

DC Immigrant Justice Legal Services (IJLS) Grant Fund
Q&A

TABLE OF CONTENTS

- I. TIMING (p. 1)
- II. FUNDING (p. 2)
- III. TARGET BENEFICIARIES (p. 3)
- IV. ELIGIBILITY (p. 4)
- V. MECHANICS OF APPLICATION PROCESS (p. 5)
- VI. MALPRACTICE INSURANCE (p. 7)
- VII. PARTNERSHIPS (p. 7)
- VIII. PRIVACY (p. 8)
- IX. LEGAL COMPLIANCE (p. 8)
- X. MONITORING (p. 9)
- XI. REPROGRAMMING (p. 9)

I. TIMING

When are applications due?

Applications are due on Tuesday, February 21, 2017 at 5:00 p.m. EST.

When will grant winners be announced?

Award notifications will be released between the dates of March 21, 2017 and April 1, 2017.

When will grant-funded work begin?

Grant-funded work will begin as early as April 1.

When must the work be completed by?

If your project is educational, such as Know Your Rights trainings, or if it is a series of one-time quick advice, limited representation clinics, you should plan on completing your work before September 30. Also, you should host any legal clinics, take on new clients, and open your legal matters for particular clients by September 30, 2017, the end of our fiscal year. That doesn't mean every filing needs to be made by the end of the fiscal year. It may be you take on a client this summer, and then decide what's

best is to actually file applications *after* this fiscal year ends on September 30. We recognize that legal matters opened this fiscal year may continue for years – and that’s beyond your control. In your proposal, tell us the timeline you expect. Then, if you are selected, you will work with the grantor to finalize the timeline in a way that makes sense for your projects. The grantor will then modify any template grant agreement so that it works with your timeline. Once this happens, your work must be completed by the date that is stated in the grant agreement – not necessarily by September 30.

II. FUNDING

Can I get the money upfront?

It may be possible, if EOM and the Office of the Chief Financial Officer (OCFO) agree that this is necessary. We will likely approve no more than half of the grant funds as an upfront “advance” payment before the FY 2017 report is completed. The remaining 50% will likely be disbursed 30-40 business days after the Grantor receives complete and approved grant reports. A new grantee who has not previously received any funding from the District government will be requested to complete a W9 form and Supplier form. This will enter their information into the procurement database system.

If you require advanced payment, you must notify the Grantor as soon as possible after you are notified that you will be awarded a grant, and indicate the reason. You must also indicate a reasonable timeline for spending the IJLS grant funds. This timeline must be within the grant agreement date, and should specify the types of services that will be delivered. Again, we understand that many legal matters can take months, even years, to complete.

Once you have notified the Grantor, the Grantor will submit a memo that affirms this need (e.g. that you cannot begin providing services without upfront cash) and delineate a monitoring plan. When the memo is accepted by OCFO, you will receive an advanced payment. The grant period will not end on September 30, but on whatever date your timeline indicated. The timeline must be aligned with the grant agreement.

Must the funds be spent by September 30?

No. If you will not spend all IJLS funds by the grant end date (i.e. September 30), then before any funding is dispersed, the Grantor will modify the grant period to reflect your project’s timeline. This timeline need not have an end date of September 30. The process for this modification is the process that was described previously.

Is this \$500,000 a one-time grant, or it will it become annual?

The \$500,000 is a grant program that the Mayor is targeting to the DC immigrant community. The budget for future years has not been finalized. Beyond DC budget allocations, we hope that partnerships between civic-minded, pro bono attorneys and our community-based organizations will continue to fund this program and benefit this population.

Is this federal funding? Where is the money coming from?

The \$500,000 comes from local DC funds. These are not federal dollars, but dollars that we raised in the District. The money is being reprogrammed within the Executive Office of the Mayor.

If something happens in Congress, is this funding subject to recapture?

At this point, we do not foresee Congress taking any action that would jeopardize DC local dollars being spent on IJLS activities. If anything changes, we will be sure to keep the DC community updated.

How much money is being distributed?

The Immigrant Justice Legal Services grant fund is a \$500,000 commitment from the Bowser Administration. Each grant will total no more than \$150,000. Foundations may add independent contributions that will increase the amount of money available. We anticipate making between 4 and 20 grants.

Can I file more than one application?

Each CBO can only serve as the lead agency for one application. A law firm or CBO can potentially partner on more than one application, though, using the process described below.

If a CBO or law firm wishes to support more than one application, this organization must complete the Partnership Certification. In doing this, the entity indicates its ability to staff *all* of the applications being supported, assuming that each application is funded at the maximum level. The Partnership Certification must be attached to each application submitted. Failure to do so could negatively affect application outcomes.

III. TARGET BENEFICIARIES

Who will benefit from the IJLS?

The IJLS will benefit immigrants of all ages – and national origins – who reside in DC, as well as families of mixed status who have at least one family member here *and* immigrant business owners in DC. It will also benefit the District as a whole: when all our neighbors feel secure in their legal rights, we are all better off. More people will enjoy the security of citizenship and the benefits of working with green cards; businesses will be more successful and more taxes will be paid. People will feel secure in reporting crimes and getting out of dangerous situations of domestic violence.

Is this only for undocumented immigrants?

The IJLS is designed to benefit *all* DC immigrants, regardless of immigration status. The program funds services in eleven categories, including areas like filing citizenship applications, opening businesses with ITIN numbers and preparing asylum applications. It is a great and damaging myth that all immigrants are here illegally.

How many people will the \$500,000 grant reach?

We do not have a target number of beneficiaries, as the specific number will depend on what organizations apply – and what type of services they provide. But we *do* expect that a large percentage of the nearly 100,000 immigrants in DC will benefit, directly or indirectly, in the security that IJLS can provide. In turn, all DC residents will benefit.

What if my proposed project will serve both DC residents and non-DC residents?

If you are undertaking a project like a workshop or clinic that will serve both DC residents *and* non-DC residents, IJLS funds may only be used to support the work that serves DC residents. This means that you should establish a process for prorating any funding that is used to serve both populations, with IJLS

dollars only covering the portion that specifically serves DC. Your documentation of these events need not include names, but should include city of residence.

IV. ELIGIBILITY

Who can apply?

IJLS is open to:

- Community-based 501(c)(3) organizations;
- Private entities that are partnering with 501 (c)(3) organization(s); or
- Private entities that are mobilizing pro bono talent.

Individuals are *not* eligible for this grant. This grant is for nonprofits, private entities and partnerships that will provide legal services to DC residents and their families. If you require individual services, we encourage you to contact the grant recipients that receive IJLS funding and can meet your needs.

What sorts of projects are eligible?

The grant will fund a wide range of programs that promote immigrant justice. These programs are –

1. Help DC residents apply for green cards, convert green cards to citizenship, and make other affirmative USCIS filings;
2. Renew DACA (Deferred Action for Childhood Arrivals) applications and work permits for DC residents;
3. Conduct Know Your Rights briefings and workshops;
4. Help prepare asylum applications and provide legal representation at asylum interviews and/or hearings for DC residents;
5. Represent DC residents in deportation proceedings;
6. Protect financial assets and custody for DC children in the face of potential deportation of parents or guardians;
7. Help people and businesses conduct affairs through ITIN numbers, appeal licensing board denials based on international qualifications, and access health insurance and other public benefits for which they are eligible;
8. File any lawsuits that may become necessary to challenging the use of DACA applications for finding or deporting undocumented persons;
9. Help file applications for S, T, U, Special Immigrant Juvenile visas and Violence Against Women Act (VAWA) petitions for DC residents or family members of DC residents; and
10. Provide legal help for family reunification efforts for families with at least one DC resident; and
11. Help DC families adopt or provide foster homes for refugees and children from war-torn countries.

Can grant funds be used to help immigrants with other important legal needs, such as relating to housing or schools or health care?

Grant funds are for the immigrant justice purposes listed above. If clients have other legal needs, please take care of those with other funds or direct them to other resources. Legal retainer agreements through this grant should be for one of the purposes identified above, although, again, your organizations may have other funds available to help clients with all their needs, including other legal needs.

Does the work have to be new? What if I want money to continue providing current services?

As long as your work falls into the listed IJLS categories, you are welcome to apply. The funds are meant to supplement, not supplant, current funding, however. If you have lost funding from other sources, these funds can be used to continue legal programming within the project areas specified in this RFA and your grant application. But do not use these funds to support the existing part of your work that supports DC residents, and shift your existing money and staff efforts to beneficiaries from outside DC. The grant fund aims to *add* support for DC families.

Is this program only for Latinos? Or only for Asian and Pacific Islanders?

No, the IJLS is for all DC immigrants, regardless of nationality. About one in seven residents of the District of Columbia is foreign born.¹ The program is for all immigrants, and their family members that they hope to reunite with, as well as D.C. families who seek to adopt or foster children from war-torn countries.

Are there any immigrants who will be ineligible for services – like criminals or people who have previously been deported?

The IJLS welcomes grant applications from nonprofits, private entities and partnerships across DC who have experience delivering legal and other services to DC and area immigrants. We trust their discretion and expertise in ensuring that grant dollars unify families, promote employment, build opportunity and help all DC immigrants aspire to the American Dream.

How does this program relate to other programs funded by the District government?

The District government has a large and ongoing program to provide legal services through the D.C. Bar Association. We also provide various kinds of support and outreach to the Bar Association’s pro bono program to help small businesses, such as by hosting legal clinics for entrepreneurs at various government locations. We have grant programs for immigrant services in non-legal areas and grant programs regarding domestic violence. So this program is of a piece with our inclusive values.

V. MECHANICS OF APPLICATION PROCESS

How do I apply?

Please follow the application process that is outlined in the RFA. You can find the RFA on the Mayor’s Office on Asian & Pacific Islander Affairs (<http://apia.dc.gov/>); the Mayor’s Office on Latino Affairs (www.ola.dc.gov); the Mayor’s Office on African Affairs (<http://oaa.dc.gov/>); the Office of Documents and Administrative Issuance (<http://os.dc.gov/>); and the District’s Grant Clearinghouse. If you haven’t done so already, start by creating a Zoom Grants account. It takes only minutes. You can begin work on your application and save sections before making your final submission.

How many grants will be awarded?

The Executive Office of the Mayor expects to award between 4 and 20 grants.

I notice some discrepancies between the RFA and ZoomGrants. What should I go with?

All applicants are applying via ZoomGrants and should therefore go with the word count and other guidelines that are contained there. The PDF RFA version is only for applicants who received approval to submit printed proposals.

¹ <https://www.americanimmigrationcouncil.org/research/new-americans-washington-dc>

Can I apply for more than one grant?

Each primary organization can only apply for and receive one grant, but pro bono volunteers can be listed on more than one application if they have the capacity to serve multiple organizations. If further funding becomes available, the Executive Office of the Mayor will notify potential applicants through the usual channels.

What happens to cases or applications when the grant money runs out?

Consistent with the norms of legal ethics, grant recipients must complete all cases or applications that they undertake. This commitment is a condition for receiving the grant.

Who will be judging these applications?

The IJLS grant program has a three-step process.

- First, applications will be reviewed by an external panel that is comprised of qualified individuals who have experience in legal services, grant administration, project management, criminal justice, immigration and education.
- Second, applications will be reviewed by an internal panel that is comprised of the Directors of the Mayor's Office on Asian & Pacific Islander Affairs, the Mayor's Office on Latino Affairs and the Mayor's Office on African Affairs.
- Third, the Mayor's Grant Advisory Review Board – which is comprised of the Mayor's General Counsel, the Director of the Mayor's Office on Community Affairs and the Director of the Office of Partnerships and Grant Services (OPGS) – will make the final funding decision.

How will the applications be judged? What makes a good application?

The RFA contains a detailed description of how applications will be judged. First of all, the application must be complete, and it should be clear and well-written.

In short, the main factors are:

- The soundness of the proposal;
- The program goals, objectives and services, including whether the program is using effective strategies;
- The clarity and concision of the writing;
- Intention to leverage partner organizations (CBOs or law firms) when completing the project;
- Program evaluation, including whether there is a clear process to measure/evaluate the program;
- The organization's capability and relevant experience; and
- Demonstration of sound fiscal management and a realistic budget.

In addition, the Mayor's team will ensure that, taken as a whole, the wide-ranging goals of the grant are being met through the awardees' proposals, and that a wide range of immigrants from various backgrounds will receive legal services through the IJLS program.

What if I have trouble with Zoom Grants?

We HIGHLY encourage that all applicants log onto Zoom Grants early and familiarize themselves with the process. We will not accept applications that are submitted after 5pm on February 21. If you need help using Zoom Grants, please use the resources that are listed in the RFA. If these are not sufficient to address your needs, you may contact Dory Peters at dory.peters@dc.gov.

What if I apply for a particular amount of money and am awarded a grant, but for a lesser amount of money and cannot do my program at that lesser amount?

Be sure to indicate on your budget or in your proposal what each item is expected to cost. If you are awarded a lesser amount than you requested, then the grant agreement will likely reflect fewer deliverables. You will agree to any adjustments in a grant agreement. Grant reviewers will understand that there may be thresholds that cannot be adjusted, as, for instance, if you need to hire someone full time.

VI. MALPRACTICE INSURANCE

I am a pro bono attorney who wants to do immigration work, but I do not have malpractice insurance that covers this. What can I do?

If you are working at a law firm, ask if your firm will provide you with coverage. If you are a solo practitioner, or your firm will not cover this, some nonprofits offer malpractice insurance for attorney volunteers. For example, the DC Bar clinics provide coverage for participating attorneys.

At CARECEN workshops, you provide information to CARECEN employees, so that *they* do the formal representation. Perhaps some arrangement like this could be undertaken.

In the IJLS database, we will highlight CBOs that have opportunities for attorneys who do not have malpractice insurance that covers this work.

I am a CBO that wants to use pro bono attorneys, but I do not have a malpractice policy to cover this. How can the IJLS help?

In your IJLS application, you may include a budget line for malpractice coverage. This means that you can set aside dollars to address this need.

VII. PARTNERSHIPS

Do I have to form a partnership if I want to apply?

No, being involved in a partnership is not a grant requirement. However, partnerships between law firms or legal service organizations and nonprofit organizations are highly encouraged. We therefore hope that you will consider joining forces with other organizations or firms, allowing you to expand your impact.

Can a 501(c)(3) – which provides free legal services – apply along with a for-profit law firm where the law firm would receive reduced “low-bono” compensation for its work?

Yes, a nonprofit organization can apply with a for-profit firm that will provide low-bono services. The nonprofit should record this arrangement as a pro bono contribution (e.g. 80% pro bono) while also budgeting whatever cash outlay the consulting fee (e.g. the remaining 20%) will be.

I like the idea of a partnership, but do not know exactly what this means. Can you give me some ideas?

Partnerships can create value for all parties involved – law firms, CBOs and individual attorneys. When considering a partnership, you should consider what each player could provide. For example, if you are a CBO that has great relationships with the community but no attorneys, you may partner with a law firm that can provide legal assistance to your base. The CBO may set aside money for application fees,

transcripts, experts, and other costs of filing the various applications and paperwork involved in immigration justice; in doing so, you make it easier for law firms to provide the pro bono legal services.

If you are a law firm that has attorneys who wish to help, but little expertise in immigration law, you may need a nonprofit organization that can oversee your attorneys in this work.

Whatever the case, remember that you can use IJLS funds to provide services that support such partnerships. For example, if you are a nonprofit that wants to use outside attorneys but lacks the infrastructure, you can use IJLS funds to hire someone to oversee pro bono talent.

Do we have to list the names of our pro bono counsel on our staffing plans?

Not necessarily. If you have a relationship with a law firm that pledges to you to provide legal services, you can list the name of the firm. The more specificity, the better, with regard to the strength and specificity of the commitments made in your partnerships.

I do not have an IJLS grant proposal, but still want to get involved. Can I?

If you represent a law firm and you cannot form a partnership for the IJLS grant, or do not receive a grant, you can become a Pro Bono Partner. Pro Bono Partners commit to providing services that fit one – or more – IJLS program areas. In exchange, they will receive recognition on our website *and* invitations to IJLS events.

If you are an individual attorney, please consider helping DC immigrant-serving organizations pro bono. Please visit the MOCA, MOAPIA, MOAA and MOLA websites over the next few months, as we work to compile these opportunities. Local resources, such as the DC Bar, may have good leads for getting involved.

VIII. PRIVACY

Will applicants need to provide information about particular clients to the District government?

No. Attorney-client information must be safeguarded. For grant monitoring purposes, we just want to be sure you have a solid case tracking system and we will want to know about results. For example, how many people were trained; how many applications were filed, and when the time comes, how many applications were granted.

Will winning grant applications be public?

Yes, all the winners will be announced, as well as the amount of grants. In keeping with principles of open government, winning applications may be made public, redacted consistent with the Freedom of Information Act.

IX. LEGAL COMPLIANCE

I heard that Congress believes that using government funds for defense of deportation is illegal. Will that affect the awards?

EOM will follow the law. Note that a letter was sent inquiring about this grant program; Congress as a whole has not asserted that this program, using local funds, is potentially in violation of any law.

Can applicant agencies employ persons without documentation?

No. Applicants should follow all laws.

IX. MONITORING

How will you monitor these grants?

Monitoring will be conducted through the reports that winners submit, site visits, requests for information, receipts from their expenses, and notifications that winners send us about any legal updates like grants of asylum, visas, or citizenship. Keep careful track of how many people you serve and where your cases are in process.

Please consider carefully how you can protect client confidentiality but still be able to document to us that these grant funds are serving *only* DC residents, their family members or prospective foster children and adoptees, and businesses. That is, if your program overall serves people from the whole metropolitan region, consider how you will demonstrate satisfactorily to us that these funds add to the support you provide to DC residents specifically.

What are the reporting requirements?

All grantees will submit 2 reports – an interim report and a final report. If you are undertaking a project that will completely finish by September 30, 2017, you will submit the interim report on July 30 and the final report on October 16.

If you are undertaking a project that will *not* completely finish by September 30, 2017, you will submit the interim report on October 16 and the final report 15 business days after the approved grant period ends.

Reporting requirements may change and will be discussed with grantees after the grant award announcement.

X. REPROGRAMMINGS

What if it is impossible to carry out the program we propose, due to policy changes at the federal level?

If that happens, notify the Grantor via email and propose how you will redirect your efforts within one or more of the other specified program areas. With the Grantor’s approval, you can shift your focus *if* fulfilling your grant agreement has become impossible due to events beyond your control.