Technology Initiative Grants
Application Instructions
for 2019 Grant Funding

Issued: May 15, 2019

Application Submission Deadline: June 7, 2019 by 11:59 p.m. EDT

Submit online at: http://lscgrants.lsc.gov

TIG Application Process

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Legal Services Corporation
Technology Initiative Grant Program
Application Instructions for 2019 Grant Funding

I. Funding Opportunity Description

These Instructions provide guidance for submission of applications for the 2019 Technology Initiative Grant (TIG) program. LSC's TIG program was established in 2000. Since that time, LSC has made over 725 grants totaling more than $65 million. With these grants, LSC grantees have built a foundation for more efficient and effective service delivery that includes national systems for statewide websites; enhanced capacity for intake and case management systems; and automated forms to support pro se assistance, staff, and pro bono efforts.

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

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

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

B. Grant Categories and Areas of Interest for FY 2019

LSC will accept projects in three application categories:

1) Innovations and Improvements
2) Replication and Adaptation
3) Technology Improvement Projects

These instructions are for categories 1 and 2 only. Grantees who have been invited to submit applications under category 3 have been provided with different instructions.

For 2019, LSC announced an area of interest, Projects That Develop a Strong Foundation of Technologies for Self-Represented Litigants. These proposals should be submitted in either the Replication and Adaptation category or the Innovations and Improvements category. The designation of this area of interest does not in any way limit the scope of proposals in which LSC is interested.

For additional information on the Grant Categories and the Area of Interest, see the [Notice of Request for Letters of Intent to Apply for 2019 Technology Initiative Grant Funding](https://www.lsc.gov/sites/default/files/attach/2019/01/2019-TIG-LOI-Notice.pdf) published by LSC on February 1, 2019 and available at [https://www.lsc.gov/sites/default/files/attach/2019/01/2019-TIG-LOI-Notice.pdf.](https://www.lsc.gov/sites/default/files/attach/2019/01/2019-TIG-LOI-Notice.pdf)

II. Application Deadline

Complete applications for the fiscal year 2019 LSC grant program are due no later than 11:59 P.M. EDT, Friday, June 7, 2019 (see [Appendix I: Guidelines for Preparing Applications](#)**).**

Applicants must submit applications electronically via the online system found at [http://lscgrants.lsc.gov.](http://lscgrants.lsc.gov) LSC will not accept applications or portions of applications in e-mail or hard-copy format. The online application system will be available by the week of May 13, 2019.

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

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

III. Eligibility and Funding

A. Eligible Applicants

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

B. Project Partner Organizations

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

C. Funding Availability and Award Amount
For FY 2019, LSC's TIG program received an appropriation of $4 million. TIG grant decisions for FY 2019 will be made in September 2019.

In 2018, 26 TIG projects were approved for funding with a median funding amount of $118,272. (See TIG's past awards webpage for more information on past grants.) LSC recommends a minimum amount for TIG funding requests of $40,000, but lower requests will be considered. There is no maximum amount for TIG funding requests that are within the total appropriation for TIG.

D. Grant Term
Applicants may propose project terms between 12 and 36 months. An additional nine months will be added to the grant term for evaluation, final reporting, and financial reporting. Budgets submitted should be for the entire grant term.

E. Activities Prior to Award or Starting Dates
There is no obligation on the part of LSC to cover pre-award costs. If an applicant incurs any project costs prior to the project start date negotiated at the time the award is made, it does so solely at its own risk.

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

G. Type of Funding Instrument
The funding instrument for awards under this program shall be a grant.

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

IV. Applicable Law and LSC Grant Requirements

A. LSC Requirements
Technology Initiative Grant funds are subject to all LSC requirements, including the requirements of the Legal Services Corporation Act (LSC Act), any applicable appropriations acts and any other applicable laws, rules, regulations, policies, guidelines, instructions, and other directives of the Legal Services Corporation (LSC), including, but not limited to, the LSC Audit Guide for Recipients and Auditors, the Accounting Guide for LSC Recipients, and the CSR Handbook, with any amendments to

the foregoing adopted before or during the period of the grant. Before submitting a full application, applicants should be familiar with LSC's subgrant requirements at 45 CFR Part 1627 (see http://www.lsc.gov/about/laws-regulations/lsc-regulations-cfr-45-part-1600-et-seq), particularly as they pertain to payments of LSC funds to other entities for programmatic activities. The LSC Laws, Rules, and Regulations, including program letters and other policies and guidelines, are available on LSC's website or by contacting LSC directly.

For additional information and resources regarding TIG compliance, including subgrants, third-party contracting, conflicts of interest, grant modification procedures, and TIG Terms and Conditions, see LSC's TIG compliance webpage.

B.   Federal Policies and Procedures
Applicant agrees that as a grantee it will be subject to all provisions of Federal law relating to the proper use of Federal funds. A list of these laws is available at http://www.lsc.gov/45-cfr-part-1640-applicable-federal-laws. It understands that if it violates any of the Federal laws on the list, it may be subject to the summary termination of its LSC grant as authorized by Pub. L. 104-134, Tit. V., § 504(a)(19). It represents that it has informed employees and board members of the Federal laws and their consequences both to the recipient and to themselves as individuals as required by 45 CFR § 1640.3. It will also notify any subgrantees about the applicability of these laws and obtain the subgrantees consent to their application.

Furthermore, TIG grants are subject to additional grant conditions, which LSC will base on the 2018 TIG Terms and Conditions available in Appendix III.

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

D.   Waiver Authority
Under extraordinary circumstances and when it is in the best interest of the eligible client community, LSC, upon its own initiative or when requested, may waive provisions in these Instructions at its sole discretion. Waivers may be granted only for requirements that are discretionary and not mandated by statute or regulation. Waiver requests must be submitted by email to techgrants@lsc.gov and must set forth the extraordinary circumstances for the request. Copies of approved waiver requests must be included in the Appendices to the Project Narrative. To request a waiver of the application deadline, applicants must contact a TIG staff person prior to the deadline to

explain the reasons for the waiver request. Please see the "Contact Information" section of Appendix I for details.

E. Freedom of Information Act

LSC may receive requests for copies of applications submitted to it. Applicants are hereby notified that the applications they submit are subject to the Freedom of Information Act. For guidance on the availability of information submitted by any applicant, see LSC's Freedom of Information Act Regulation, 45 CFR Part 1602. To assist LSC in making disclosure determinations, applicants may identify sensitive information and label it "confidential."

V. Application Process and Instructions

See Appendix I: Guidelines for Preparing Applications for additional information and instructions on the required application components.

A. One Project per Application

Each project for which funding is sought should be submitted in a separate application. For example, do not combine a request for an automated forms project with a request for a project to expand the intake system.

B. Incomplete Applications

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

C. Eligible Costs

LSC will allow costs that are directly allocable to the project, subject to 45 CFR Part 1630. This includes costs for: personnel; fringe benefits; purchase or rental of computer hardware, software, and other end-user equipment; telecommunication services and related equipment; consultants and other contractual services, including evaluators; travel; and supplies. *Please note: Administrative costs must be captured through these line items only; no general 'administrative cost' line item will be approved. Indirect costs are not eligible costs under a Technology Initiative Grant and will not be approved.* All costs must be reasonable and directly related to the project and included in the approved project budget.

D. Third-Party Contracting Considerations

LSC encourages applicants to work with other access to justice partners on projects and realizes that for many projects, grantees will need to contract with third parties to accomplish the goals of the project. Such partnerships and contracts can raise special issues and are subject to certain regulations and procedures, such as those required by 45 CFR §§ 1630.5, 1630.6 and 1631.3. Grantees should be familiar with these and take them into account during the planning of the project. Although applicants may discuss the use of a third-party contractor in their proposal, approval of a TIG application does not imply LSC approval of any specific contractor for the project. All procurement transactions must be conducted in a manner to provide, to the maximum extent practical, open and free competition, and all third-party expenditures, regardless of cost, must be appropriately documented.

§1630.6 of the LSC regulations requires prior approval for expenditures of LSC funds in the amount of more than $25,000 for any of the following:
1. A single purchase or single lease of personal property;
2. A single contract for services;
3. A single combined purchase or lease of personal property and contract for services;
4. Capital improvements.

If the Technology Initiative Grant for which you are applying includes a request for LSC to fund any of the above, you can request prior approval as part of the grant application.

Steps to Request Prior Approval of a Contract for more than $25,000:

1. Check the Box on the TIG Application Form indicating you are asking for prior approval.
2. Upload the following as a single PDF on the Appendices to the Project Narrative Form:
   - A statement as to which expenditure this would apply;
   - A statement of need;
   - A copy of your procurement policy; and
   - Documentation showing that you followed your procurement policies and procedures in soliciting, reviewing, and approving the purchase, lease, or contract for services.

If you are requesting prior approvals for more than one expenditure, you must submit a separate upload for each expenditure for which you are seeking prior approval.

LSC will not decide on a prior approval request included in a grant application any sooner than the date of the grant decision. 45 CFR 1631.3(c). If necessary, LSC may request additional information before making its decision.

If you do not seek prior approval during the application process, you can seek it after the award by following the procedures for requesting prior approval found in 45 CFR § 1631.8. If you have questions about this process, in the LSC Office of Compliance and Enforcement, please contact Lora Rath, Director, Telephone: 202.295.1524; Email: rathl@lsc.gov or Megan Lacchini, Deputy Director for General Compliance, Telephone 202-295-1506, Email: lacchinim@lsc.gov.

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

(1)Competition in contracts for services: Consistent with your written procurement policy, you must obtain best value –the most advantageous balance of price, quality, and performance – and seek to minimize fraud, waste, and abuse, when purchasing TIG-funded products and services. Best value is typically achieved through transparent and objective competition.

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

(3)Administrative plans: LSC requires administrative plans for grants where significant portions of the project management are contracted out to third parties. This might occur if the project proposes a technology-based project management contract or a project management contract with a significant partner and is not intended to apply where the contracts are primarily for hardware, software, or technical development work. LSC staff will identify projects that require an administrative plan during the application review process, though applicants may upload a draft plan in the Appendices to the Project Narrative if they believe this provision applies to their project. For grants that require an administrative plan, LSC will include in the first set of milestones a requirement that the grantee work with LSC staff to submit and have approved by LSC an administrative plan that clearly outlines the grantee's duties and responsibilities for financial oversight and audits, project management, contract coordination, evaluation, and reporting. When the grantee is receiving part of the grant as a fee for this administration, the plan must detail who will exercise these duties for the grantee and how the fee was calculated.

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

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

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

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

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

Regarding anticipated and unanticipated program income from a TIG award, anticipated program income must be documented appropriately in the project budget and, should an application be funded, program income must be reported to LSC. Unanticipated program income must also be reported to LSC, and, should the application be funded, the budget for the project must be renegotiated to reflect receipt

of this program income. If it is anticipated that program income will continue after the term of the project, the application should describe how this income will be spent.

H. Evaluation

Evaluation provides a valuable project planning and management tool. Effective evaluation mechanisms enable project managers to assess progress toward goals, identify design or implementation problems, and make necessary adjustments. They also generate the information required to effectively assess a project's achievements. Applicants will need to identify the methods and data they plan to use to assess progress toward the project objectives (see "Review Criteria" below). Additionally, applicants must submit a draft evaluation plan that will be used to manage and evaluate the initiative. If funded, the final grant payment will not be provided until an approved final grant report is submitted; that report will include evaluation data about a project's activities, accomplishments, and effectiveness.

I. ATJ Tech Fellows

Applicants may request funding to support the placement of an A2J Tech Fellow in their organization during the summer of 2020. The ATJ Tech Fellowship Program places law students with legal aid providers working on technology initiatives. Fellows will gain practical experience on the use of technology in delivering legal services while organizations will receive assistance completing work on their TIG-funded projects. The A2J Tech Fellows Program is sponsored by the Law School Admissions Council; it will provide organizations with assistance recruiting and training fellows, along with regular check-ins with fellows throughout the summer. If applicants are interested in hosting an Access to Justice Technology Fellow for the summer of 2020, they should add $6,500 to the budget to cover the costs associated with the fellow.

J. Contact Information

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

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

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

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

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

VI. Selection and Review

A. Review Process

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

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

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

LSC staff completes the proposal review and prepares a funding recommendation. In addition to the staff review, LSC reserves the right to have the proposal reviewed by an outside reviewer.

B. Review Criteria

Reviewers will evaluate and rate each application using the following criteria. All successful applicants will demonstrate that their projects can accomplish LSC's goal of using technology effectively and efficiently to provide high quality legal assistance to eligible clients and to promote full access to the judicial system by low-income people.

See Appendix I, Part III, for detailed instructions on completing each section of the application. Reviewers will take any deficiencies in the applications into account in their scoring.

1. Need for the Project (10%)

Describe the specific problem(s) the proposed project will address. Identify the nature and scope of the problem(s). For example, what are the current gaps in client services? What are the limitations of the current operational systems? Explain how and why

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

Finally, indicate if the proposed project is responding to LSC's area of interest for 2019: Projects That Develop a Strong Foundation of Technologies for Self-Represented Litigants.

2. Detailed Description of the Project (15%)
Provide a full description of the project, including the specific technology(ies) the project will develop or implement. Describe how the technology proposed presents a solution to the problem identified in the Need for the Project. Identify what is unique about the proposed solution that sets it apart from other technologies. Take the reviewer through all the steps of the process needed to implement the technology solution and how it will be used.

3. Project Goals, Objectives, Activities and Evaluation (10%)
The information in this section of the narrative should be consistent with the contents of the draft project evaluation plan, which must be submitted with this grant application. Instructions and guidance for developing effective goals, objectives, activities, and data sets for a TIG project are available on the TIG Evaluation Plans area of the LSC website. Draft evaluation plans should be developed using the TIG Evaluation Plan automated form.

In this section, applicants should clearly:
a) Articulate the goals and objectives of the project;
b) Identify the specific activities and strategies that will be implemented to achieve the goals and objectives; and
c) Specify the methods and data sets that will be used to evaluate the project.

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

4. Innovation (10%)
A major goal of the TIG program is to test new methods to solve an existing problem or to make major improvements to existing methods. Applicants should be proposing solutions that prompt the reviewer to think "now that's new and exciting!". Innovation is based on curiosity, the willingness to take risks, and experimenting to test assumptions. Innovation questions and challenges the status quo. It is also based on recognizing opportunity and taking advantage of it. Additionally, applicants applying

under the Replication and Adaptation category should discuss how the project is innovative for their state or service area and identify if they are adding any new and innovative elements to the project.

5. Justice Community Partnerships (5%)

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

6. Replication (10%)

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

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

b) How the proposed project will promote replication by others in the legal services community, such as a plan to share information about the project at a conference or webinar, by providing a toolkit, and/or creating an online repository through GitHub or a similar service.

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

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

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

7. Program Capacity and Project Staffing (10%)

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

- Organizational experience and track record in managing and overseeing projects comparable to the one being proposed.
- A staffing plan that identifies specific staff members with sufficient capacity, qualifications, and experience to be effective and compliant with programmatic and fiscal requirements. This includes the involvement of senior management and board members, where appropriate. Identify the proposed staffing for the project as well as who has been involved in planning the project.
- Reviewers will assess the program's expertise and experience necessary to make the project a success. A good way to demonstrate this is to reference prior TIG projects that the program has successfully managed. It is important to clearly describe the staffing for the project. If existing staff will be working on the project, it is important to demonstrate that they will have the time to work on the project. One of the grant assurances for TIG states that: *The total time commitments of any staff member working on this grant, to the program and all funders for all projects and responsibilities, shall not exceed 1.0 FTE*. Reviewers should be able to tell from this section how the program will be complying with this assurance.

8. Past Performance (5%)

LSC has found that an important predictor of the success and timely completion of a TIG project is how grantees have performed on prior grants. Applicants should address this, especially if prior grants have not been completed on time. For any such grants, applicants should explain what factors caused the delays, what lessons were learned from these, and how what was learned will ensure timely performance on the proposed project. Programs that have never received a TIG award should indicate this and will receive full review credit. LSC encourages full participation in the TIG program from all its grantees.

9. Sustainability of the Project (10%)

This is the 20th year of the TIG program, which has made over 700 grants. Many of the projects TIG has funded still exist and represent critical components of the service delivery system. To leverage limited TIG funds, it is important that there be other funds to sustain the project after the project is completed. This will ensure that TIG funds will be available for new projects.

While starting a project can be very costly because of initial investments, sustaining it also means incurring ongoing costs such as software and maintenance fees, internet connectivity, and staffing. It is important that the applicant develop a written strategy

for sustaining the project ("Sustainability Strategy") without ongoing TIG funding following its TIG project grant term. Reviewers will review the applicant's strategy for sustaining the project after the completion of the grant. Applicants should address the potential long-term viability of the project in their narratives and include the following:

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

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

10. Cost Effectiveness: Budget and Budget Narrative (15%)
Reviewers will analyze the budget request in terms of its clarity, cost-effectiveness, and consistency with the goals and objectives described in the *Project Narrative*. The proposed budget should be reasonable and appropriate to the activities proposed and sufficiently detailed so that reviewers can easily understand the relationship of items in the budget to the project activities. The *Budget Narrative* should support all costs included in the budget and explain how the costs of goods and services were determined. See Appendix I, Part III, for detailed instructions for the Budget Form, Budget Narrative and description of budget line items.

C. Selection Process
Funding recommendations are reviewed by the LSC President and Vice President for Grants Management. The LSC President determines the final TIG awards in his best professional judgment based on his overall assessment of the application, the staff recommendations, and achieving a balanced portfolio of grants.

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

Appendix I: Guidelines for Preparing Applications

I. *Introduction to the Guidelines*

The Legal Services Corporation (LSC) staff designed these Guidelines for Preparing Applications to help applicants provide enough information for LSC to make decisions on funding requests. This document supplements the Application Instructions for 2019 Grant Funding (Instructions).

II. *Provisions Applicable to All Categories*

A. *Online Application System*

LSC requires that each TIG applicant submit an online application using the LSC Grants Online System at http://lscgrants.lsc.gov. The online application system will be available by the week of May 13, 2019. Only those programs that received an invitation following the 2019 TIG Letter of Intent phase are eligible to submit a full application.

The deadline for submission of TIG full applications is June 7, 2019 at 11:59 p.m. EDT. Additional instructions and information can be found on the TIG website.

Submission through the TIG online system should be done by a person authorized to commit the applicant organization. Only one login per program will be able to manage the organization's TIG projects. If you need to change the TIG responsible login for your program, the Executive Director should send a request to techgrants@lsc.gov.

When an applicant logs in to their LSC Grants account, there will be a Task under the TIG section to submit a full application for each project that was invited from the Letter of Intent process. LSC recommends starting applications in the system at least three weeks before the deadline. We also recommend drafting the application in a Word document to cut and paste into the appropriate sections of the application in the online system. This will minimize problems in the event you lose work while you are in the system. You can be logged out of the system after a period of inactivity, so please save your work frequently.

Please note that the input fields in LSC Grants will only accept plain text formatting. Do not paste any formatted copy such as tables, bullets, and bold.

Prior to submitting the application in the online system, you will be able to view a PDF of the full application. Be sure to review the PDF for completeness and save a copy of it for your records. Once the application is reviewed and final, submit it by clicking on the Submit button. You will receive a confirmation email upon the completed electronic submission of each application. Please keep this email as verification that an application

was submitted. If no confirmation email is received, please inquire about the status of your application at techgrants@lsc.gov.

B. Changes in Applicant's Contact Information

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

C. Waiver Requests

As stated in the *Instructions*, LSC does not intend to waive any provisions of the *Instructions*. Under extraordinary circumstances and when it is in the best interest of the eligible client community, LSC, upon its own initiative or when requested, may waive provisions in these Instructions at its sole discretion. Waivers may be granted only for requirements that are discretionary and not mandated by statute or regulation. Waiver requests must be submitted by email to techgrants@lsc.gov and must set forth the extraordinary circumstances for the request. Copies of approved waiver requests must be included in the Appendices to the Project Narrative. To request a waiver of the application deadline, applicants must contact a TIG staff person prior to the deadline to explain the reasons for the waiver request. Please see the "Contact Information" section of Appendix I for details.

III. *Instructions for Preparing Applications*

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

  A. TIG Application Form
  B. Budget Form
  C. Budget Narrative
  D. Reporting on Expenditure of Funds
  E. Third-Party Contracting Form (if the TIG budget includes contracts)
  F. Project Narrative
  G. Appendices to the Project Narrative (Optional) includes timelines, technical diagrams, organizational charts, maps, résumés, requests for prior approval, etc.[1]
  H. Letters of Commitment from Key Partners
  I. Letters of Support
  J. Draft Evaluation Plan
  K. Lessons Learned from other Technology Projects
  L. Proposed Payment Schedule and Milestones

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

A. *TIG Application Form*

Each application should begin with a completed *TIG Application Form*. The category under which the grant is being submitted will be filled in automatically according to the Letter of Intent submitted. Next, fill in the total amount of funds requested from LSC and the total cost of the proposed project. These amounts do not need to match the estimated request from the Letter of Intent (LOI). LSC recognizes that after the applicant has done more research and planning, the final project cost may have changed from the LOI stage.

Indicate 1) if the project addresses an area of interest; 2) if you are requesting prior approval of any contracts for services of more than $25,000; and 3) if you are requesting an ATJ Tech Fellow for the project. Provide a concise, plain language, one-paragraph description of the project that can be published on the LSC website following the grant awards. Finally, fill out the information identifying the applicant and the person LSC should contact about the application.

B. *Budget Form*

Reviewers will analyze the budget request in terms of its clarity, cost-effectiveness, and consistency with the goals and objectives described in the ***Project Narrative***. The proposed budget should be appropriate to the tasks proposed and sufficiently detailed so that reviewers can easily understand the relationship of items in the budget to the project activities. The ***Budget Form*** is part of the online application system available on http://lscgrants.lsc.gov. There are twelve budget line items available to be filled in. Each area is the total for that category. For example, item 4 is for equipment purchases and rentals. If the project plans to purchase 5 laptops, 5 tablet computers and 5 monitors, the costs of all 15 items would be added together for this category. The cost of any additional bandwidth or data plans would be listed under Telecommunications. Use the sum of these costs in this form only. In the ***Budget Narrative***, include descriptions and specific costs for each of these items. The ***Budget Form*** is the summary; the ***Budget Narrative*** is itemized and detailed.

All the line items except for line 9, Contracts and Subgrants, are for costs incurred directly by the program, not by a contractor or subgrantee. For example, for line 4, Equipment, if the program is buying the equipment, it should go on line 4. If a contractor will be purchasing the equipment to fulfil their obligations under a contract, it should go under line 9 and be included in that contract amount. Likewise, if the program plans to conduct the evaluation in-house, it would go under line 10, Project Evaluation. If the program intends to contract for the evaluation, it would go under line 9, Contracts and Subgrants.

Indicate who is paying for each of the budget items. The ***Budget Form*** has five columns for (A) the amount requested from LSC, (B) the applicant's contributions, (C) additional funds from other LSC-funded partners, (D) additional funds from non-LSC-funded

partners, and (E) the total of (A), (B) (C) and (D). All calculations will be automatically tabulated. *Note:* Do not request LSC funding to travel to the Innovations in Technology Conference (ITC) in column (A). LSC will add funding to send one person to the ITC for each TIG awarded. The applicant may include travel for additional participants to attend the ITC under columns (B) through (D).

C. Budget Narrative
Use the **Budget Narrative** to expand on the budget items listed in the **Budget Form**. This is the place where Applicants detail proposed expenditures in relation to the project timetable. If the term of the project is three years, give the proposed expenditures for each of those years.

Fully explain each budget item, including descriptions and specific costs, so that it can be effectively evaluated. If the budget includes a request for personnel costs, identify the proposed personnel and the estimated time they will spend on the project. The budget must be reasonable for the tasks proposed, and the relationship of items in the budget to the **Project Narrative**, especially the project objectives and activities, should be clearly defined and communicated.

When the grant is awarded, unless it is modified by agreement with LSC, the applicant is committed to the budget submitted in the application, including contributions from the Applicant, from other LSC-funded partners, and from non-LSC funded partners. Be sure that the anticipated additional resources are realistic. Grantees may need to change their budgets during the project, and many of these TIG budget changes require LSC approval.

LSC will allow costs that are directly allocable to the project, subject to [45 CFR Part 1630](#), *Cost Standards and Procedures*. This includes costs for: personnel; fringe benefits; purchase or rental of computer hardware, software, and other end-user equipment; telecommunication services and related equipment; consultants and other contractual services, including evaluators; travel; and supplies. *Please note that all costs for the proposed grant must be captured through line items only; no general "administrative cost" line item will be approved. Indirect costs are not eligible costs under a Technology Initiative Grant and will not be approved.* All costs must be reasonable and directly related to the project and included in the approved project budget. Costs based on actual usage must be justified with supporting data and documentation. The award of a grant does not constitute prior approval of a subgrant or contract unless the grant award document specifically states otherwise.

Budget Line Items

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

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

Travel: Include costs for project staff travel that is directly related to the project. Allowable costs are transportation, lodging, subsistence, and other related expenses. In the *Budget Narrative*, please provide a calculation that includes itemized costs for airfare, transportation, lodging, per diem, and other travel-related expenses multiplied by the number of trips/project staff. Where applicable, identify the current standard reimbursement rate(s) of the organization for mileage, daily per diem, and similar supporting information. Reimbursement should not exceed the federal mileage rate unless a result of Applicant policy and justified in the *Budget Narrative*. Only domestic travel is allowable. *Do not include the cost of staff to attend the Innovations in Technology Conference under column (A) LSC Grant Request. LSC will add a Conference Fee as part of the award process*. Additional staff travel to the conference may be included under columns (B) through (D).

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

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

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

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

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

Contracts and Subgrants: Include costs for third-party contractors to provide services related to the project's operations. This can include contractors to: develop new online templates; provide project management support in technology implementation efforts; conduct technical training; conduct surveys; provide graphic design or user interface services; or conduct web or software development work. In the LSC Grants online application system, Applicants with expenses listed under Contracts and Subgrants will be asked to complete an online Third-Party Contract Form for each proposed contract.

Project Evaluation: Include costs for project evaluation activities, including additional staff time, supervision of evaluation consultants, purchase of instrumentation, and other costs specifically for this activity and not budgeted in Personnel. Please note that applicants should include third-party evaluator contracts under Contracts and Subgrants and not this budget line.

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

Other: Include and explain any other project-related costs not otherwise captured in the categories above. If you are interested in hosting an [Access to Justice Technology Fellow](#) for the summer of 2020 to work on this project, add $6,500 to the budget to cover the costs associated with the fellow in the Other line item.

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

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

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

E. Third-Party Contracting
Applicants will utilize the *Third-Party Contracting Form* to outline the contracts they plan to enter into during the proposed project. Applicants should provide as much information as possible about the planned contracts, such as the expected contract amount and the contractor's anticipated responsibilities. Third-party contracting requirements are available on the TIG Compliance page and these requirements should be reviewed before submitting an application. If the project is funded, grantees can work with TIG staff to modify contracting information if necessary.

Approval of a TIG application does not imply LSC approval of any contractor for the project; all procurement transactions must be conducted in a manner to provide, to the maximum extent practical, open and free competition; and all third-party expenditures, regardless of cost, must be appropriately documented. If an applicant wants to request prior approval of a specific contract as part of the application, see Section V. D. of the Application Instructions.

F. Project Narrative
The *Project Narrative* is the applicant's opportunity to demonstrate to reviewers that the project fits LSC objectives. Provide specific information about the project's goals and objectives, the major activities that will be conducted to achieve the goals and objectives, the project's partners, and the people affected by the project's outcomes (e.g., clients, program staff, and partners). Guidance for specifying TIG project goals, objectives and activities is available on the TIG Evaluation Plans area of the LSC website.

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

The ***Project Narrative*** should be clear and concise and address the following per the Review Criteria outlined in the Instructions:
- The need for the project;
- A full description of the project, including the specific technology(ies) the project will develop or implement;
- The project's goal, objectives, activities, and evaluation data;
- Innovation
- Justice community partnerships;
- Replication;
- Program capacity and the project staffing;
- Past Performance; and
- Sustainability of the project.

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

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

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

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

Requests for Prior Approval**:** This is where you upload the single pdf of the documents required if you are requesting prior approval as explained in D. Third-Party Contracting Considerations infra.

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

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

I. Lessons Learned from Other Technology Projects
This is the 20th round of grant awards in the TIG program. To date, over 700 grants have been awarded. New projects should build upon the knowledge gained from these past projects. In this section of the application, elaborate on how the proposed project relates to prior TIG and legal aid technology projects (not just projects the applicant has completed, but related technology projects of other programs); how it builds upon them, what was learned from them, and how the project will avoid any pitfalls they have faced.

Be sure to review the results of prior projects by looking at the materials on LSNTAP.org, replicable projects and final reports on the TIG Reporting section of LSC's Website, and by speaking with technical and other staff from these programs. In this section demonstrate that this review has occurred and that the project will build upon and improve on the past projects.

If the proposed project is not related to any prior TIG-funded projects, discuss any research that has been done into similar efforts in other fields or by other non-profit organizations.

J. Proposed Payment Schedule and Milestones
Each grant has three fixed payments – an initial payment to cover start-up costs and two final payments related to project evaluation and close-out. LSC has already added

these payments and their associated milestones to the proposed payment schedule in the electronic application. The applicant will propose -- and work with LSC to finalize if the grant is funded -- interim sets of milestones that it will report on every six months during the grant term. If the grant is awarded, the initial payment will be made shortly after the grant acceptance letter is returned to LSC. LSC recognizes that many of the costs for a project are incurred early on, so the initial payment may be the largest, but it may be no more than 40% of the grant total. The total of the final two payments must be for at least 20% of the grant request, up to a maximum of $50,000. Apportion the balance of the monies requested among the interim payments.

If the grant is awarded, the project goals, objectives, and activities will be agreed upon by LSC and the grantee, then included as part of the grant award package. Interim payments will be made for progress toward achieving project goals and objectives based upon the completion of specific milestones.

The dates and number of payments on the grant will be generated depending upon the length of the proposed project. If the project is expected to be completed in one year, payment two would come six months after the start of the project, payment three at the end of the year, payment four six months after that to allow for the collection of evaluation data and the draft of the final report, and payment five would be scheduled three months later to allow time for the revision and approval of the final report and submission of the final budget.

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

Please be sure to input each deliverable as a separate milestone in the online system. This is done using the "Add Milestone" button. For more information, see the **sample payment schedules available on the TIG website**. Plan on including approximately 3-6 milestones per payment period.

Example – for a one-year grant request of $100,000, the five payments might be: payment one (initial payment) in January 2020 for $40,000; payment two in July 2020 for $20,000; payment three in December 2020 for $20,000; payment four in June 2021 for $10,000; and payment five (final payment) in September 2021 for $10,000 (the last two payments total 20% of the grant). An eighteen-month grant would have six payments, a two-year grant would have seven payments, etc.

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

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

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

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

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

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

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

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

Appendix II: Guidance for Applicants

I. *Elements of a Successful Application:*

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

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

1. Technical approach – how the proposed system would be built, how it would work, how it would operate with other systems, and technological alternatives that have been considered;
2. Realistic budget – one that is appropriate to the tasks proposed, sufficiently detailed so that reviewers can easily understand the relationship of items in the budget to the project narrative, cost effective, and sufficiently flexible so that it can be modified to reflect changes in technology and opportunity;
3. Work plan implementation – the major steps, and time frames for implementation, that will be undertaken to achieve the project goals and objectives; and
4. Sustainability – applicant's strategies for sustaining the project beyond the grant period.

An innovative approach with the potential to be replicated broadly throughout the country. LSC expects that each awarded project will serve as a model for other communities to follow. In addition, since these grants are being provided to improve the delivery of legal services using technology, applications shall benefit – in the most practical way possible – the entire system. Applications will be reviewed according to how the project will benefit clients in specific localities, and on how the project will improve the system as a whole. If the proposal is responding to LSC's area of interest for 2019, explain how the proposed approach can serve as a model to other programs and providers.

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

Provide more access, not new barriers. In 2004, the Washington State Supreme Court adopted the [Access to Justice Technology Principles](). LSC believes that these principles embody worthwhile goals. Applicants should review these six principles and

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

The Principles are:

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

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

II. *Major Reasons Proposed Projects Have Not Been Funded:*

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

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

Failure to specify how the proposed project would improve services to clients. LSC did not fund many projects that proposed to use available technologies in creative and interesting ways but did not answer the most important question: how will the proposed project improve the quality and/or quantity of services provided to eligible clients?

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

Unwarranted requests for staff support. Many unsuccessful applicants sought TIG funding to support on-going staffing associated with existing systems. TIG does not support basic staffing for day-to-day programmatic work. Instead, TIG grants fund staffing needed to develop and implement innovative technology initiatives and/or new systems that markedly expand the quality and quantity of services provided to clients. Program funding for staffing is limited to short-term support required to implement the new initiatives. Once the new system is implemented, grantees are expected to fund necessary ongoing activities with funds from their basic field grant or other sources. For example, if a project is implementing new technology to assist with an intake system, TIG will fund staff working to develop and test the system, but not for the intake workers using the system after it is implemented.

Requests to update baseline technology infrastructure. TIG awards will not be made to move to a new case management system, update software programs, or to implement [Technologies That Should Be in Place in a Legal Office Today](LSC Technology Baselines). TIG awards may support efforts to develop enhanced features

as part of an implementation of baseline technology, but TIG will only pay for the enhancements. The program should be covering the baseline implementation.

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

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

Absence of innovation. Numerous applicants did not address the TIG program's fundamental goal: developing or implementing innovations and improvements in technology systems with the potential to markedly expand the quality and quantity of service to clients. Instead, they sought funding to meet basic technology needs that should be funded through the basic field grant or other sources.

Appendix III: 2018 TIG Terms and Conditions - Sample

Below are the TIG Terms and Conditions covering *last year's 2018 TIG grant cycle.* All 2019 TIG grantees will be required to sign a similar document. Applicants should expect revised and/or additional terms and conditions.

2018 TIG Terms and Conditions

If awarded a 2018 Technology Initiative Grant (TIG), you agree to the following terms and conditions, which will govern our relationship and your activities during the grant term:

Grant Objective. You will develop and use technology in innovative ways to
- Improve the delivery of effective, efficient, and high-quality legal assistance to low-income persons;
- Promote access to the judicial system through legal information, advice, and representation;
- Improve LSC grantee management and administration; or
- Promote integrated and well-managed technology systems for LSC grantees and the access to justice community.

Approved Grant Project. You will use your TIG funds to successfully complete the technology innovation project described in your grant, as modified by LSC, these Terms and Conditions, and your Basic Field Grant Terms and Conditions.

Governance Requirements. To help you achieve your Approved Grant Project, you must comply with the following governance requirements:

GOVERNANCE REQUIREMENTS

Conflicts of Interest—Consistent with your organization's written conflict of interest policy (which is required under your Basic Field Grant Terms and Conditions), you must perform a conflicts check for all individuals, employees, partner organizations, companies, contractors, vendors, etc., who will be involved in performing your TIG, and must develop a plan for addressing any perceived or actual conflicts discovered.

Cost Standards and Procedures. (45 C.F.R. Part 1630) All costs charged to your TIG are subject to LSC's cost standards, including requirements that they 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.

GOVERNANCE REQUIREMENTS

Private Attorney Involvement (PAI). (45 C.F.R. § 1614) Your Basic Field Grant Terms and Conditions require you to allocate an amount equivalent to 12.5% of your annualized basic field award to involve private attorneys in your legal services delivery system ("your PAI requirement"). **You may not count any of your TIG funds, including TIG-funded subgrants or contracts, toward your PAI requirement.** This prohibition does not apply to other funds (e.g., non-LSC funds or LSC Basic Field grant funds) that you use to support your Approved Grant Project. In other words, TIG project costs and expenses that are paid with non-TIG funds could be allocated to your PAI requirement, if the TIG activity and those costs and expenses meet the Part 1614 criteria.

Procurement. (45 C.F.R. Parts 1630 and 1631; Program Letter 10-03; Fundamental Criteria of the LSC Accounting Guide). Consistent with your written procurement policy, you must obtain best value – the most advantageous balance of price, quality, and performance – and seek to minimize fraud, waste, and abuse, when purchasing TIG-funded products and services. Best value is typically achieved through transparent and objective competition. In addition to these requirements, for purchases of more than $25,000 using LSC funds (including TIG), you must:

- Obtain LSC's preapproval as required by Part 1631 (your TIG award does not constitute pre-approval of a particular purchase or vendor);
- Maintain all purchase-related records for LSC's review, including: solicitation documents and resulting quotes or sole-source justification; vendor selection justification; management approval of sole-source or vendor selection justification; signed contracts or invoices; and all payments, adjustments, and credits.
- Upload a copy of the resulting contract, if any, with your Milestone Report for the period during which the contract was signed. (LSC only verifies that your contract was signed; you must ensure that your purchase complies with your written procurement policy and LSC rules and regulations); and
- Manage the engagement and ensure that TIG-funded vendors perform as contractually required (e.g., meet all milestones and deadlines, stay on budget/time; deliver satisfactory work products).

Subgrants. (45 C.F.R. Part 1627) LSC's subgrant rules apply to your TIG Grant because TIG funds are LSC funds covered by the rule:

- You must obtain written prior approval from LSC to subgrant LSC (TIG) funds of $20,000 or more. Your TIG grant award does not constitute pre-approval of a particular subgrant. You must apply for any required prior approval as required by 45 C.F.R. § 1627.4.
- A Part 1627 *subgrant* is an award of LSC (TIG) funds or property or services purchased in whole or in part with LSC funds from you to another entity to perform part of your legal assistance activities. By contrast, a *procurement contract* is an agreement between you and a third party under which you purchase property or services that are not the performance of legal assistance services. The characteristics of a subgrant are set forth in §1627.3.
- Please contact your TIG grant liaison if you are unsure about which third-party payment arrangements require subgrant approval.
- All subgrants are subject to the audit and financial requirements of the Audit Guide for Recipients and Auditors and the Accounting Guide for LSC Recipients. LSC may disallow third-party payments that do not comply with our subgrant or fiscal requirements.
- If you award a TIG-funded subgrant, LSC's restrictions (see paragraph 3 of your Basic Field Grant Terms and Conditions) will apply to your subgrantee's LSC (TIG) funds and non-LSC funds. There are some exceptions for the subgrantee's non-LSC funds when the subgrant is "for the sole purpose of funding private attorney involvement (PAI) activities pursuant to 45 C.F.R. Part 1614 or when an in-kind subgrant involves pro bono, reduced fee, or Part 1614 PAI activities. Please contact your assigned TIG staff person if you are unsure about which restrictions apply to the subgrantee in your situation.

GOVERNANCE REQUIREMENTS

Time and Recordkeeping. You must give your employees sufficient time to perform their TIG assignments, as established in your Evaluation Plan. You must allocate staff time to the grant consistent with the allocations listed in your approved grant budget and budget narrative, but the total time that an employee spends on TIG *and* other grantee-assigned work combined cannot exceed 1.0 FTE. You will track and keep accurate records of all time *any* of your staff members or your TIG subgrantees' staff members spend on your Approved Grant Project, including "in-kind" contributions of time that staff members spend (i.e., time that is not chargeable to your TIG funds). Attorneys and paralegals working on your TIG grant must keep time as required by 45 C.F.R. 1635. All other staff and subgrantees must maintain personnel activity reports supporting all salary and wages charged directly to the TIG grant as required by 45 C.F.R. 1630.3(d).

Tracking and Reporting Your Use of TIG Funding. You will track your 2018 TIG funds by grant number and will account for them separately from previous TIG awards, if any; your other LSC funds; and your non-LSC private and public funds. You will report your TIG funds by line item in the annual audit report you submit to LSC, with a separate line item for each TIG award. For additional guidance on these requirements, see 45 C.F.R. § 1628.3(g), 45 C.F.R. Part 1630, and the current edition of LSC's Accounting Guide for LSC Recipients.

Other Requirements and Standards. You must comply with the following requirements and standards when developing or improving web-based, self-help, or other electronic legal, managerial, or administrative resources with TIG funds:

OTHER REQUIREMENTS AND STANDARDS

Accessibility. You must consider and address the special needs of people with disabilities, including ensuring that all electronic and web-based resources developed or improved with TIG funds are based on or exceed the accessibility standards established in Section 508 of the Rehabilitation Act and implementing regulations.

Limited English Proficiency. (Program Letter 04-2) You must consider and address the special needs of persons with limited literacy, limited English proficiency, limited experience with or knowledge of computer-related technologies, limited access to computers, and limited access to most web-based or other computer-related systems, ensuring that all new publications, forms, and materials that are developed or improved with TIG funds are written in a clear, concise, and well-organized manner, consistent with plain language principles, examples of which can be found at www.writeclearly.org and www.plainlanguage.gov.

Standardized Indexing of Poverty Law Information. You will comply with standardized poverty law information indexing rules published in the Legal Aid Information Standards Group's National Subject Matter Index (NSMI). The NSMI makes it possible to share documents across web sites (because each site uses the same vocabulary) and to link between case management systems and statewide web sites based on topics defined by the index. If this requirement will substantially impede your ability to successfully complete your Approved Grant Project, you must contact your assigned LSC TIG liaison and request a waiver.

Innovations in Technology Conference. You must send one staff member whose attendance will benefit your Approved Grant Project to LSC's 2019 Innovations in Technology Conference on January 16–18, 2019, in New Orleans, LA. LSC will deduct up to $2,200 (depending on the number of TIG awards made for the year) from your first TIG installment payment to cover your staff member's conference registration, , airfare, and hotel costs. You are responsible for all other conference-related expenses. You must account for the $2,200 conference allotment as both

income and an expense in your audited financial statements. No part of the $2,200 conference allotment will be refunded if you are unable to send a staff member to the conference or if the actual conference-related expenses are less than $2,200. Unused conference allotment funds revert to LSC for future TIG awards.

Evaluation Plan, Milestones, & Payment Schedule. Project management is critical to the success of your TIG. Accordingly, at the beginning of the grant term, you must work with LSC's TIG staff to finalize the Evaluation Plan, Milestones, and Payment Schedule you proposed in your TIG Application. The Evaluation Plan defines the project objectives, identifies the activities that will be performed and strategies that will be used to accomplish project objectives, and specifies the methodologies and data sets that will be used to evaluate the project's success. The Payment Schedule establishes activities and deliverables, i.e. "milestones," that you must successfully complete before LSC will make an installment payment. The Milestones establish detailed tasks that you will perform and be evaluated on at the end of the grant term.

Once LSC approves your Evaluation Plan, Milestones, and Payment Schedule, they automatically merge into these Grant Terms and Conditions as a requirement of this grant.

If you need to modify your approved Evaluation Plan, Milestones or Payment Schedule (e.g., move, alter, or eliminate goals, objectives, or activities), you must email your TIG liaison. Milestone and Payment Schedule changes must be made before the end of the payment period in which the change is scheduled to be completed.

Communicating Changes and Concerns. You must notify your TIG liaison immediately when changes or concerns regarding your TIG project arise, including staffing changes, contractor changes or issues, partner changes or issues, and subgrant staffing changes or issues. Your liaison will be able to help address any problems or concerns and can guide you on how to request budgetary or programmatic modifications, if necessary.

Approved Budget and Budget Modifications. Your approved TIG budget is included in your grant award package. You will spend your TIG funds consistent with your approved TIG budget. You may make non-material changes to your TIG budget, but must obtain LSC's preapproval when:
- Cumulative changes exceed 10% of the total grant amount and $10,000.00;
- Changes to an individual line item in the budget exceeds 20% of the affected line item and is a change of at least $5,000.00; and
- Changes to the scope of the project are made.

If you need to modify your project budget, email your TIG liaison and explain what changes are needed and why. LSC will notify you if your modification is approved and will create and save a new budget in LSC Grants. If you discover a budget variance for which you should have requested LSC's pre-approval, but did not, contact your TIG liaison immediately.

No Cost Extensions. A No Cost Extension allows a grantee additional time beyond the grant term to continue accomplishing project goals and expending grant funds at no additional cost to

LSC. To initiate a formal request for a No Cost Extension, you must notify your TIG liaison at least 30 days before the end of the grant term. Your TIG staff person will ask you for written programmatic justification for the request, a revised project plan for the proposed period of the extension, and a revised overall budget. All No Cost Extensions require LSC management approval.

Payment Requests and Milestone Reporting. LSC will distribute your TIG funds in installments according to the milestone payment periods (usually every six months) established in your grant award package.

To trigger each installment payment, you must submit a Payment Request and Milestone Completion Report (using the TIG Milestone Reporting tab of LSC Grants) within 30 days of the end of the milestone payment period. Any delay in submitting your Report may delay your grant payment or result in an automatic termination of your TIG.

The Milestone Completion Report must confirm that the milestones established in your Payment Schedule for the particular payment period have been successfully completed. At the same time as the submission of each payment request except the final one, the grantee will submit an Interim Financial Report in the format of the approved budget, with any approved modifications, showing the actual expenditures on the project. This will include expenditures for both columns A and B of the approved budget. Assuming successful completion of your milestones and submission of a budget-to-actuals report, LSC will make the installment payment.

Before LSC will pay your final installment payment, you must submit a Final Report and Final Budget. The purpose of the Final Report is to evaluate the overall effectiveness and impact of the work done under the grant. Using the [Final Report Template](#) in LSC Grants, it must address the following:
- project goals and objectives;
- evaluation data and methodologies;
- summary of major accomplishments, recommendations, and future steps;
- in-depth analysis of accomplishments;
- factors affecting project accomplishments;
- strategies to address major challenges; and
- major lessons learned and recommendations for improving the TIG program.

The Final Budget, completed in LSC Grants, must account for your actual TIG expenditures and include a written explanation of any discrepancies between budgeted and actual expenditures. Please consult the current [LSC Accounting Guide for LSC Grantees](#) for guidance on how to prepare your financial report in compliance with our financial accounting and reporting standards.

Termination. Your TIG automatically terminates if:
- your Basic Field grant is voluntarily or involuntarily terminated; or
- you fail to timely submit a required progress report, unless LSC, in its sole discretion, grants you an extension of time in which to submit your Report.

LSC may terminate your TIG or withhold part or all of an installment payment if:
- you substantially violate these Terms and Conditions,
- you voluntarily request that it be terminated, or
- your TIG performance is deficient.

If your TIG is terminated for deficient performance or failure to timely submit a required progress report, you are barred from receiving another TIG for three years. If your TIG is voluntarily terminated because circumstances outside of your reasonable control make it impossible to perform your Approved Grant Project (e.g. key staffing changes, technology limitations, a failed proof of concept, etc.), you are still eligible for future TIG grants.

Automatic terminations are not appealable. You may, however, appeal discretionary terminations to the LSC President within 15 business days of receiving LSC's termination notice. You may also request to meet with the President. The President's decision will be in writing and is final.

Closeout. At the end of the grant term or when your TIG grant is voluntarily or involuntarily terminated, you will comply with your TIG liaison's instructions for completing an orderly closeout of your TIG. Unless stated otherwise, within 60 days of the grant term's end date or termination, you must:
- Submit a Final Budget showing budget-to-actual costs incurred through the end of the grant term or date of termination;
- Resolve any outstanding costs charged to your TIG grant;
- Provide a Final Report;
- Promptly return unspent TIG grant funds.

All close-out activities must be concluded no later than 180 days from the grant term's end date or termination.

You must retain all grant-related records after the grant term as prescribed by the Accounting Guide for LSC Recipients, Appendix II.

All property purchased with TIG funds is subject to LSC requirements for property acquisition, use, and disposal established at 45 C.F.R. Parts 1630 and 1631. Those requirements continue to apply after your grant has been terminated and govern any post-termination use and disposal of the property.

Intellectual Property Rights. Unless you have an agreement with a third-party developer or vendor establishing otherwise, you own all products, technologies, and software that you develop using TIG funds ("Work Products"). 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 Work Products, including making those works available to other LSC grantees and access to justice partners.

LSC's license does not apply to existing products, technologies, or software that you or a third-party vendor developed using non-LSC funds ("Preexisting Work"). But if you use TIG funds to modify or upgrade a Preexisting Work, our license will apply if the modification or upgrade can be licensed and purchased separately from the preexisting work (e.g., as an add-on or a plug-in). If it cannot be licensed and purchased separately, then our license does not apply, and we will have to purchase rights to use or share the modification or upgrade, if desired.

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.

You must have a written contract with third-party vendors who develop Work Products or modify Preexisting Work in a separately licensable and purchasable way. The contract must include a provision disclosing your and LSC's royalty-free, nonexclusive, and irrevocable license and prohibiting third-party vendors from denying the license's existence, challenging its legality, or interfering with LSC's full exercise of it.

LSC Logo. All materials that are used to promote TIG projects, including publications, websites, videos, and webcasts, must display LSC's logo, available at http://www.lsc.gov/media-center/galleries-multimedia/gallery/media-assets.

Basic Field Grant Terms Incorporated by Reference. Your current and future Basic Field Grant Terms and Conditions are incorporated by reference/merged into these Terms and Conditions and apply to your TIG. Where the Basic Field Grant Terms and Conditions conflict with these TIG Terms and Conditions, the language of these TIG Terms and Conditions will control. To the extent possible, however, the TIG and Basic Field Grant Terms and Conditions should be construed to give maximum effect to the language of both documents.