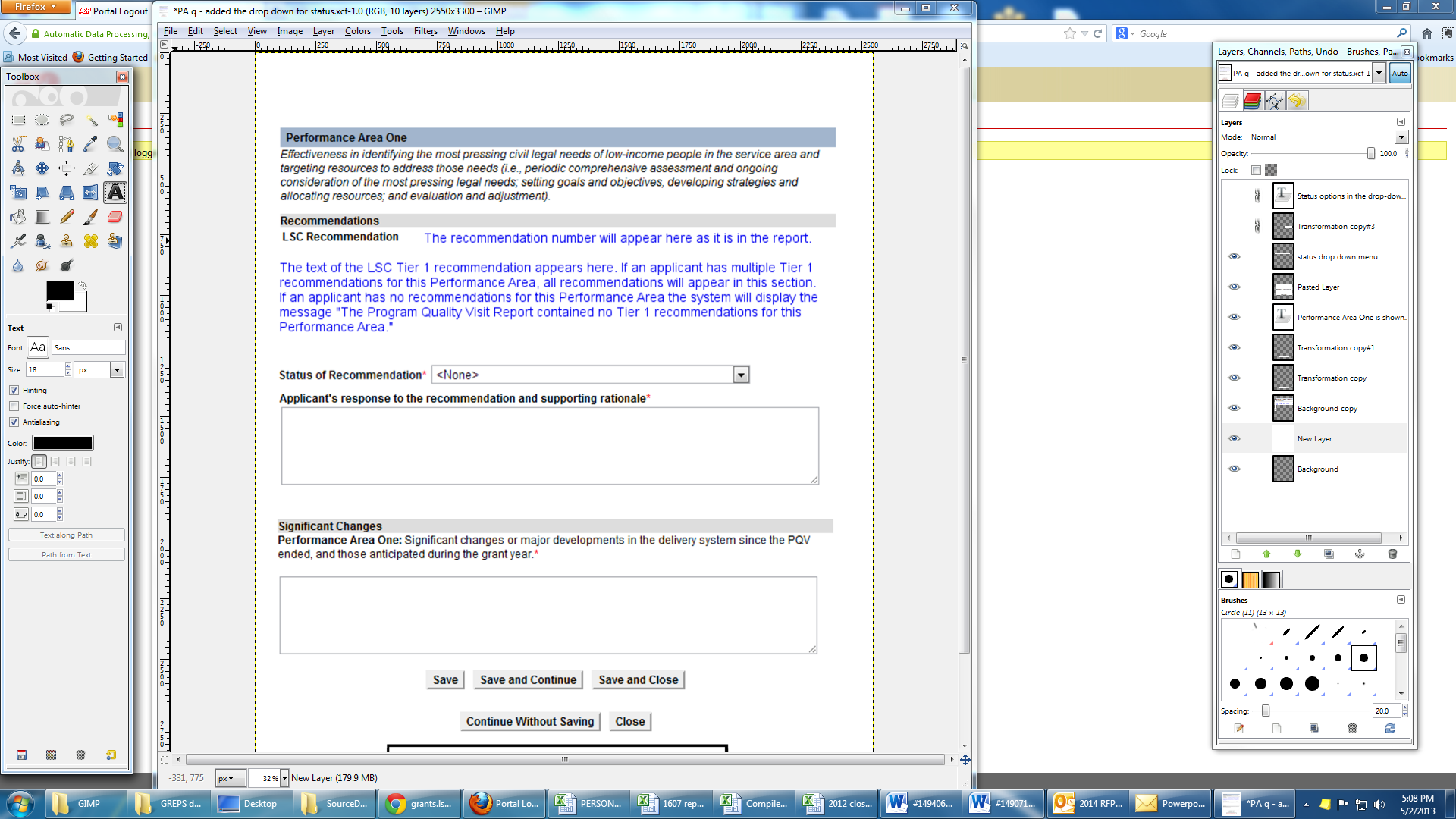
## Accessing and Using the Post-PQV Forms

Once you log into the online system at [https://lscgrants.lsc.gov](http://www.lscgrants.lsc.gov), click on the “Post-PQV form and RFP Charts” link on the navigation bar on the left side of the screen. The next screen will provide a link for each of the four Performance Areas, as well as for the supplemental inquiries as shown below.



To begin responding to the Tier 1 Recommendations and RFP Charts, click on the link for the respective Performance Area. The system will open the page for that Performance Area, and display all of the Tier 1 Recommendations and RFP Charts associated with that Performance Area.

Below, an example is shown for Performance Area One. Each Performance Area will have a comparable form with the Tier 1 Recommendations for that Performance Area. At the bottom of the form, links to the RFP Charts for this Performance Area are provided.



Use the drop-down menu to indicate the status of the Tier 1 recommendation. The choices are:

* Implemented
* Being implemented
* Being implemented in part or with certain modifications
* Being considered
* Not being implemented

A link is provided for each RFP chart. In this example, seven of the charts are shown for Performance Area One.

To respond to the RFP Chart, click on the link and the chart will open. When your response is complete, click on the “Save and Return to Performance Area” button at the bottom of the chart page and the system will redirect you back to the Performance Area page.

|  |
| --- |
| RFP Charts Related To Performance Area One |
| * Needs Assessment Data * Legal Needs Assessment Data Collection Methods * Legal Needs Assessment Data Sources and Tools * Applicant’s most recent strategic planning process * Outcomes Data * Priorities, Goals, Strategies and Desired Outcomes * Outcomes Met for Previous Priorities |

**The full list of RFP Charts, by performance Area, is shown below.**

|  |
| --- |
| **Performance Area One** |
| 1. Needs Assessment Data 2. Legal Needs Assessment – Data Collection Methods 3. Legal Needs Assessment – Data Sources and Tools |
| 1. Priorities, Goals, Strategies and Desired Outcomes 2. Outcomes Data |
| 1. Applicant’s Most Recent Strategic Planning Process 2. Outcomes Met for Previous Priorities |
| **Performance Area Two** |
| 1. Intake 2. Intake Policies or Procedures 3. Intake Evaluation 4. Days and Hours of Intake by Type 5. Intake System Technology 6. Intake Methods: Relative Percent and Time Elapsed Before Receiving Service |
| 1. LEP Plan and Components |
| **Performance Area Three** |
| 1. Training |
| 1. Legal Work Management 2. Casehandling Protocols 3. Case Development Activities |
| 1. Bar Admission 2. Advocacy 3. Accomplishments for Clients (Excluding PAI) 4. Decrease in total staff case closures of more than 20% |
| 1. Private Attorney Involvement 2. Private Attorney Involvement Activities 3. Methods Used to Recruit Private Attorneys 4. Methods Used to Retain Private Attorney Volunteers 5. Accomplishments for Clients through PAI 6. Decrease in total PAI case closures of more than 20% |
| 1. Involvement with Justice and Advocacy Community |

|  |
| --- |
| **Performance Area Four** |
| 1. Board Data 2. Board Committees and Frequency of Meetings 3. Evaluations of the Executive Director |
| 1. Continuity of Operations Planning |
| 1. Evaluations of Staff |
|  |

Other Requirements

## Client Success Stories

All applicants are required to submit client success stories from the past calendar year. All client success stories must follow the example and use the template provided at the LSC Grants upload site.

* Your client success stories may be derived from your “accomplishments for clients” and from your “involvement with the justice and advocacy community” that you discuss under Performance Area Three. However, all client success stories must follow the example and be in the format of the template provided.
* You are required to provide a minimum of two client success stories. However, if your service area covers more than one Congressional district, please include at least one client success story for each district.
* Please do not submit client stories for Agricultural Workers.
* You may supplement the client success stories with related photos or videos. (See the waiver notice included in the template for clients to release photos.) **Please note:**
* your client photo uploads cannot exceed 15 MB per image
* you must post any client story videos to a service such as YouTube and you must provide the link to the video in client stories template.
* Use the file naming conventions below for your client story submission(s).

Client Stories (#), or Client Photos (#a, b…)

[year and state]

[applicant number]

[service area]

[congressional district code]

Below is an example of the file names for a client story and a client photo from the CO1 congressional district of Colorado.

* Client Stories #1– 2017 Colorado – 706060 – CO-6 – CO1
* Client Photos *#1a* – 2017 Colorado – 706060 – CO-6 – CO1

If there is another client photo for the CO1 congressional district, the file name would be:

* Client Photos *#1b* – 2017 Colorado – 706060 – CO-6 – CO1

A weight is not assigned to the client success stories; nor will they impact grant award decisions. However, LSC may feature selected client success stories in meetings with members of Congress, on (its) our website, and in other published materials.

Please email LSC at [lscgrants@lsc.gov](mailto:lscgrants@lsc.gov) and [longw@lsc.gov](mailto:longw@lsc.gov), if you have questions regarding client success stories.

## Governing/Policy Body

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

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

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

Compliance with 45 C.F.R. § 1607.3 is determined based on filled board positions. If you do not have a board that complies with 45 C.F.R. § 1607.3 you are required to submit a plan to meet the requirement along with their grant application. Your plan must address the following:

1. In consideration of applicant’s bylaws, identify the number of vacant:

* client board positions to be filled in order to be in compliance
* attorney board positions to be filled in order to be in compliance
* McCollum attorney board positions to be filled to be in compliance

1. Identify the names of the appointing organizations you are in contact with for filling the client and/or attorney board positions
2. Describe your strategy, including timeline, for coming into compliance with 45 C.F.R. § 1607.3

## 2019 Technology Plan

Upload your Technology Plan for 2019 as a separate PDF file. Include the following information on the title page or header of the Technology Plan: your program’s name, applicant number, and “2019 Technology Plan.”

Your technology plan should address your current and planned uses of technology in all facets of your program’s operations, including how you use technology to innovate and improve services. At a minimum, the technology plan should address your use of technology in the following areas: management of client and case data, intake (including online), telephone advice, case management, case supervision, document management, needs assessments, resource development, support for private attorneys, use of websites and other web-based resources, data security, and training. Consult “Technologies That Should Be in Place in a Legal Aid Office Today” at [http://tig.lsc.gov/sites/default/files/TIG/pdfs/LSC-Technology-Baselines-2016.PDF](http://tig.lsc.gov/sites/default/files/TIG/pdfs/LSC-Technology-Baselines-2015.PDF) before preparing your technology plan.

You are encouraged to review LSC's technology planning resources, including sample technology plans at <http://www.lsc.gov/grants-grantee-resources/grantee-data/grantee-technology>.

## Current Year PAI Plan Instruction

You are required to upload the current year PAI Plan as a separate PDF file. Review 45 C.F.R. Part 1614 before developing the Private Attorney Involvement (PAI) plan.

Include the following information on the title page or header of the PAI plan: your program name, your program number, and “2018 of PAI Plan.” Use form D-13 to prepare and submit the PAI Budget.

Ata minimum, yourPAI plan must address each of the requirements of 45 C.F.R.§ 1614.6. These are threshold requirements and are referenced below. If your PAI plan does not address these threshold requirements, include a supplemental response with the PAI plan that does. Upload the current year PAI Plan (and supplement if necessary) as a single PDF file.

**Pursuant to 45 C.F.R. § 1614.6, the PAI Plan shall:**

1. Address the legal needs of eligible clients in the geographical area (service area) served by the applicant consistent with your priorities (see 45 C.F.R. §1614.6(a)(1)).

1. Describe the mechanisms available for private attorneys, law students, law graduates, or other professionals to participate in applicant’s delivery of legal services (see 45 C.F.R. § 1614.6(a)(2)). In the description discuss separately how applicant will involve each category (private attorneys, law students, law graduates, or other professionals) in your program’s work through, for example: full service representation; special projects; hotlines or provision of telephone advice; provision of “live chat” or other online information or advice; pro se clinics; interpreters with LEP clients; community education; writing pamphlets; co-counseling or otherwise participating in major litigation; transactional work; contributing to websites; technical assistance; mentoring staff; and staff training or other opportunities. State whether the private attorneys, law students, law graduates, or other professionals are participating as pro bono, by contract for reduced fee, or judicare.
2. Discuss your consultations with the client community, law schools, business leaders, private attorneys, and bar associations in the service area in the development of the PAI plan, and the results of those consultations (see 45 C.F.R. § 1614.6(a)(3)).

## Organization Chart and Overview of your Organization and Delivery System

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

The overview is submitted as an online form. Instructions for preparing the overview are provided below and with the online form.

## Preparing the Organization Chart and the Overview of your Organization and Delivery System

The organization chart depicts the components of your organization including, the titles of the management and executive positions responsible for those components, the number of staff positions in each component and any subsidiary or affiliate organizations.

The overview contains: 1) a concise description of the geographical and cultural characteristics of your service area(s); 2) a description of the delivery system including your organizational structure, any subsidiary or affiliate organizations, and the scope of legal services provided; and 3) the delivery methods employed, and the distinctive characteristics of your organization. LSC may use excerpts from the overview in publications and presentations.

**Describe the geographical, demographic, and cultural characteristics of the service area.** discuss whether the service area is either urban or rural or a mix, and explain which counties or cities (or the number of counties or cities) classify it as such. If there have been significant changes, explain what those changes are and how those changes affect the eligible client population of the service area. If there have been no significant changes, indicate this and explain the characteristics that have consistently affected the eligible client population. In describing the distinctive characteristics of the service area discuss the service area’s poverty, changes in population, area-specific legal issues, or other such characteristics.

**Describe your legal service delivery system.** State whether you provide a full range of services, i.e., extended services including contested cases and limited services, and a full range of case types. State whether the full range of service covers the entire service area.  Identify the other major providers the Applicant relies on to ensure a full range of legal services provided throughout the service area. Describe the legal services provided by the other major providers in the service area and identify how those services complement the services you provide. Discuss the most recent evaluation of the services provided by the other major providers, including any changes to the delivery system as a result of the evaluation. Identify any Memoranda of Understanding or other similar agreements, you have with major legal services providers in the service area.

## Describe the service delivery methods and distinctive characteristics of your organization. Address the service delivery method(s) employed (e.g., specialized law units, legal helplines, impact litigation, compensated and pro bono private attorney models, pro se). This description should also include the most distinctive characteristics of your organization.

Questions about the Post-PQV RFP and LSC Contact Information

If you have questions about the Post-PQV RFP or application process, please contact the LSC Grants Services Desk at [lscgrants@lsc.gov](mailto:lscgrants@lsc.gov).

If you need assistance with our online application system, LSC Grants, or with our website, please contact LSC’s technical support team at [techsupport@lsc.gov](mailto:techsupport@lsc.gov).

Please contact Reginald Haley at [haleyr@lsc.gov](mailto:haleyr@lsc.gov) if you do not receive a response from either service desk within 48 hours.

Key Dates and Deadlines

|  |  |
| --- | --- |
| Notice of Intent to Compete Available | April 9, 2018 |
| Applicant Informational Session held. It is free and online. To participate, register online at: <https://www.lsc.gov/meetings-and-events/calendar/applicant-informational-webinar-post-program-quality-visit-application> | [April 26, 2018 (2:00 p.m. E.D.T.)](#AIS) |
| Notice of Intent to Compete Due Date | May 4, 2018 (5:00 p.m. E.D.T.) |
| Post-PQV RFP Published | May 14th for schedule “B” applicants  July 6th for schedule “C” applicants |
| Fiscal Grantee Funding Application Due Date | May 29, 2018 (5:00 p.m. E.D.T.) |
| Post-PQV Grant Proposal Due Dates | June 11, 2018 (5:00 p.m. E.D.T.) for applicants who have received a final PQV report by April 30, 2018 (i.e., schedule B applicants)  Aug. 6, 2018 (5:00 p.m. E.D.T.) for applicants who have received a final PQV report during the period May 1, 2018 through July 2, 2018 (i.e., schedule C applicants) |
| Grant Decisions Published | December 2018 |

Freedom of Information Act

The Freedom of Information Act and the associated LSC regulation may require the release of certain grant applications or documents to the public. In general, during the grants process, LSC will not release any grant documents that would cause competitive harm to an applicant. For more information about the availability of information submitted by an applicant, please refer to LSC’s Freedom of Information Act regulation, [45 C.F.R. Part 1602](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&r=PART&n=pt45.4.1602), and the Preamble to the Competitive Bidding for Grants and Contracts Regulation, [45 C.F.R. Part 1634.](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&n=45y4.1.3.11.35&r=PART&ty=HTML) LSC regulations are available at [http://www.lsc.gov/about-lsc/laws-regulationsguidance](http://www.lsc.gov/about-lsc/laws-regulations-guidance).

**2019 Grant Terms and Conditions**

If awarded a 2019 Basic Field Grant, you agree to the following terms and conditions, which will govern our relationship and your activities during the grant term:

1. **Grant Objective.** You will provide high-quality, economical, and effective civil legal services, consistent with applicable rules of professional conduct, the LSC Performance Criteria, ABA Standards for the Provision of Civil Legal Aid, and ABA Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means.
2. **Approved Grant Activities.** You will use your Basic Field Grant funds to deliver civil legal services according to the proposed delivery system described in your grant application (and any renewal grant applications), as modified by LSC or these grant terms and conditions.
3. **Restricted Activities.** Our statutes and regulations restrict you from performing certain activities and from representing specific categories of clients with your LSC funds and, in some cases, your other funds, such as private grant funds, charitable donations, and public funds (generally, activities performed with non-LSC tribal funds are not restricted). You may not perform restricted activities as stated in [the LSC Act](http://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title42-section2996b&num=0&edition=prelim), [the conditions on LSC’s annual appropriation](http://www.lsc.gov/about-lsc/laws-regulations-guidance/lsc-appropriations-acts-committee-reports), and [LSC regulations](https://www.ecfr.gov/cgi-bin/text-idx?SID=bb04fadbf7b71a5cfc2067c9b5f3b338&mc=true&tpl=/ecfrbrowse/Title45/45chapterXVI.tpl).

The following chart summarizes the major restricted activities and the funds affected. It does not list all restricted activities or all exceptions to and nuances of each restriction, or how each one applies to different types of funding. It is intended to help you issue-spot so that you can contact LSC’s Office of Compliance and Enforcement (OCE) for more detailed information and technical assistance on the scope of and exceptions to restricted activities. We also maintain online [guidance materials](http://www.lsc.gov/grants-grantee-resources/grantee-guidance) to facilitate your compliance with the restrictions.

| **Restricted ActivitIES**  **subject to limitations and exceptions established by law** | **LSC Funds** | **Private Funds** | **Public Funds** |
| --- | --- | --- | --- |
| **Abortion Litigation**—No participation in any abortion litigation. [Pub. L. 104-134, Tit. V, §504(a)(14)](http://www.lsc.gov/about-lsc/laws-regulations-guidance/lsc-appropriations-acts-committee-reports) | X | X | X |
| **Abortion Non-Litigation**—No participation in non-litigation activities involving abortions except for some therapeutic situations (but not against providers with religious or moral objections). [42 U.S.C. § 2996f(b)(8)](http://uscode.house.gov/view.xhtml?req=(title:42%20section:2996f%20edition:prelim)%20OR%20(granuleid:USC-prelim-title42-section2996f)&f=treesort&edition=prelim&num=0&jumpTo=true) | X | X | *—* |
| **Assisted Suicide**—No assisted suicide or euthanasia activities. [45 C.F.R. Part 1643](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&n=45y4.1.3.11.44&r=PART&ty=HTML) | X | X | — |
| **Census**—No influencing the time and manner of a census. [45 C.F.R. Part 1632](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&n=45y4.1.3.11.33&r=PART&ty=HTML) | X | X | X |
| **Class Actions**—No participation in any class actions. [45 C.F.R. Part 1617](http://www.ecfr.gov/cgi-bin/text-idx?SID=f1840eb4261a3dee42bf9bb2b56e94cc&mc=true&node=pt45.4.1617&rgn=div5) | X | X | X |
| **Criminal Cases**—No criminal cases, except for in tribal courts or some court appointments. [45 C.F.R. Part 1613](http://www.ecfr.gov/cgi-bin/text-idx?SID=f1840eb4261a3dee42bf9bb2b56e94cc&mc=true&node=pt45.4.1613&rgn=div5) | X | X | — |
| **Demonstrations and Strikes**—No engaging in or encouragement of public demonstrations, picketing, boycotts, or strikes. [45 C.F.R. Part 1612](http://www.ecfr.gov/cgi-bin/text-idx?SID=f1840eb4261a3dee42bf9bb2b56e94cc&mc=true&node=pt45.4.1612&rgn=div5) | X | X | — |
| **Desegregation of Public Schools**—No involvement in public-school desegregation proceedings. [42 U.S.C. § 2996f(b)(9)](http://www.lsc.gov/about-lsc/laws-regulations-guidance/lsc-act) | X | X | — |
| **Draft Registration or Desertion**—No involvement in proceedings involving selective service registration or desertion. [42 U.S.C. § 2996f(b)(9)](http://www.lsc.gov/about-lsc/laws-regulations-guidance/lsc-act) | X | X | — |
| **Elected Office**—Grantee attorneys may not run for partisan elected offices. [45 C.F.R. Part 1608](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&n=45y4.1.3.11.9&r=PART&ty=HTML) | X | X | X |
| **Evictions from Public Housing Involving Illegal Drugs**—No defense of persons charged with making, selling, or distributing illegal drugs in most public-housing evictions involving health and safety. [45 C.F.R. Part 1633](http://www.ecfr.gov/cgi-bin/text-idx?SID=f1840eb4261a3dee42bf9bb2b56e94cc&mc=true&node=pt45.4.1633&rgn=div5) | X | X | X |
| **Fee-Generating Cases**—No representation in fee-generating cases unless private lawyers are not available or the case meets one of the exceptions stated in [45 C.F.R. Part 1609](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&n=45y4.1.3.11.10&r=PART&ty=HTML). | X | X | — |
| ***Habeas Corpus***—No *habeas corpus* cases challenging criminal convictions. [45 C.F.R. Part 1615](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&n=45y4.1.3.11.16&r=PART&ty=HTML) | X | X | — |
| **Labor Training**—No trainings for labor or anti-labor activities, boycotts, strikes, demonstrations, or supporting activities. [45 C.F.R. Part 1612](http://www.ecfr.gov/cgi-bin/text-idx?SID=f1840eb4261a3dee42bf9bb2b56e94cc&mc=true&node=pt45.4.1612&rgn=div5) | X | X | X |
| **Lobbying—General**—No lobbying of any government office, agency, or legislature and no lobbying regarding oversight of LSC or its recipients, subject to the statutory exceptions below—No lobbying training. [45 C.F.R. Part 1612](http://www.ecfr.gov/cgi-bin/text-idx?SID=f1840eb4261a3dee42bf9bb2b56e94cc&mc=true&node=pt45.4.1612&rgn=div5) | X | X | X |
| **Lobbying—State and Local Funding**—A grantee may use non-LSC funds for lobbying on issues involving its own state or local funding. [45 C.F.R. Part 1612](http://www.ecfr.gov/cgi-bin/text-idx?SID=f1840eb4261a3dee42bf9bb2b56e94cc&mc=true&node=pt45.4.1612&rgn=div5) | X | — | — |
| **Lobbying—Public Rulemaking and Government Requests**—A grantee may use non-LSC funds for responding to public rulemakings or to written requests from the government.  [45 C.F.R. Part 1612](http://www.ecfr.gov/cgi-bin/text-idx?SID=f1840eb4261a3dee42bf9bb2b56e94cc&mc=true&node=pt45.4.1612&rgn=div5) | X | — | — |
| **LSC Lawsuits**—No filing or pursuing a lawsuit against LSC. [Pub. L. 104-134, Tit. V, § 506](http://www.lsc.gov/about-lsc/laws-regulations-guidance/lsc-appropriations-acts-committee-reports#FY1996) | X | — | — |
| **Non-Citizens**—No representation of non-U.S. citizens unless specifically allowed by statute or regulation. [45 C.F.R. Part 1626](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=&r=PART&n=45y4.1.3.11.27). Major statutory exceptions include:   * permanent residency and limited other lawful statuses * victims of domestic violence, trafficking, and other abuses * special situations such as international child abduction and citizenship in certain Native American tribes or Pacific island nations. | X | X | X |
| **Organizing**—No organizing any association, federation, labor union, coalition, network, alliance, or similar entity. [45 C.F.R. Part 1612](http://www.ecfr.gov/cgi-bin/text-idx?SID=f1840eb4261a3dee42bf9bb2b56e94cc&mc=true&node=pt45.4.1612&rgn=div5) | X | X | — |
| **Political Activities (Other Than Lobbying, Organizing or Training)**—No participation in political activities, election campaigns, ballot measures, initiatives or referendum, voter registration, or voter assistance. [45 C.F.R. Part 1608](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&n=45y4.1.3.11.9&r=PART&ty=HTML) | X | X | — |
| **Political Tests.** No political test for any decision or actions. [45 C.F.R. Part 1608](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&n=45y4.1.3.11.9&r=PART&ty=HTML) | X | X | X |
| **Political Training**—No trainings for or providing information about lobbying, political activities, advocacy for public policies, or supporting activities. [45 C.F.R. Part 1612](http://www.ecfr.gov/cgi-bin/text-idx?SID=f1840eb4261a3dee42bf9bb2b56e94cc&mc=true&node=pt45.4.1612&rgn=div5) | X | X | X |
| **Prisoner Representation**—No civil litigation for prisoners. [45 C.F.R. Part 1637](http://www.ecfr.gov/cgi-bin/text-idx?SID=f1840eb4261a3dee42bf9bb2b56e94cc&mc=true&node=pt45.4.1637&rgn=div5) | X | X | X |
| **Prohibited Activities Support**—No communications or expenses associated with most of the restrictions. [Pub. L. 104-134, Tit. V, § 504(a)(6)](http://www.lsc.gov/about-lsc/laws-regulations-guidance/lsc-appropriations-acts-committee-reports#FY1996) | X | X | X |
| **Redistricting**—No involvement in any legislative, judicial, or elective redistricting. [45 C.F.R. Part 1632](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&n=45y4.1.3.11.33&r=PART&ty=HTML) | X | X | X |
| **Rioting and Illegal Activity**—No grantee employee may engage in or encourage rioting, civil disturbances, or violations of law, court injunctions, or professional rules for attorneys. [45 C.F.R. Part 1612](http://www.ecfr.gov/cgi-bin/text-idx?SID=f1840eb4261a3dee42bf9bb2b56e94cc&mc=true&node=pt45.4.1612&rgn=div5) | X | X | X |
| **Solicitation In-Person**—No representation of persons after giving them unsolicited, in-person advice to take legal action (or obtain a lawyer) for their specific legal problems. [45 C.F.R. Part 1638](http://www.ecfr.gov/cgi-bin/text-idx?SID=f1840eb4261a3dee42bf9bb2b56e94cc&mc=true&node=pt45.4.1638&rgn=div5) | X | X | X |
| **Welfare Reform**—No activities involving welfare reform other than cases for individual benefits or otherwise allowed uses of non-LSC funds for responding to government requests or public rulemakings. [45 C.F.R. Part 1639](http://www.ecfr.gov/cgi-bin/text-idx?SID=f1840eb4261a3dee42bf9bb2b56e94cc&mc=true&node=pt45.4.1639&rgn=div5) | X | X | X |

1. **Fundamental Changes to Approved Grant Activities.** You must notify the Office of Program Performance (OPP) in writing at least 30 days before implementing a *planned* fundamental change to your Approved Grant Activities; for an *unplanned* fundamental change, notify OPP immediately after implementing it. The written notice must 1) describe the proposed change and the reason for it; 2) assess the change’s impact on the grant objectives; 3) describe options for minimizing the impact; and 4) estimate the cost, if any. Examples of a “fundamental change” for this purpose include changing your approved legal services delivery system 1) from full service to provision of limited services only; 2) from a branch office delivery structure of three or more offices to one central office; or 3) from a staff model to a Judicare model. If you are unsure whether a proposed changed would be considered “fundamental,” please call LSC’s Office of Program Performance.
2. **Changes to Your Operations, Corporate Structure, or Grantee Status.** You must notify OPP in writing 60 days before merging or consolidating with another legal services provider; changing your entity status, name, or brand; or voluntarily terminating your Basic Field Grant.
3. **Grantee Reporting Requirements.** You must notify LSC (by emailing [granteeupdates@lsc.gov](mailto:granteeupdates@lsc.gov)) within 15 calendar days of taking the following actions:

* You decide to close or relocate any main or branch office;
* Your governing body chairperson resigns, retires, or is removed from service (including the new chairperson’s name, telephone number, and e-mail address);
* Your chief executive or financial officer resigns, retires, or is removed from service (including the new chief executive or financial officer’s name, telephone number, and e-mail address);
* You are insolvent, or are in danger of becoming insolvent within three months’ time;
* Your primary e-mail or website address (URL) changes; or
* You amend your charter, articles of incorporation, by-laws, or governing-body structure.

You must notify OCE, according to the respective regulatory processes and timeframes, whenever:

* You have been served with an attorneys’ fee claim that LSC may be required to pay (see [42 U.S.C. § 2996e(f)](http://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title42-section2996e&num=0&edition=prelim)). Please forward a copy of the corresponding attorneys’ fees petition;
* You wish to use LSC funds to purchase real property *or* to purchase or lease personal property of a certain current market price *or* to award a contract for services that exceeds $25,000 (see [45 C.F.R. Parts 1630](https://www.ecfr.gov/cgi-bin/text-idx?SID=38764ed615d1cca7a33140703a7e62df&mc=true&node=pt45.4.1630&rgn=div5) and 1631);
* A monetary judgment, settlement, sanction, penalty, or force majeure event will substantially impact your delivery of legal services; or
* Any of your key officials (e.g., officers and executive team members) or employees with control over grantee finances or financial management responsibilities, are charged with fraud, misappropriation, embezzlement, theft, or any similar offense, or are suspended, disciplined, or delicensed by a bar or other professional licensing organization.

You are also required [to annually and semiannually report](http://www.lsc.gov/grants-grantee-resources/grantee-guidance/lsc-reporting-requirements) certain data about your grant activities to LSC (e.g., [Grant Activity Reports (GAR)](http://www.lsc.gov/grant-activity-reports) and [Case Disclosure Reports](http://www.lsc.gov/sites/default/files/Grants/pdfs/prgltr5.pdf)).

Other OIG related reporting requirements can be found in paragraph 7 (relating to annual audits) and paragraph 16 (relating to fraud prevention).

Instructions on how to report this information to LSC are available at <http://www.lsc.gov/grants-grantee-resources/grantee-guidance/lsc-reporting-requirements>.

1. **Governance and Programmatic Requirements.** To help you achieve your grant objective, you must comply with the following governance and programmatic requirements within 60 days of receiving your Basic Field Grant award:

| **Governance and Programmatic ReQuirements** |
| --- |
| **Incorporation**—You will be incorporated in the state where you provide legal services. [45 C.F.R. § 1607.3(a)](http://www.ecfr.gov/cgi-bin/text-idx?SID=ebfcd4356db205bc37853bba6715ff39&mc=true&node=pt45.4.1607&rgn=div5) |
| **Governing Body**—You will have a board of directors or other body with authority to govern your activities that reasonably reflects eligible clients’ interests and whose members are supportive of LSC’s mission and are knowledgeable of or interested in delivering high-quality legal services to the poor. Specifically, at least sixty percent of your governing body members must be attorneys. A majority of governing body members must be attorneys appointed by the governing body or bodies of the state, county, or municipal bar associations whose members represent a majority of attorneys practicing law in your service area. At least one-third of the governing body members must be client-eligible and appointed by diverse client and community groups of your choosing. Your governing body may appoint the remaining members or they may be selected pursuant to your bylaws or policies. [45 C.F.R. Part 1607](http://www.ecfr.gov/cgi-bin/text-idx?SID=ebfcd4356db205bc37853bba6715ff39&mc=true&node=pt45.4.1607&rgn=div5) |
| **Annual Audits—**You must annually arrange for an audit of your financial records in accordance with generally accepted government auditing standards and guidance promulgated by the LSC Office of the Inspector General (OIG), including the [Audit Guide for Recipients and Auditors](https://www.oig.lsc.gov/2-uncategorised/197-audit-guide-for-recipients-and-auditors-november-1996) and its [Compliance Supplement](https://www.oig.lsc.gov/images/pdfs/ipa_resources/April_2016_Compliance_Supplement.pdf). You must notify the OIG within 30 calendar days of changing your Independent Public Accountant (IPA). If you fail to conduct an OIG-compliant audit, LSC may impose sanctions, including withholding a percentage or suspending all of your funding until the audit is satisfactorily competed, imposing additional grant conditions, or requiring corrective actions. You may not charge any costs of non-compliant audits to your Basic Field Grant. |
| **Conflicts of Interest and Whistleblower Protection—**You must have (1) a written conflict of interest policy that covers both staff and board members, and (2) a written whistleblower policy that requires staff to report unlawful or unethical activity (i.e., violation of any law, policy, or regulation; abuse of authority; gross waste of funds; fraud; embezzlement; theft; improper destruction of records; or providing false information) and prohibits retaliation. Staff must have access to the policies and be trained on them. |
| **Purchasing Policy**—You must have a written purchasing policy that establishes (1) competition thresholds, (2) the bases for non-competitive purchases, (3) the level of documentation necessary to justify purchases, (4) certain internal controls (5) procedures to ensure quality and cost control in purchasing, and (6) procedures for identifying and preventing conflicts of interest in the purchasing process. 45 C.F.R. Part 1631 |
| **Records Management.** You should establish a Records Management Policy that includes a record retention and disposal schedule. You must retain the following types of records as follows:   * closed client files for at least five years or for the period of time set by federal, state, local, or professional ethics rules on record maintenance, whichever is longer; * all grant-related records during and after the grant term as prescribed by the Accounting Guide for LSC Recipients, Appendix II; and * original financial records and supporting documentation (or digital images of originals unless otherwise required by applicable law) sufficient for LSC to audit and determine whether the costs incurred and billed are reasonable, allowable and necessary under the terms of the grant, as prescribed by the Accounting Guide for LSC Recipients, Appendix II. |
| **Outside Practice of Law—**You must adopt a policy on outside practice of law by full-time attorneys that complies with the LSC Act, 45 C.F.R. Part 1604, and applicable rules of professional conduct. You may adopt additional restrictions as necessary to meet your professional obligation to clients. [45 C.F.R. Part 1604](http://www.ecfr.gov/cgi-bin/text-idx?SID=ebfcd4356db205bc37853bba6715ff39&mc=true&node=pt45.4.1604&rgn=div5) |
| **Client Financial Eligibility Screening**—Only individuals and groups that are financially eligible may receive legal assistance supported by your Basic Field Grant funds. You must adopt a policy establishing how you will screen perspective individual and group clients for financial eligibility. Financially eligible individuals are limited to households whose annual incomes do not exceed 125% of the Federal Poverty Guidelines amounts. Your policy must set reasonable asset ceilings for households. [45 C.F.R. Part 1611](http://www.ecfr.gov/cgi-bin/text-idx?SID=ebfcd4356db205bc37853bba6715ff39&mc=true&node=pt45.4.1611&rgn=div5) |
| **Client Citizenship Eligibility Screening**—Only individuals and groups that are US citizens and eligible non-citizens may receive legal assistance from you. This requirement applies to your Basic Field Grant funds, other LSC funds, and most non-LSC funds. You must adopt a policy establishing how you will screen perspective individual and group clients for citizenship eligibility. [45 C.F.R. Part 1626](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=&r=PART&n=45y4.1.3.11.27) and [45 C.F.R. Part 1610](https://www.ecfr.gov/cgi-bin/text-idx?SID=4e34e775b58503730ae2b956305a6b33&mc=true&node=pt45.4.1610&rgn=div5) |
| **Client Appeals**—You must adopt a policy for deciding when you will appeal trial court or tribunal cases funded by your Basic Field Grant award. The policy must discourage frivolous appeals and give appropriate consideration to resource allocation priorities, but it must not interfere with your attorneys’ professional responsibilities. [45 C.F.R. Part 1605](http://www.ecfr.gov/cgi-bin/text-idx?SID=ebfcd4356db205bc37853bba6715ff39&mc=true&node=pt45.4.1605&rgn=div5) |
| **Private Attorney Involvement (PAI)**—You must devote an amount equal to at least 12.5% of your Basic Field Grant award to involving private attorneys, law students, law graduates, and other professionals in your legal services program. [45 C.F.R. Part 1614](http://www.ecfr.gov/cgi-bin/text-idx?SID=ebfcd4356db205bc37853bba6715ff39&mc=true&node=pt45.4.1614&rgn=div5) |

1. **Statewide Website Obligations**. As an LSC grantee, you will work with other legal aid providers in your state to ensure that there is a statewide website that publishes a full range of relevant and up-to-date self-help materials, legal information, and referral resources on the most common issues facing client communities. If one exists, you must seek to participate on your state’s statewide-website committee, where you should work to ensure that (1) targeted outreach informing the client community of the website and how to use it is performed; (2) the website is periodically evaluated and updated for ease-of-use and accessibility compliance; and (3) the website has a disclaimer indicating that LSC-funded programs participate in the website consistent with LSC restrictions. If your statewide website uses either the LawHelp or Open Source template, you must ensure that the template’s original scope of functionality is maintained.
2. **Nondiscrimination in Hiring, Procurement, and Legal Services Delivery**. You will not discriminate against employees or applicants for employment, or any person seeking services from you or another program supported by any of your Basic Field Grant funds on the basis of race; color; religion or creed; sex (including pregnancy, childbirth, and related medical conditions); age (40 and older); national origin or ancestry; disability; citizenship status; sexual orientation; gender identity; genetic information; veteran status; or any applicable state or local protected classes. You will not contract or partner with individuals or entities whose practices have the effect of subjecting employees or qualified applicants for employment to unlawful discrimination. You must have, or will adopt shortly after receiving our Basic Field Grant, equal employment opportunity and sexual harassment policies that contain an effective discrimination complaint-processing system.
3. **Requests for Records**. During normal business hours and upon request, you must provide LSC, the LSC Office of Inspector General (LSC OIG), their respective agents, and other entities with oversight or investigative authority, e.g., the Government Accountability Office (GAO), (collectively “Authorized Entities”), with access to and copies of records to which they are legally entitled. You must provide records, responses to requests for records, and withholding or redaction information through the Authorized Entity’s specified process, including format and timelines. (LSC’s process is established in the [Access to Records Protocol.](http://www.lsc.gov/sites/default/files/LSC/pdfs/LSC-Access-Protocol-2015.pdf) The LSC OIG does *not* follow this protocol.) Nothing in these or other LSC grant terms and conditions limits the authority of any Authorized Entities to obtain these records or your obligation to provide them.
4. **Requests for Information**. During normal business hours and upon request, you must provide Authorized Entities with information to which they are legally entitled. When requested, you must also provide LSC with information about your program activities and finances (e.g., special grant conditions) and information needed to respond to congressional inquiries, to inform potential policy or administrative changes, or to make data-driven funding decisions (e.g., informal surveys, data requests, or questionnaires). You must provide all information (or withhold information, where legally entitled to do so), through the Authorized Entity’s specified process, including answering interrogatories, participating in meetings and interviews, and format and timelines.
5. **Oversight, Audits, and Investigations of Grantee Activities.** Authorized Entities may oversee, audit, monitor, or investigate your operations. You will cooperate with Authorized Entities during their programmatic, compliance, or other oversight evaluations, audits, monitoring, and investigations, and will timely and satisfactorily resolve any resulting findings, recommendations, significant deficiencies, material weaknesses, corrective actions, disallowed costs, fines, or penalties.
6. **No Discipline or Retaliation for Good-Faith Cooperation or Release of Records or Information**. You will not take or threaten to take any disciplinary other retaliatory action against any person who, in good faith and consistent with applicable laws and professional conduct rules, cooperates with or releases appropriate information or records to an Authorized Entity. You will notify your employees and volunteers of this policy in writing.
7. **Compliance with LSC Laws, Regulations, and Guidance**.You will comply with the [LSC Act of 1974, as amended](http://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title42-section2996b&num=0&edition=prelim); LSC regulations at [45 C.F.R. Part 1600](http://www.ecfr.gov/cgi-bin/text-idx?gp=&SID=ebfcd4356db205bc37853bba6715ff39&mc=true&tpl=/ecfrbrowse/Title45/45chapterXVI.tpl), et seq.; [LSC’s applicable appropriations acts](http://www.lsc.gov/about-lsc/laws-regulations-guidance/lsc-appropriations-acts-committee-reports); and any other applicable laws, rules, regulations, policies, guidelines, instructions, or other directives from LSC, both procedural and substantive, including:

* [LSC Audit Guide for Recipients and Auditors](https://www.oig.lsc.gov/aud/audguide/agmenu.htm),
* [The Accounting Guide for LSC Recipients (2010 edition)](http://www.lsc.gov/grants-grantee-resources/grantee-guidance), and
* [The CSR Handbook (Rev. 2017)](http://www.lsc.gov/grants-grantee-resources/grantee-guidance/reporting-requirements/case-service-reporting).

You will also comply with any new or amended LSC laws, regulations, or guidance that become effective before or during the grant term. LSC provides a number of [statutory and regulatory compliance guidance materials](http://www.lsc.gov/grants-grantee-resources/grantee-guidance) for your reference, and you are always encouraged to contact us with compliance questions or requests for technical assistance.

1. **Compliance with Federal Laws on the Proper Use of Federal Funds** ([45 C.F.R Part 1640](https://www.ecfr.gov/cgi-bin/text-idx?SID=bb04fadbf7b71a5cfc2067c9b5f3b338&mc=true&node=pt45.4.1640&rgn=div5)).Your LSC grant funds are federal funds for purposes of [federal laws relating to the proper use of federal funds](https://www.ecfr.gov/cgi-bin/text-idx?SID=bb04fadbf7b71a5cfc2067c9b5f3b338&mc=true&node=pt45.4.1640&rgn=div5). If you, your employees, or board members violate any of [those federal laws](https://www.lsc.gov/45-cfr-part-1640-applicable-federal-laws), LSC may immediately terminate your grant as authorized by [45 C.F.R. § 1640.4](http://www.ecfr.gov/cgi-bin/text-idx?SID=ebfcd4356db205bc37853bba6715ff39&mc=true&node=pt45.4.1640&rgn=div5). You certify that you have informed your employees and board members about these laws and the individual and organizational consequences of violating them.
2. **Fraud Prevention Obligations and Procedures**. You must notify the LSC OIG Hotline (800-678-8868, 202-295-1670, or [hotline@oig.lsc.gov](mailto:hotline@oig.lsc.gov)) within 2 business days of

* discovering information indicating that you have been the victim of a loss of $200 or more as a result of any willful misrepresentation or theft, fraud, misappropriation, embezzlement, or theft involving property, client funds, LSC funds, and/or non-LSC funds used for the provision of legal assistance;
* reporting a crime to local, state, or federal law enforcement officials;
* discovering that you have been the victim of a theft of items such as credit cards, check stock, passwords, or electronic access codes that could lead to a loss of $200 or more; or
* that any of your key officials or employees with control over your finances are charged with fraud, misappropriation, embezzlement, theft, or any similar offense, or are suspended or disciplined by a professional licensing organization.

You must notify OIG regardless of whether the funds are recovered. Once you determine that a reportable event has occurred, contact the OIG *before* initiating your own investigation into the matter.

1. **Cost Standards and Procedures** ([45 C.F.R. Part 1630](http://www.ecfr.gov/cgi-bin/text-idx?SID=ebfcd4356db205bc37853bba6715ff39&mc=true&node=pt45.4.1630&rgn=div5)). All costs charged to an LSC grant, including your Basic Field Grant, must have been incurred while executing the grant, must be reasonable and necessary to the grant, and must be adequately and contemporaneously documented in your business records. Costs that do not comply with our cost standards may be questioned and disallowed as provided at LSC regulations at Part 1630.
2. **Carryover Funds** ([45 C.F.R. Part 1628](http://www.ecfr.gov/cgi-bin/text-idx?SID=ebfcd4356db205bc37853bba6715ff39&mc=true&node=pt45.4.1628&rgn=div5)). All LSC-related derivative income is subject to LSC’s cost standards at Part 1630. If you want to carry over 10% or more of your LSC funds from one grant year to another, you must request a fund balance waiver from OCE according to the regulatory process and timelines established in [45 C.F.R. Part 1628](http://www.ecfr.gov/cgi-bin/text-idx?SID=ebfcd4356db205bc37853bba6715ff39&mc=true&node=pt45.4.1628&rgn=div5).
3. **Grant Term and Renewal**. LSC awards Basic Field Grants for up to a 3-year term. You may be required to agree to special grant conditions as a condition of receiving a Basic Field Grant. Multi-year grants must be renewed each year. Upon renewal, additional terms and conditions may apply.
4. **Termination, Limited Reduction of Funding, and Debarment Procedures** ([45 C.F.R. Parts 1606](http://www.ecfr.gov/cgi-bin/text-idx?SID=ebfcd4356db205bc37853bba6715ff39&mc=true&node=pt45.4.1606&rgn=div5) and 1630 (Subpart D); [Program Letter 15-3—Enforcement Mechanisms](http://www.lsc.gov/sites/default/files/Grants/pdfs/Prog_Ltr_15-3.pdf)). LSC may terminate your Basic Field Grant in whole or in part if you substantially violate these terms and conditions or substantially fail to provide high quality, economical, and effective legal assistance. If a substantial violation does not warrant termination, LSC may reduce your funding by less than 5%. For good cause shown, LSC may also debar you from receiving future Basic Field Grants.

If LSC terminates your Basic Field Grant for any reason, you must submit to OPP, within 15 calendar days of being notified of the termination, a plan for the orderly close-out of the grant. Detailed instructions for preparing this plan are available at <http://www.lsc.gov/orderly-conclusion-role-responsibilities-recipient-lsc-funds>. This must include a transition plan that, at a minimum, demonstrates how client services will be delivered during the transition period. LSC must approve the close-out and transition plan and may oversee its implementation.

When circumstances require and LSC requests one, you must also submit a Successor in Interest Agreement to LSC for approval. While awaiting approval for the close-out plan and successor agreement, if applicable, you may not transfer your LSC-funded property, capital, or assets, to another entity without preapproval from LSC and must maintain your client and financial records until a successor is in place.

If you anticipate terminating your Basic Field Grant at the end of the grant term or during the grant term for any reason, you must provide the LSC Office of Program Performance (OPP) with written notice at least 60 calendar days before the anticipated grant termination date. You must include a plan for the orderly close-out of the grant and transition of client services as described above with your notice.

You will also work collaboratively with LSC and other relevant stakeholders to ensure a smooth transition between legal service providers and minimal disruption to current and potential clients in your service area.

1. **Legal Relationship**. Our legal relationship is strictly that of grantor-grantee. These and other LSC grant terms and conditions do not create any other affiliation, partnership, joint venture, employment, or agency between us for any purpose. Except as otherwise provided in these or other LSC grant terms and conditions, you have no authority (and will not hold yourself out as having authority) to bind LSC and will not make any agreements or representations on LSC’s behalf.
2. **Use of LSC Logo.** LSC’s logos are registered service marks. As long as you are an LSC grantee, you have a limited license to use our logos according to our size, format, and color instructions, for the following purposes:

* You *must* use our logos on your annual report, press releases, official letterhead, and any Internet website that serves as a “homepage” for you.
* You *may* use the logo on other official documents such as business cards, newsletters, telephone directory listings, or other advertisements or announcements about your LSC-funded services.
* All other uses are prohibited, unless expressly authorized by LSC in writing.

You may download LSC’s official logos at <http://www.lsc.gov/media-center/galleries-multimedia/gallery/media-assets>.

1. **Intellectual Property Rights** (45 C.F.R. Part 1631). You own all Work Products that you develop or improve using LSC funds, unless you have an agreement with a third-party vendor establishing otherwise. Work Products for purposes of this provision include all writings, technology, inventions, discoveries, processes, techniques, methods, ideas, concepts, research, proposals, products, and materials that you develop or improve using LSC funds. Regardless of who owns the Work Products, you and LSC have a royalty-free, nonexclusive, and irrevocable license to use, reproduce, distribute, publish, and prepare derivative works of the LSC funded Work Products, including making those works available to other LSC grantees and access to justice partners.

You own any preexisting Work Products developed or improved using non-LSC funds, unless you have an agreement with a third-party vendor establishing otherwise, and our license does not apply to those preexisting works.

You must have a written contract with third-party vendors who develop or improve LSC-funded Work Products. The contract must include a provision disclosing your and LSC’s royalty-free, nonexclusive, and irrevocable license and prohibiting third-party vendors from denying its existence, challenging its legality, or interfering with LSC’s full exercise of it.

This provision does not prevent a developer or vendor from charging costs related to the use of the Work Products, such as implementation, integration, and on-going use (e.g., hosting and maintenance) costs.

1. **No Obligation to Fund.** LSC has no obligation to fund your grant award. The amount of your award depends on LSC’s congressional appropriations. Congress may reduce, rescind, sequester, or terminate LSC’s grant funds, or impose additional requirements or restrictions on their use, at any time. Accordingly, the amount of your grant award may change or be subject to additional congressional requirements or restrictions during the grant term. LSC will not be considered in breach of its obligations under these or other LSC grant terms and conditions (e.g., TIG and PBIF Grant Terms and Conditions) if congressional action or inaction changes the amount of, requirements for, or restrictions on your grant award, nor will you be entitled to due process under LSC regulations at [Parts 1606](https://www.ecfr.gov/cgi-bin/text-idx?SID=ebfcd4356db205bc37853bba6715ff39&mc=true&node=pt45.4.1606&rgn=div5) (procedures for terminating a grantee) or [1623](https://www.ecfr.gov/cgi-bin/text-idx?SID=49ac41f78f2cbb0d25fe70a8a673af39&mc=true&node=pt45.4.1623&rgn=div5) (procedures for suspending a grantee) before these types of changes take effect.
2. **Governing Law, Mandatory Mediation, and Venue.** These and other LSC grant terms and conditions (e.g., TIG and PBIF Grant Terms and Conditions) will be governed, construed, and enforced according to the laws of the District of Columbia, excluding its conflict of laws rules. Any disputes arising from these or other LSC grant terms and conditions or relating to your LSC-funded activities will be exclusively resolved in the federal and local courts of competent jurisdiction located in the District of Columbia. You agree to waive objection to personal jurisdiction in those courts. Before litigating any dispute, we will mediate our dispute, in good faith, with the assistance of the [Federal Mediation and Conciliation Service (FMCS)](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0ahUKEwjfgJmR3p_UAhUjwYMKHSLmBiYQFggpMAA&url=https%3A%2F%2Fwww.fmcs.gov%2F&usg=AFQjCNEvFZomzfa6uH3tBh-C49mTJpQRMQ&sig2=3X9msbBgggUzoqFkBt14LA), a free, government-sponsored, dispute resolution service headquartered in the District of Columbia.
3. **Assignment**. You may not transfer or assign any LSC grant, income derived from an LSC grant, any real or personal property funded in whole or in part with an LSC grant, or any of your rights or obligations under these or other LSC grant terms and conditions without obtaining LSC’s advance written consent, including submission and approval of a Successor in Interest Agreement, when applicable.
4. **Indemnification**. You will indemnify, hold harmless, and defend LSC and its officers, directors, employees, agents, and assignees against any and all losses, damages, liabilities, deficiencies, claims, actions, judgments, settlements, interest, awards, penalties, fines, costs, or expenses, including reasonable attorneys' fees, that LSC incurs as a result of a third-party claim alleging that:

* you breached these or other LSC grant terms and conditions;
* you acted negligently, grossly negligently, intentionally, or failed to act when you had a duty to do so, while performing your obligations under these or other LSC grant terms and conditions;
* your negligent, grossly negligent, or intentional acts or omissions while performing your obligations under these or other LSC grant terms and conditions caused bodily injury, death, or damage to real or tangible personal property; or
* you failed to comply with any applicable federal, state, or local laws, regulations or codes while performing your obligations under these or other LSC grant terms and conditions.

1. **Amendments and Waiver.** LSC may amend or waive any of these or other LSC grant terms and conditions, as circumstances may require. To be effective, an amendment or waiver must be in writing and delivered to you.
2. **Conflicting Terms.** If there is a conflict between these or other LSC grant terms and conditions and any provision of the LSC Act, LSC appropriations, or LSC regulations, then your grant will be governed by the applicable provision of the LSC Act, LSC appropriations, and/or LSC regulations, consistent with the Severability section below.
3. **Entire Agreement**. These Terms and Conditions constitute our entire agreement with respect to your 2019 Basic Field Grant, and supersede all previous agreements, oral or written, relating to your 2019 Basic Field Grant.
4. **Severability.** The invalidity of any provision of these or other LSC grant terms and conditions will in no way affect the validity of any other provision. If any provision of these or other LSC grant terms and conditions cannot be legally enforced to its fullest extent, then such provision will be enforceable to the maximum extent permitted by law, and we consent and agree that such provision may be judicially modified accordingly in any proceeding brought to enforce such provision.

**LSC Certification Form**

All applicants must complete this certification. This certification requires the signatures of the applicant’s Executive Director/Chief Executive Officer and the Governing/Policy Body Chairperson. Once signed, please convert this document to a PDF file and upload it with the application at [www.lscgrants.lsc.gov](http://www.lscgrants.lsc.gov).

**Please complete and upload this certification form with the 2019 grant application.**

**APPLICANT NAME: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**APPLICANT NUMBER: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

By signing this certification form, you certify the following:

1. That the statements made in your grant application are true and correct.
2. That you have the legal authority to apply for and receive a grant from LSC. You certify that the signatories have been authorized to bind your organization applying for this grant.
3. That you will comply with the Grant Terms and Conditions if awarded an LSC grant. You certify that you will maintain a copy of your grant application, additional materials submitted, the Terms and Conditions, and signed Certification Form and make these materials available to LSC upon request.
4. That you have not been convicted of any felony criminal violations of any federal law within the preceding 24 months.
5. That you do not have any unpaid federal tax liabilities that have been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that are not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.
6. That, to the best of your knowledge and belief, you:

* have filed all federal tax returns required during the three years preceding this certification, and
* have not been convicted of a criminal offense under the Internal Revenue Code of 1986, and
* have not, more than ninety days prior to certification, been notified of any unpaid federal tax assessment for which the liability remains unsatisfied, unless:
  + the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or
  + the assessment is the subject of a non-frivolous administrative or judicial proceeding.

You understand and agree that, if this certification is made falsely, or if you fail to comply in any material respects with the terms and conditions or any applicable law or regulation, you and/or the signatories may be subject to civil and/or criminal penalties under federal law (see [45 C.F.R. Part 1640](http://www.ecfr.gov/cgi-bin/text-idx?SID=ebfcd4356db205bc37853bba6715ff39&mc=true&node=pt45.4.1640&rgn=div5)).

You understand and agree that if the application is approved, this certification is made as a condition of receiving the grant.

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| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Name of Executive Director/Chief Executive | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Name of Governing Body Chair (or other organization official authorizing this application) |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Title | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Title |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Signature | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Signature |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Date | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Date |