



MASSACHUSETTS BAR FOUNDATION

KEEPING THE PROMISE OF JUSTICE SINCE 1964

2012/2013 IOLTA GRANTS PROGRAM

Applications Due March 9, 2012

Application forms available online at www.MassBarFoundation.org

The Massachusetts Bar Foundation represents the commitment of the lawyers and judges of Massachusetts to improve the administration of justice, to promote an understanding of the law, and to ensure equal access to the legal system for all residents of the Commonwealth, particularly those most vulnerable.

1. MASSACHUSETTS IOLTA FUNDS

Under Supreme Judicial Court rule, the Interest on Lawyers Trust Accounts (IOLTA) in Massachusetts must be distributed to programs that either provide civil legal services to low-income persons, or improve the administration of justice. Three charitable organizations distribute the Commonwealth's IOLTA funds: the Massachusetts Legal Assistance Corporation (67%), the Boston Bar Foundation (7%), and the Massachusetts Bar Foundation (26%).

The Massachusetts Bar Foundation awards its portion of the IOLTA funds to law-related programs of nonprofit organizations through an annual, highly competitive application process. The Foundation typically receives over 170 applications. Awards are often for less than the full amount requested.

IMPORTANT ADVISORY: IOLTA revenue has declined drastically in the last few years and continues to fall. To supplement awards, the MBF has relied on reserve funds. While we expect to draw from our remaining reserve funds again this year, the amount available is significantly less than in prior years. Consequently, we anticipate a substantial reduction in the amount and number of grants to be awarded as part of the 2012/2013 IOLTA Grants Program.

In the 2011/2012 grant cycle, the Massachusetts Bar Foundation awarded 104 grants totaling \$3.4 million to 75 organizations across the state. The average grant award amounted to approximately \$33,000. A complete list of grant awards is available at www.MassBarFoundation.org. This year, the Foundation expects to award approximately \$2 million.

2. CORE OBJECTIVES FOR GRANTS

The Massachusetts Bar Foundation invites applications from nonprofit organizations in Massachusetts for projects that contribute to the following objectives:

- Provide civil legal services to low-income persons on issues where there is an identifiable and unmet need, or conduct activities contributing directly to the improvement in the administration of justice in Massachusetts;
- Demonstrate an innovative, cost-effective approach that does not duplicate other services;
- Enlist the *pro bono* support of the private bar;

- Serve particularly underserved areas of the Commonwealth; and
- Include collaborative efforts with both the court system and other organizations.

The Massachusetts Bar Foundation awards IOLTA grants for innovative initiatives with clear, quantifiable objectives. Consequently, all applicants should include evaluation plans designed to identify program outcomes and impacts. The Foundation prefers to support specific projects or programs; it does not provide support for general operating expenses. *Exceptions to this policy are made only in special cases.* In addition, MBF Trustees favor funding programs that minimize overhead costs and demonstrate a sound, long-term funding plan. Please note that an organization's track record in serving racially diverse, low-income populations is also taken into consideration during the review process.

Organizations may submit multiple grant applications for distinct programs, but are encouraged to consolidate requests whenever possible. Organizations also may submit applications for renewed funding of previously supported programs.

Please note that all eligible programs are considered equally for support—no particular program is assured of continued funding.

All competitive applications will address the points raised above, as well as some of the more specific issues described on the following sections. In addition, applicants are encouraged to review the [2012/2013 MBF Grant Priorities](#) online prior to preparing an application.

Requests for Reconsideration:

The dramatic decline in IOLTA revenue has required the MBF Trustees to make difficult but necessary decisions NOT to fund certain programs in recent grant cycles. Due to continued reduced levels of available funding, it is our intention to keep to those decisions in the 2012/2013 IOLTA Grants Program. Consequently, organizations are discouraged from applying for reconsideration of a program that is not substantially different from that submitted and rejected in a recent grant cycle. We appreciate your cooperation regarding this matter.

3. CATEGORIES FOR FUNDING

A. Civil Legal Services

Approximately 75% of the Massachusetts Bar Foundation's IOLTA funds will be used to support programs that provide civil legal services to the Commonwealth's disadvantaged and/or low-income populations.

Highly competitive projects in this program area will:

- Provide direct representation by an attorney and advocacy to low-income clients on matters relating to basic subsistence needs and access to the legal system; and/or
- Train pro bono attorneys to manage cases in particularly complicated and overwhelmingly underserved areas of the law.

Trustees prefer to support civil legal service initiatives that collaborate with existing programs, expanding the scope of available services and avoiding any duplication of services. All civil legal service programs are expected to leverage Foundation support with private bar pro bono involvement, as well as with other sources of financial support to the greatest extent possible.

B. Administration of Justice

Approximately 25% of the Massachusetts Bar Foundation’s IOLTA funding will be awarded for programs that improve the administration of justice in Massachusetts.

Highly competitive projects in this program area will:

- Address systemic problems in the Massachusetts court system and include a demonstrated interface with the courts.
- Produce models that can both attract funding from other sources and be replicated across the state.

4. ELIGIBILITY

The Massachusetts Bar Foundation awards IOLTA grants only to Massachusetts organizations—no funding is available for individuals. Priority is given to 501(c)3 organizations, although other nonprofit organizations with charitable programs that fit the Foundation’s guidelines may also receive funding. Typically, grants are awarded to legal service and law-related agencies, as well as to various non-government organizations across the state. In rare cases, public agencies, established by governmental entities under statutory authorization, may receive funding for pilot programs that will ultimately receive public funding. *No other type of entity is eligible for funding.*

Please be advised that under Supreme Judicial Court rule, the Massachusetts Bar Foundation cannot support any social service components of an applicant’s proposed program. In addition, please note that the Foundation’s Trustees are sensitive to the unlicensed practice of law or the appearance thereof. Funding requests for non-attorney positions must include detailed information regarding direct attorney supervision of that position.

The Massachusetts Bar Foundation does not provide IOLTA grants for activities relating to criminal law. In addition, Foundation funds may not be used for fundraising activities related to political, endowment, scholarship, and capital campaigns.

5. FUNDING CYCLE

Grants are awarded for one year only from September 1 through August 31. The reporting and payment schedule for these grants will be:

Applications Due	March 9, 2012
Decision Notification	July 2012
First Half of Funds Distributed	Oct. 2012
Mid-year Report Due	Feb. 15, 2013

Second Half of Funds Distributed	March 2013
Final Report Due	Sept. 15, 2013

6. APPLICATION AND REVIEW PROCESS

All application forms and requirements are available at www.MassBarFoundation.org. Applications must be submitted **no later than 5:00 p.m., on March 9, 2012**. Late applications will not be accepted, unless prior arrangements have been made with Foundation staff.

Complete applications will be reviewed by Grant Advisory Committees (GAC), comprised of Massachusetts Bar Foundation Trustees and Fellows, as well as by Foundation staff. The Board of Trustees will make final funding decisions by July 2012. Please be advised that there is no appeal process for funding decisions. The MBF encourages applicants to seek other sources of funding while awaiting a decision by the Trustees.

Prior to the release of any grant funds, successful applicants must sign a contractual grant agreement, which may include individual funding conditions. Throughout the grant period, Massachusetts Bar Foundation grantees are required to adhere to the terms and conditions of this agreement.

7. APPLICATION INSTRUCTIONS

Applications must be typed and include the **four (4) components** listed below to be considered.

NOTE: The two form components are available at www.MassBarFoundation.org. Please do not alter the forms in any way or attached additional pages.

Component 1. Proposal Summary Form

The information for the Proposal Summary Form must be submitted on the form available on the MBF website. Please use the Proposal Narrative (see below) to clarify any issues in the Proposal Summary.

Component 2. Budget Form

Please complete and submit the one-page MBF Budget Form available on the MBF website.

- Program budgets should reflect costs only for the program for which funding is requested.
- In the Total Program Budget column, please list expenses for the entire program. In the MBF Request column, please list the specific expenses for which you are requesting Foundation support.
- Please adjust your budget to reflect the Foundation's grant period, September 1, 2011 to August 31, 2012.
- The total amount requested from the Massachusetts Bar Foundation and the additional revenue sources listed at the bottom of the form should, at minimum, equal the total expenses of the Total Program Budget column.
- Please do not list "in-kind" contributions and expenses on the Budget Form. They can be listed in Part III of the Proposal Narrative.

Component 3. Proposal Narrative

In the Proposal Narrative, please elaborate on the information requested in the Proposal Summary. The Proposal Narrative **may not exceed five (5) pages (strictly enforced)**. Please number the pages of your narrative. Please type the narrative in a font no smaller than 12 point and submit on single-sided, 8 1/2" by 11", white paper, using 1 inch margins. Please follow the outline of topics to cover in the shaded area below. Please note, Trustees always appreciate concise, well-written narratives.

NOTE: The Proposal Narrative and Summary Form should be completed as separate, stand-alone documents. Each will be used in a separate component of the review process.

Component 4. Appendix Materials

The Appendix Materials must include:

- A. Current Board-approved organization budget;
- B. List of Current Board members;
- C. Two **letters of reference** with complete contact information of people familiar with the program.
 1. Please include any letters of reference and support for the project with your application by the March 9 deadline. No letters will be accepted after this date.
 2. Letters should be prepared by someone outside of your organization and board.
- D. Evidence of tax-exempt status (IRS determination letter); and
- E. Most recent independent audit (if required by law). *If the audit was conducted in accordance with government auditing standards, please also include the internal control report.* If audited statements are not available, please enclose a copy of your most recent IRS Form 990.
- F. **ADR Programs Only:** Please provide a copy of all applicable approval letters from each Trial Court Department permitting your program to receive court referrals pursuant to Rule 4(a) of the Uniform Rules on Dispute Resolution. (Supreme Judicial Court Rule 1:18).

For applicants submitting multiple applications, please submit a complete set (3 copies total) of appendix materials for each application.

Proposal Narrative: Topics to Cover

Please use the following outline in preparing your Proposal Narrative. Please be as clear and concise as possible.

I. Profile of the Organization

- A. Brief summary of organization's history, goals, and key achievements.
- B. Overview of organization's structure and programs, including board, staff, and volunteer involvement.

II. Profile of the Program

- A. Program Description.
 1. Description of the program including the *measurable* goals and objectives.

Please project and list the quantitative outcomes you expect to result from this program. Remember to include the actual activities grant funds will support in this section.

2. Description and time-line of specific program activities.
 3. For renewals, compare previous year's accomplishments and challenges with proposed goals.
- B. Community/Regional Needs the Program Will Address.
1. Statement of the identifiable and otherwise untended legal need(s) or improvement(s) in the administration of justice that the program seeks to address.
 2. Description of the scope of the problem, indicating what is currently being done to address it and how your organization will take an innovative approach, complementing existing programs, rather than duplicating them. Also, be sure to describe the geographic scope of your program.
- C. Target Population and Outreach.
1. Description of the population this program will target for services, including how you will reach them and their geographic distribution.
 2. If applicable, a description of the income eligibility guidelines and screening processes used to determine eligibility of program clients.
- D. Community and Volunteer Support.
1. Description of how the program will enlist the pro bono involvement and support of the private bar, if at all.
 2. Description of the level and nature of the involvement of the courts, private bar, local bar association, legal service community, and the community-at-large. Identify organizations with whom you will collaborate in conducting this program and the anticipated effect this cooperation will have on the program. Please distinguish between lawyer volunteers and non-lawyer volunteers.
- E. Qualifications of Staff and Volunteers.
1. Brief profiles, not resumes, of key staff and volunteers.
 2. Description of training and supervision for staff and volunteers.
- F. Program's contribution to the Massachusetts Bar Foundation's Goals and Objectives.
- G. Outcome Measurement and Evaluation.
1. Description of the criteria used to measure effectiveness of program.
 2. Description of the methods used to track program outcomes and long-term success.
- H. Future Plans.
1. Statement of program's development plan for the next three years.
 2. Description of strategy to secure future funding for the program.

III. Budget Narrative (this section must be included within the 5-page limit of the entire proposal narrative)

- A. Narrative description for each line item included on the Budget Form. Please be sure this form includes both the entire program budget and the specific expenses for which you are seeking Massachusetts Bar Foundation support.
- B. Requests for renewed funding of a previously supported program must include a rationale for any increase in funding requested.

IV. Current and Past Support

- A. List of IOLTA grants received from either the Boston Bar Foundation or the Massachusetts Legal Assistance Corporation, as well as any grants from the federal Legal Services Corporation, over the last two years.
- B. List of other companies, foundations, and resources being approached to fund this program. Please include request amounts and indicate the status of your request (pending or secured). If funding is only partially secured, please list the amount secured, as well as the amount still pending.

V. General Organization Funding

- A. Description of how your organization is funded excluding information raised in section IV.
- B. Description of how much staff time and resources are spent soliciting other funding.
- C. Organizations with an endowment, reserve, restricted, or income producing fund(s) must provide a description of their spending policy and nature of restrictions.

All five components must be included in the 5-page narrative. Please do not include attachments, appendices, exhibits, or extra pages to the narrative. **They will be removed.**

8. SUBMISSION FORMAT

NOTE: If application instructions are not followed exactly, your grant application will not be considered.

Please submit all materials on single-sided 8 1/2" by 11" white paper, using 1 inch margins, unbound and paper-clipped at the top left corner in the exact order listed below. A complete application includes:

- 3 copies of the Proposal Summary Form and the Budget Form, each set **paper-clipped** together (DO NOT STAPLE); and
- 3 copies of the Proposal Narrative and the Budget Form, each set **paper-clipped** together (DO NOT STAPLE);
- 3 copies of the Appendix materials stapled together. Please do not staple Appendix Materials to either the Proposal Narrative, or Proposal Summary Form.

Please DO NOT submit applications in binders or folders, or include materials that cannot be easily copied. Please do not include cover letters or “title” pages for individual components of the application.

You may send **one** copy of the most recent annual report, newsletter, or other promotional material on the organization or program. Additional copies will be discarded.

Submit your application by mail or by hand on or before Friday, March 9, 2012 to:

**2012/2013 IOLTA Application
Massachusetts Bar Foundation
20 West Street
Boston, MA 02111-1204**

Applications via email or facsimile will not be accepted. Applications must arrive at the Foundation on or before 5:00 p.m., on March 9, 2012—this is not a postmark deadline.

9. QUESTIONS & RESOURCES

Massachusetts Bar Foundation staff is available to answer questions and assist organizations with the application materials and grant review process. Please contact the MBF Grants Office at 617-338-0534 or via email foundation@massbar.org.

Applicants should not contact members of the MBF Board of Trustees or Fellows serving on Grant Advisory Committees regarding their applications, unless specifically requested to do so by the MBF.

Newer applicants may wish to attend an information session on Tuesday, February 7, 2012, at 2:00 p.m. at the MBA, 20 West Street, Boston, Mass. The MBF will present the application and review process and answer questions. Please RSVP to foundation@massbar.org.

Additional tip sheets about the application and using the online forms are available on the Foundation’s website: www.MassBarFoundation.org. We strongly encourage you to review this information.