

IOLA Fund of the State of New York

2012-13 IOLA Grant Cycle

Application Process Questions & Answers (as of January 30, 2012)

Question 1: What sections of the applications must existing grantees complete? Must existing grantees do all sections of the narrative?

Answer: Existing grantees must complete all Parts of the application, including all sections of the Narrative (Part II), including the Organizational Strength section and the Principal Activities sub-section. There are two versions of Part III. Form A. – existing grantees should only complete the version designated for existing grantees.

Question 2: Should applicants type their application directly into the documents in the application package or should they prepare a separate document?

Answer: Applicants have the option of typing their application into the forms included in the application package or creating new documents. If creating new documents, applicants should incorporate sub-headings that correspond with those used in the forms, particularly those in “Part II. Narrative Proposal.”

Question 3: How much funding does IOLA have available this year and what percentage is allocated for CLS and AOJ?

Answer: IOLA anticipates disbursing approximately \$6.5 million in interest generated from attorney IOLA accounts. In addition, Chief Judge's Task Force to Expand Civil Legal Services in New York recommended, and the proposed Judiciary budget for 2012-13 includes, an additional \$15 million for IOLA. The possible addition of \$15 million is subject to the New York State budget process.

New York State Finance Law 97-v requires the Trustees to allocate no less than 75% of the total grant funds available to qualified civil legal services providers and no more than 25% of the total grant funds available to programs that improve the administration of justice. The Trustees have not made the allocations for the 2012-13 IOLA Grant Cycle.

Question 4: Does an applicant need to submit evidence of its registration with the NYS Charities Bureau? Its tax identification number? How should an applicant demonstrate its non-profit status?

Answer: As part of the contracting process, applicants will be asked to provide:

- Certificate(s) of Professional Liability, Workers' Compensation & Disability Benefits Insurance
- Current New York State Charities Bureau Registration
- Current New York State Vendor Responsibility Questionnaire

These documents, however, need not be submitted at the time of application.

Non-profit status may be established by submitting a copy of the letter from the IRS certifying its tax exempt status.

Question 5: Should an organization that provides no direct client services and whose work is focused on improving access to justice list itself with the LawHelp/NY directory of legal services? If so, how?

Answer: An organization not listed with LawHelp should contact LawHelp to discuss how it should be listed. If the organization determines that listing with LawHelp is not appropriate, explain why in the application.

Question 6: If during the prior grant cycle two existing IOLA grantees merged, should the surviving entity use the existing grantee form or the new grantee form?

Answer: In the case of the merger of two existing IOLA grantees, the surviving entity should use the existing grantee form and combine the information from both organizations regarding the prior year's activity.

Question 7: In answering Line S on Schedule D to Part III Excel Data Form A (Existing Grantees), can an applicant use the IOLA fund balance as reported on its most recent audited financial statement?

Answer: The amount reported on Line S on Schedule D of the Part III Excel Data Form A (Existing Grantees) should correspond to the good faith estimated amount that the applicant anticipates being available as of April 1, 2012.

Question 8: Please explain the difference in the information or amount of information requested in Section A, Subsections 1-5 and Section D, Subsection 1 of Part II.

Answer: Section A. should include a brief summary of the applicant's program and brief answers to the several questions regarding the community (e.g., need, service area, cooperative efforts). Section D., Subsection 1 should provide a detailed description of the program and how it will be implemented.

Question 9: In Part II., Section D., Subsection 3, what is meant by "dollar benefits obtained for clients?"

Answer: "Dollar benefits obtained for clients" means all monetary benefits obtained for clients through the efforts of the applicant's legal services including federal social security, SSI, TANF, food stamps, child support, temporary and permanent maintenance, equitable distribution of marital assets, monetary awards in housing, employment and consumer disputes.

Question 10: In the case of an applicant that previously received IOLA funding, but not in the most recent grant cycle (2010-11), should it use the form for existing grantees or new grantees?

Answer: If an applicant was not funded by IOLA in the most recent grant cycle (2010-11), it should use the form for new grantees.

Question 11: What is meant by “private attorney”? Does IOLA’s definition include attorneys who work in private law firms? In corporations? For government?

Answer: “Private attorney” refers to all attorneys who are not part of the applicant’s paid staff and offer pro bono legal services to clients through the applicant’s program.

Question 12: Regarding the “Factors Considered in Awarding Grants,” (a) please explain the information requested in cases where clients are not a formal part of the applicant’s planning or priority setting and (b) please clarify what is meant by “providers to be served” in the case of an applicant who offers support and training programs.

Answer: The section captioned “Factors Considered in Awarding Grants” constitutes the non-exclusive list of factors that the IOLA Board of Trustees considers when establishing funding priorities. No one factor controls.

Applicants should include a description of any client participation in all relevant sections (e.g., Part II., B.2., C.1., C.5., D.1.).

In the case of an applicant seeking funding for support and training programs, “providers to be served” refers to the organizations that the applicant seeks to assist through its support and training programs.

Question 13: In the case of an applicant (an existing AOJ grantee) that is a collaborative of foundations and intends to use IOLA funding to make sub-grants to AOJ programs, (a) may it continue to apply for AOJ funding when it anticipates receiving proposals from and making sub-grants to providers who may also apply for IOLA CLS funding for other projects and (b) should providers that have received such sub-grants complete Part III Excel Data Forms A (Existing Grantees), worksheets F and G of the application?

Answer: Such an applicant may apply for AOJ funding with the intention of making sub-grants to providers who may also apply for IOLA CLS funding. The information reported on worksheets F and G on Part III Excel Data Form A (Existing Grantees) should correspond to the applicant's best estimations based on reasonably available information, including information obtainable from prior or anticipated sub-grantees.