Legal Services Corporation
Technology Initiative Grants

Notice

Request for Applications to
Apply for 2012 Grant Funding

Issued: April 26, 2012

Application Submission Deadline: June 1, 2012 by 11:59 p.m. EDT

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

TIG Application Process: http://tig.lsc.gov/grants/application-process

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Legal Services Corporation
Technology Initiative Grant Program
Notice of Availability of Funds to Apply for 2012 Grant Funding

I. Summary

The Legal Services Corporation (LSC) issues this Notice describing the conditions under which applications will be received for the 2012 Technology Initiative Grant program and how LSC will determine which applications it will fund. LSC's TIG program was established in 2000. Since that time, LSC has made almost 500 grants totaling nearly $40 million. This grant program encourages grantees to use technology in innovative ways to increase access to legal services and the judicial system, to improve service delivery and the quality of legal work, and to enhance their management and administration. Projects funded under this program develop, test and replicate innovative technologies that can enable grant recipients and state justice communities to improve clients' access to high quality legal assistance through an integrated and well managed technology system.

II. Application Deadline

Complete applications for the fiscal year 2012 LSC grant program must be submitted using the online system found at http://lscgrants.lsc.gov no later than **11:59 P.M. EDT, June 1, 2012.** LSC will not accept applications or portions of applications in e-mail or hard-copy format. The online application system will be available by May 1, 2012.

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

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

III. Eligibility and Funding

Program Purposes

TIG awards are intended to improve access by low-income persons to high quality legal services, to the judicial system and to legal information. LSC's goal is that technology be used effectively and efficiently to provide high quality legal assistance and to promote full access to the judicial system.

Eligible Applicants

Eligible applicants must be current LSC recipients that have submitted a Letter of Intent and that LSC has invited to submit a full application.

Project Partner Organizations

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

Funding Availability

Approximately $3.4 million is available for 2012 grant awards. In 2011, 37 TIG projects received funding with a median funding amount of $70,205. (See http://tig.lsc.gov/grants/past-grant-awards for more information on past awards.) LSC recommends a minimum amount for TIG funding requests of $30,000, but lower requests will be considered. There is no maximum amount for TIG awards.

Award Period

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

Activities Prior to Award or Starting Dates

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

No Obligation for Future Funding

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

Type of Funding Instrument

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

False Statements

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

IV. Applicable Law and Grant Requirements

Applicable Law

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

The LSC Act, as amended, can be found at 42 U.S.C. §2996 et seq. Public Law 112-55 (2011), contains the FY 2012 LSC appropriation. The FY 2012 appropriation incorporates most of the restrictions imposed on recipients of LSC funds by Public Law 105-119 and Public Law 104-134, the FY 1998 and 1996 LSC appropriations. Some of those restrictions have been modified by other laws, which are mostly addressed in the

revised regulations and/or in LSC program letters. The LSC regulations can be found at 45 C.F.R. Part 1600 et seq. Please see the Federal Register for any regulations that have been revised or promulgated since the last publication of the Code of Federal Regulations. The LSC Laws, Rules and Regulations including program letters and other policies and guidelines can be found at www.lsc.gov or by contacting LSC directly.

Federal Policies and Procedures

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

Grant Categories

LSC will accept projects in three application categories:

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

Grant Category 1: Website Improvement and Innovation

The Website Improvement and Innovation category is designated for initiatives that will add new tools, promote website traffic, enhance accessibility, build community and increase the effectiveness of statewide websites to better serve their community, partners, advocates, and client population. From 2001-2010 LSC funded the creation and continuation of statewide website grants to help states build and coordinate effective websites for the use of clients, advocates and pro bono attorneys. In 2010, TIG created the Website Improvement and Innovation grant category to expand the potential use of websites. Statewide websites should no longer be static repositories to post and download information. For instance, live help and video resources may provide better assistance and direction to clients looking for information, and innovative web applications and social networking tools can provide opportunities to enhance websites to better engage and educate clients, advocates, pro bono attorneys, partners and communities. Every year, more of the client-eligible population is using the Internet. According to a May 2011 survey by the Pew Internet & American Life Project, 63 percent of adults in households with incomes of less than $30,000 have access to and use the Internet, either from home, work or from public access points, at least occasionally, showing that websites can be an increasingly important tool for legal aid programs to use to expand their reach and services.

Grant Category 2: Replication and Adaptation

The Replication and Adaptation category is for proposals that seek to replicate, adapt, or provide added value to the work of prior TIG projects. To leverage TIG funds, LSC has always stressed that grants be replicable. LSC requires that any software developed with TIG funding be available to other legal services programs at little or no cost. In 2012, LSC will continue to use a Replication Category to focus on the implementation and

improvement of tested methodologies and technologies from previous TIG projects. Replication and adaptation of prior TIG projects may include, but are not limited to:

A: Replication of Previous TIG Projects

During the past twelve years of TIG funding, there have been many successes. A list of examples of replicable projects and final reports can be found at http://tig.lsc.gov/grants/final-reports/final-report-samples-replicable-projects. Applicants should look to previous successful TIG projects and determine how they could be replicated at a reduced cost from the original project, and/or how they could be built upon and enhanced. Projects where software or content has already been created lend themselves to replication. Since any software developed through the TIG program is available to all LSC recipients at little or no cost, look to these projects to see how they could benefit the delivery systems in your state.

B: Automated Form Replication

LawHelp Interactive (LHI[1]) is now deployed in 38 states. There are over 2,370 active HotDocs templates being hosted on the LawHelp Interactive National HotDocs Server at https://lawhelpinteractive.org. While there are differences from state to state in the content and format, many of these forms can be edited for use in other jurisdictions with less effort, hence a lower cost, than starting from scratch.

In addition to these templates, the server hosts more than 823 A2J interviews to gather the information needed to complete the templates. Even if a form differs from one state to another, the information needed to populate the form will, for the most part, be the same. (What are the names of the plaintiff, the defendant, the children, etc.) This means the interviews are more easily replicated than templates.

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

LHI has the capacity to support Spanish language interviews and assemblies, and by the end of 2012 it will also support Vietnamese and Cantonese interviews. For additional information, including examples, best practices, models and training materials, see the LawHelp Interactive Resource Center, hosted by Pro Bono Net at http://www.probono.net/dasupport (you may need to request a free membership to access this website).

Grant Category 3: Open

The Open Category is designated for projects that do not fall within Grant Category 1 or 2 and that: (1) implement new or innovative approaches for using technology in legal services; (2) enhance the effectiveness and efficiency of other TIG initiatives or that

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

enable the legal services community to better use technology to increase the quality and quantity of services to clients; and/or (3) enable grantees to substantially increase and/or improve the services provided their client communities.

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

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

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

Areas of Interest

LSC welcomes applications for a wide variety of projects. For 2012, LSC has five areas of particular interest in which programs are encouraged to submit proposals for innovative technology approaches. The designation of these areas does not in any way limit the scope of proposals which LSC will consider. The 2012 areas of particular interest are:

Using Mobile Technologies to Provide and Increase Access to Legal Assistance. Internet connectivity is no longer limited to hard-wired locations. According to a 2011 survey by the Pew Internet & American Life Project, 77 percent of U.S. adults with household incomes under $30,000 own a cell phone. Of those, 22 percent own smartphones, and two in five of these smartphone owners indicate that they "mostly go online using their cell phone." In addition, the survey showed that 73 percent of all Americans now use their cell phones for text messaging. The increased availability and use of mobile technologies, including tools and resources such as cell phones, smartphones, laptops, netbooks and tablets, combined with the increasing availability of broadband access to facilitate delivery of resources like video and web conferencing, provide an opportunity for legal aid programs to create innovative uses of these new tools. LSC encourages proposals to explore how these mobile technologies can be used by legal aid programs, particularly to take advantage of the high percentage of clients who have cell phones and use text messaging. For example, a program could ask clients if they would prefer to be contacted by text message, and ticklers could be set up in the program's case management system to send out text messages to remind clients of appointments, or court hearings and the information they need to bring. Programs could also create mobile applications, increase pro bono involvement through mobile clinics, and integrate the use of mobile technologies in the delivery of legal services by advocates.

Leveraging Technology to Increase Pro Bono Attorney and Law Student Involvement. The funding crisis has increased the need for legal services providers to engage private attorneys willing to help low-income clients. Many state justice communities have urged attorneys to get more involved in pro bono efforts, and some have suggested that particular categories of attorneys, such as retiring or retired lawyers and recent graduates, are well-poised to expand access to justice in their states. In

addition, nearly 155,000 law students are currently enrolled in an ABA-approved law school[2],and many of these students have a strong interest in providing legal help to those in need. Technology can play an important role in recruiting pro bono attorneys and law students and providing them the tools necessary to effectively meet the legal needs of clients. LSC seeks proposals for projects that leverage creative uses of technology to enhance private attorney and law student involvement.

Technology Tools with Applicability to Federal Laws. A variety of technologies have the potential to enhance access to legal information and resources related to federal laws affecting the clients of LSC grantees. These resources may be especially valuable because they could be used by clients and advocates across the country. Substantive legal areas might include, but are not limited to: Social Security Disability, SSI, Individuals with Disabilities Education Act, bankruptcy, Fair Labor Standards Act, public and federally subsidized housing, and Medicare. Resources for clients might include web-based legal information and guidance, including appropriate automated documents and videos. Advocate resources could include web-based trainings, informational materials and automated documents and court forms. These technology tools should be developed so they can be readily used and/or adapted by advocates or clients nationally. Tools also might include mechanisms for coordinating and sharing information about federal legal issues.

Use of Data to Analyze Service Delivery and Develop Advocacy Strategies. Recipients are increasingly recognizing that more effective use of a wide range of data can enable them to better identify: 1) current and emerging needs of their client communities; 2) patterns of service delivery by case type, level of service or demographics of clients; and 3) outcomes achieved for clients. Data analysis can assist in developing specially tailored advocacy and service delivery strategies that more effectively address the most pressing legal needs and achieve the greatest outcomes for clients. Valuable data are available from a range of federal agencies (e.g., the Census Bureau, Bureau of Labor Statistics, Department of Health and Human Services, Department of Housing and Urban Development) and comparable state agencies (e.g., state offices for planning and research, departments of social services and health), as well as local government agencies, academic institutions, policy groups and other non-profits. LSC encourages initiatives that enable recipients, by themselves or in partnership with other entities, to use technologies to more readily identify, compile and employ data in ways that improve the responsiveness, effectiveness and efficiency of services provided to clients.

Leveraging Technology to Support Shared Infrastructure and Staffing. The emergence of new technologies – such as robust, on-demand web applications and multi-tenant data centers – has made it easier for the legal services community to share critical capacities across programs. For instance, LSC recipients can adopt cloud solutions that

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[2] For 2009-2010 Academic Year. See:
http://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/stats_1.pdf

consolidate the IT environments of multiple recipients into regional data centers. Recipients can also use established web applications and remote access and meeting tools to share staffing for positions that have been hard for LSC recipients to fill or sustain, especially in light of recent budget cuts. Examples of shared staffing capacity could include IT helpdesk staff and communications and development professionals. LSC seeks proposals for projects that leverage technology to provide shared IT infrastructure and/or staffing across recipients. These proposals should demonstrate how sharing capacities across LSC-funded recipients will reduce costs and tie into the goal of serving low-income clients as effectively and efficiently as possible.

Waiver Authority

Only 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 this Notice 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. All waiver approvals are within the sole discretion of LSC.

Freedom of Information Act

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

V. Application Process and Instructions

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. If invited to do so, applicants may submit multiple applications, but each discrete project must be submitted separately.

Incomplete Applications

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

Eligible Costs

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

The provisions of 45 CFR § 1630.5 (see http://www.lsc.gov/about/laws-regulations/lsc-regulations-cfr-45-part-1600-et-seq) requiring prior approval of the purchase of any individual item, or a group of related items over $10,000 in value, apply to TIGs. In order to expedite purchases after the grant award, you may wish to include a request for prior approval with your grant application. The procedures for requesting prior approval can be found in Section 3 of the LSC Property Acquisition and Management Manual (PAMM). This manual can be downloaded from the LSC Web site at http://tig.lsc.gov/sites/default/files/TIG/2011_PAMM_2001.pdf. For questions about this process, please contact Lora Rath, Acting Director, LSC Office of Compliance and Enforcement, Telephone: 202.295.1524; Email: rathl@lsc.gov.

Additional Funds from Other Organizations

Applicants are strongly encouraged to seek additional support for projects by partnering with other LSC recipients 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 recipients as matching funds for other federal grants.

Third-Party Contracting Considerations

LSC encourages applicants to work with other access to justice partners on projects and realizes that for many projects grantees will need to contract with third parties to accomplish the goals of the project. Such partnerships and contracts can raise special issues and be subject to certain regulations and procedures. Grantees should be familiar with these and take them into account during the planning of the project. One such consideration is identified above in the **Eligible Costs** section concerning 45 CFRc§ 1630.5 (see http://www.lsc.gov/about/laws-regulations/lsc-regulations-cfr-45-part-1600-et-seq). Although applicants can propose a particular third-party contractor, approval of a TIG application does not imply LSC approval of any specific contractor for the project; all procurement transactions must be conducted in a manner to provide, to the maximum extent practical, open and free competition, and all third-party expenditures, regardless of cost, must be appropriately documented.

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

1. **Competition in contracts for services:** Beginning with the 2012 TIG cycle, a contracting grant assurance, modeled after LSC's contracting guidelines, will require that, when a grantee expends more than $3,500 of TIG funds on a single contract for

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

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

3. **Administrative plans:** LSC requires administrative plans for grants where significant portions of the project management are contracted out to third parties. (This requirement is not intended to apply where the contracts are primarily for hardware, software, or technical development work.) For any such grant, as identified by LSC staff, a milestone will be added to the first set of milestones requiring the grantee to submit and have approved by LSC an administrative plan that clearly outlines the grantee's duties and responsibilities for financial oversight and audits, project management, contract coordination, evaluation, and reporting. When the grantee is receiving part of the grant as a fee for this administration, the plan will detail who will exercise these duties for the grantee and how the fee was calculated. Applicants have the option to upload a draft administrative plan in the Appendices to the Project Narrative. For more information and sample administrative plans, see http://tig.lsc.gov/grants/milestone-reporting-payment-requests/administrative-plans.

Additional information and resources regarding TIG compliance, including third-party contracting, can be found on the TIG website at http://tig.lsc.gov/grants/compliance.

Conflicts of Interest

Applicants must indicate whether any actual or potential conflicts exist for the proposed project. (See "Section IV: Conflicts of Interest Defined" in the TIG Program Conflicts of Interest Policy found at http://tig.lsc.gov/grants/compliance.) Applicants must also (1) describe their capacity to protect against any such conflicts that may arise during the grant and (2) agree to comply with the TIG program's Disclosure of Interests for Determination of Conflicts Policy if awarded TIG funds. 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 entering into negotiations with a third party.

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 recipient from LSC-supported activities during the term of the LSC grant or contract, and includes, but is not limited to, income from fees for services (including reimbursed costs), sales and rentals of real or personal property, and interest earned on LSC grant or contract advances. However, recipients have no obligation to LSC with respect to program income earned from license fees and royalties for copyrighted materials, patents, patent applications, trademarks and inventions produced under a TIG award.

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

Evaluation

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

Contact Information:

For information on the 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, DC, IL, IN, ME, MA, MI, NH, NJ, NY, OH, PA, RI, WI, WV, VT, contact **David Bonebrake**, Program Counsel, Telephone: 202.295.1547; Email: 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, FL, GA, KY, LA, MD, MS, MO, NC, PR, SC, TN, VI, VA, contact **Jane Ribadeneyra**, Program Analyst, Telephone: 202.295.1554, Email: ribadeneyraj@lsc.gov.

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

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

VI. Selection and Review

Selection Process

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

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

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

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

3. The LSC President determines the final TIG awards.

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

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

Review Criteria

Reviewers will evaluate and rate each application using the following criteria. All successful applicants will demonstrate that their projects can accomplish LSC's goal of

using technology effectively and efficiently to provide high quality legal assistance to eligible clients and to promote full access to the judicial system by the client community.

1. Need for the Project

Describe the specific problem(s) the proposed project will address and how it will benefit the client-eligible population. Identify the nature and scope of the problem(s). For example, what are the current gaps in client services? What are the limitations of the current operational systems? Explain how and why current technology systems are insufficient. Identify what is unique about the proposed project. Also, indicate whether TIG-funded or other projects have sought to address this or similar issues. If there have been such projects, describe how the proposed project will differ from and incorporate the lessons from those projects. Finally, indicate if the proposed project is responding to one of LSC's areas of interest for 2012: Using Mobile Technologies to Provide and Increase Access to Legal Assistance, Leveraging Technology to Increase Pro Bono Attorney and Law Student Involvement, Technology Tools with Applicability to Federal Laws, Use of Data to Analyze Service Delivery and Develop Advocacy Strategies, or Leveraging Technology to Support Shared Infrastructure and Staffing.

2. Project Goals and Objectives

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

3. Justice Community Partnerships

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

4. Replication

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

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

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

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

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

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

5. Program Capacity and Project Staffing

The application should describe the program's organizational capacities, e.g., experience in managing and staffing similar projects, understanding of the organizational support needed for the project, as well as the qualifications of the project team and partners. Identify the proposed staffing for the project as well as who has been involved in planning the project (i.e. executive director, IT staff, website coordinator, staff from proposed partners, etc.) Reviewers will 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.

6. Past Performance

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

7. Sustainability of the Project

This is the 13th year of the TIG program and it has made almost 500 grants to date. Many of the projects begun with TIG funding are still in existence. In order to leverage limited TIG funds, it is important that there be other funds to sustain the project after TIG funding gets it started so 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 bandwidth and staffing. It is important that the applicant create a written strategy for sustaining the project ("Sustainability Strategy") without ongoing TIG funding following its TIG grant term. Reviewers will review the applicant's Sustainability Strategy to sustain the project after the completion of the grant. Applicants should address the potential long-term viability of the project in their narratives and include the following:

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

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

Appendix I: Guidelines for Preparing Applications

Introduction to the Guidelines

The Legal Services Corporation (LSC) staff designed these *Guidelines for Preparing Applications* to help applicants provide enough information for LSC to make decisions on funding requests. This document supplements the *Notice: Request for Applications to Apply for 2012 Grant Funding*. (**Notice**)

One Project per Application

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

Provisions Applicable to All Categories

Online Application System

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

Amendments to Applications after Application Deadline

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

Changes in Applicant's Contact Information

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

Waiver Requests

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

- Programs planning to request a waiver prior to the application deadline must do so via email addressed to Techgrants@lsc.gov clearly stating (1) which provision(s) are asked to be waived, and (2) the extraordinary

circumstances that necessitate the request. The request must be clearly identified as a "**Waiver Request**." LSC cannot guarantee that it will be able to resolve waiver requests before the application deadline.

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

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

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

TIG Application Form

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

Budget Form

As a component of the Feasibility review criterion, reviewers will analyze the budget request in terms of its clarity, cost-effectiveness, and consistency with the goals and objectives described in the *Project Narrative*. The proposed budget should be appropriate to the tasks proposed and sufficiently detailed so that reviewers can easily understand the relationship of items in the budget to the project activities. The *Budget Form* is part of the online application system available from http://lscgrants.lsc.gov. There are fifteen budget items that must be filled in. Each area is the total for that category. For example, item 5 is for equipment purchases. If the project plans to purchase a server, a router and a battery backup, the costs of all three items would be added together for this category. Use

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

the sum of these costs in this form only. In the ***Budget Narrative***, set out descriptions and specific costs for each of these items. The ***Budget Form*** is the summary; the ***Budget Narrative*** is itemized.

Indicate who is paying for each of the 15 budget items. The ***Budget Form*** has five columns for (a) the amount requested from LSC, (b) the applicant's contributions, (c) additional funds from other LSC-funded partners, (d) additional funds from non-LSC-funded partners, and (e) the total of (a), (b) (c) and (d). All calculations will be automatically tabulated. *Note:* Do not request LSC funding to travel to the TIG Conference in column (a). LSC will add funding to send one person to the TIG Conference for each TIG awarded. The applicant may include travel for additional participants to attend the TIG Conference under columns (b) through (d).

Budget Narrative

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

Fully explain each budget item, 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, should be clearly defined and communicated.

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

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

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

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

Third-Party Contracting

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

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

Project Narrative

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

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

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

- A full description of the project, including the specific technology(ies) the project will develop or implement;

- The need for the project;

- The project's goals and objectives;
- Justice community partnerships;
- Replication;
- Program capacity and the project staffing;
- Past Performance;
- Sustainability of the project.

Appendices to the Project Narrative

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

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

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

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

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

Lessons Learned from Other Technology Projects

This is the 13th round of grant awards in the TIG program. To date, almost 500 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 projects (not just projects the applicant has completed, but related TIG 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.

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

Proposed Payment Schedule and Milestones

Plan the project for two fixed payments (initial and final) and an interim payment for each six months of the grant term. If the grant is awarded, the initial payment will be made shortly after the grant acceptance letter is returned to LSC. LSC recognizes that many of the costs for a project are incurred early on, so the initial payment may be the largest, but it may be no more than 40% of the grant total. The final payment must be for at least 20% of the grant request, up to a maximum of $50,000. Apportion the balance of the monies requested among the interim payments.

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

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

Example – for a one year grant request of $100,000, the four payments might be: payment one (initial payment) in January, 2013 for $40,000; payment two in July 2013 for $20,000; payment three in December, 2013 for $20,000; and payment four (final payment) in March 2014 for $20,000 (20% of the grant total). An eighteen-month grant would have five payments, a two-year grant six payments, etc.

Statement of Additional Funds

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

Conflicts of Interest

Prior to completing this section, applicants should review the TIG program's [Disclosure of Interests for Determination of Conflicts Policy](). Applicants must indicate whether any actual or potential conflicts exist for the proposed project. If there are potential conflicts, discuss how your program will address them if awarded funding. Describe your program's capacity to protect against any conflicts that may arise during the grant. Finally, indicate the program's willingness to comply with the Disclosure of Interests for Determination of Conflicts Policy throughout the grant term.

General Suggestions

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

For more information

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

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

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

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

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

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

Appendix II: Guidance for Applicants

Elements of a Successful Application:

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

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

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

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

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

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

An innovative approach with the potential to be replicated broadly throughout the country. LSC expects that each awarded project will serve as a model for other communities to follow. In addition, since these grants are being provided to improve the delivery of legal services using technology, applications shall benefit – in the most practical way possible – the entire system. Applications will be reviewed according to how the project will benefit clients in specific localities, and also on how the project will improve the system as a whole. If the proposal is responding to one of LSC's areas of interest for 2012 (Using Mobile Technologies to Provide and Increase Access to Legal Assistance, Leveraging Technology to Increase Pro Bono Attorney and Law Student Involvement, Technology Tools with Applicability to Federal Laws, Use of Data to Analyze Service Delivery and Develop Advocacy Strategies, or Leveraging Technology to Support Shared Infrastructure and Staffing), explain how the proposed approach can serve as a model to other programs and providers who wish to address the same area.

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

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

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

The Principles are:

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

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

Major Reasons Proposed Projects Have Not Been Funded:

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

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

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

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

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

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

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

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

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

Appendix III: 2011 Grant Assurances - Sample

Below is the Grant Assurances document issued for the 2011 TIG grant cycle. All recipients of TIG 2012 grants will be required to sign a similar document. Applicants should expect revised and/or additional grant assurances.

LEGAL SERVICES CORPORATION
2011 TECHNOLOGY INITIATIVE GRANT ASSURANCES

Recipient agrees that:

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

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

   b) Such products or software programs, including websites, shall comply with or conform to the National Subject Matter Index (NSMI) standard developed by the Legal Aid Information Standards Group as found on http://tig.lsc.gov/grants/compliance.

   c) Such products or software programs (including, but not limited to, document assembly products) shall comply with naming conventions currently under development which can be found on http://tig.lsc.gov/grants/compliance. Naming conventions are definitions of fields within documents (respondent, litigant, address, etc.). If these conventions substantially impede the successful completion of a project, the recipient shall communicate that to the assigned LSC Technology Initiative Grant (TIG) staff person and request a waiver of this requirement.

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

3. In the development of any website, *pro se* materials, or other grant-supported product, the recipient shall consider and address the special needs of persons with limited literacy, limited English proficiency, limited experience with or knowledge of computer-related technologies, limited access to computers, or those who have limited access to most Web-based or other computer-related systems for any reason. Recipients shall write all new publications, forms, and materials produced under this grant in a clear, concise, well-organized manner following plain language principles, examples of which can be found at www.writeclearly.org and www.plainlanguage.gov.

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

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

6. The grant award package includes the final approved budget for the project. Recipients are required to get prior written LSC approval for any change in this approved budget when the change exceeds 10 percent of the total budget or 20 percent of any line item in the budget. Changes in the approved budget for *any amount* that changes the scope of the project require prior written LSC approval. Requests for budget changes should be made to the TIG staff assigned to the grant who will provide instructions on what must be submitted to request a budget change.

7. All funds disbursed by LSC pursuant to this grant shall be used solely for the project for which this grant is being made. In some cases, the ultimate cost of project implementation will be less than the originally approved budget because of reductions in the anticipated costs of hardware, software or other factors. The recipient may not reprogram these budgetary savings without prior written LSC approval. Absent such written approval, all remaining funds must be returned to LSC no later than 60 days from completion of the project. As part of the final payment request (or as part of the close-out procedures if the grant is terminated), the recipient will submit a final budget in the format of the approved budget, with any approved modifications, showing the actual expenditures on the project, as well as a budget narrative explaining any changes in actual expenditures as compared to the approved budget. Grantees should consult LSC's Accounting Guide for LSC Recipients, 2010 Edition, for guidance on financial accounting and reporting standards.

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

9. It will comply with LSC regulations on transfers and subgrants, 45 C.F.R. Parts 1610 and 1627, in regard to the provision of TIG funds to third-parties. The recipient will review all third-party contracting for compliance with these regulations. Third-party contracting is any payment of TIG funds to a third party that is not part of the grantee's ordinary non-subgrant expenditures (such as salary, rent, utilities, etc.) All transfer and subgrant requirements, including LSC pre-approval of subgrants, will be followed. The award of a TIG is not a subgrant pre-approval. LSC should be contacted with any questions regarding which third-party contracts require subgrant approval. LSC may disallow costs if the transfer or subgrant requirements are not followed.

10. Approval of a TIG application does not imply LSC approval of any specific contractor. In the event the recipient expends more than $10,000 of the funds provided to it pursuant to this grant on a single contract for services to be performed by a third party or is required to develop an administrative plan in conjunction with receiving the grant, it will:

    a. Provide to LSC with the payment request for the period in which the contract was executed a statement explaining how the contract will further the fulfillment of

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

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

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

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

12. Grants can be terminated for four reasons: 1) by default if the recipient fails to provide required documentation on time, unless LSC, in its sole discretion, provides a written waiver or extension; 2) by modification or withdrawal when the recipient and LSC agree that the TIG should end early by mutual consent; 3) by termination based on LSC concerns about recipient performance and pursuant to LSC procedures as outlined in LSC's TIG Procedures Manual; or 4) by default if the recipient ceases to be an LSC grantee. In situations (1) and (4) the grant automatically terminates and close-out procedures will be initiated for the grant, including the consideration of what funds, if any, will be provided for any milestones of the grant completed prior to the termination of the grant and what funds, if any, will be returned to LSC. UPON AUTOMATIC TERMINATION THERE IS NO RIGHT TO APPEAL. When a grant is terminated for any of these reasons, the recipient agrees to work with LSC staff to close out the grant, to provide a final accounting, to provide a "lessons learned" report detailing why the grant was not completed, and to return any unspent funds. Additionally, if LSC terminates a recipient's TIG for failure of performance or to provide timely documentation, the grantee is not eligible to receive a TIG for three years after the grant is terminated except that this ineligibility shall not apply to programs that work with LSC to end a TIG early after an unsuccessful project implementation resulting from technology limitations, a failed proof of concept, or other reasons outside of the recipient's control.

13. It shall send one person, whose attendance will further the objectives of the grant, to the 2012 TIG Conference sponsored by LSC. This event will be held January 11-13, 2012 in Albuquerque, New Mexico. LSC will add $1,600 to the amount of each recipient's first TIG payment to cover costs related to this person's attendance at the conference, and this $1,600 will be withheld by LSC to cover the cost for the person to attend the TIG 2012 conference, including the cost of said person's airfare, hotel room, and conference fee, which provides at least two meals for each day of the conference. The recipient is responsible for any expenses that exceed this amount. Recipient has no other rights to this portion of the grant and may not use any portion of it for other purposes, even if, for any reason, the recipient is unable to send

a person to the Conference, or the expenses related to the person's attendance are less than $1,600. Any unused money provided for the TIG conference purposes shall revert to LSC for future TIG funding. The date and location of the TIG conference are subject to change at LSC's sole discretion.

14. Any materials, including publications, websites, videos, and webcasts, created with grant funds or used to promote TIG projects shall display the LSC logo. It shall forward electronic copies of these materials to the assigned TIG grant manager via email. LSC shall retain a royalty-free, nonexclusive and irrevocable license to use, copy, distribute, and display on the LSC website any such materials.

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

16. By accepting this grant, it is committing that staff designated to work on this project shall be given sufficient time to achieve the milestones of the grant in accordance with the FTE or other measure of time allotment represented in the budget and budget narrative for this grant. The total time commitments of any staff member working on this grant shall not exceed 1.0 Full-time Equivalent (FTE) for all work to be performed for the recipient.

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