

DC Immigrant Justice Legal Services (IJLS) Grant Fund FY2020 Q&A

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I. TIMING

When are applications due?

Applications are due on August 16, 2019 at 5 p.m. Eastern. Be on time. The past couple of years we've had more than double the number of organizations apply for almost triple the funds we could support. The easiest way to be cut is to file late or to file at the last minute and leave some critical sections blank.

When will grant winners be announced?

Award notifications will be released in September. The rough timeline is that you apply by August 16; our three rounds of review will make their final determinations in September. We'll make announcements and finalize grant agreements, then send the requests for payment over to the Chief Financial Officer. It may take several weeks after requests for checks to be cut, for them to be cut. Organizations need to be in "the system" to receive an initial check for part of the funds.

When will grant-funded work begin?

October 1, 2019. That's the start of the fiscal year.

When must the work be completed by?

In general, complete work by September 30, 2020. That’s easier for Know Your Rights workshops, brief legal consults, and capacity building activities, than full legal representation. Under extraordinary circumstances, and with permission, work may be extended beyond September 30, 2020. Of course, cases may not all be resolved by the end of the fiscal year. And for matters involving full legal representation, we expect that you will continue to serve clients undertaken through this work even if your funding has expired.

Can we fund cases we’ve already undertaken? Yes, so long as the legal work benefits DC immigrants and is within the scope of your proposal. Of course, the goal of the program is to expand the work being done on behalf of DC’s immigrants.

II. FUNDING

Can I get the money upfront?

EOM has been working with the CFO’s office so that IJLS grantees may get half their awards at the beginning of the grant as an “advance.” A new grantee that 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. This option is not available to organizations on high risk status.

Must the funds be spent by September 30?

In general, yes. If you will not spend all IJLS funds by the grant end date (i.e. September 30, 2020) due to some unforeseen circumstance, it may be necessary to enter into some sort of modification. But in general, the government allocates money to be spent in a fiscal year for activities to be conducted that year.

Are multi-year grants available? No, working with the government is not like working with a foundation that can make multi-year grants. But grant reviewers may be impressed if IJLS work is ongoing and successful. Say on your application if you will need to lay off an attorney or paralegal funded by IJLS if the award does not come through, or if an expanded IJLS award would allow you to convert someone part time to full time etc.

Is this \$2,500,000 a one-time grant, or it will it become annual?

The \$2,500,000 is a grant program that Mayor Bowser and the Council are targeting to the DC immigrant community. As for all grant programs, the budget for future years has not been finalized, but you can see the Mayor’s commitment to the program by its expansion, from \$500,000 reallocated to the program partway through FY 17, to another \$500,000 put in the budget for FY 18 and approved by Council, to last year’s expansion to \$900,000, to \$2.5 million for FY 20.

Given the great need in the immigrant community, a need that surely will not go away this year, and the strong performance by our grantees and the willingness of the legal community to serve, we are hopeful that Mayor Bowser’s IJLS grant program will be renewed for years to come.

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

The \$2,500,000 comes from local DC funds. These are not federal dollars, but local tax dollars.

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.

How much money is being distributed?

The Immigrant Justice Legal Services grant fund is a \$2,500, 000 commitments from the Bowser Administration. Each grant will total no more than \$400,000 and that would be an extraordinary grant. Foundations may add independent contributions that will increase the amount of money available, although despite our efforts, we were not able to directly augment awards through foundation dollars in past IJLS grant programs – though we did pitch various immigrant justice programs to some foundations, which did fund immigrant justice activities. We anticipate making up to 30 grants. In the first two fiscal years, when \$500,000 was available, we had ten direct grantees. Last year, when \$900,000 was available, we had 15 grantees. It’s obvious that we will not have all grants come in at \$400,000 or even last year’s max of \$150,000. Ask for what you need.

Can I file more than one application?

Each organization 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. So you could be a subgrantee on several applications, depending on your capacity.

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 if there is a formal partnership. It is really not fair to an organization to list them as a partner if you haven’t worked out how you’ll divide the money and responsibility. The certification makes sure that listed partners are genuine partners. If you have longstanding relationships with multiple law firms, it’s not necessary to have them all sign off on your application, but if the application relies on one outside lawyer or firm, please do get that certification that they are prepared to deliver the legal services you suggest will be delivered in your application.

An application can be in several parts. That is, you might propose doing KYR presentations, brief legal clinics, and take on a number of full legal representations.

Or you might propose to be the language access provider for other IJLS grantees, and provide direct legal services.

Or you might be the coordinator of a major grant, and submit an application for that, *plus* be a subgrantee partner of another lead organization.

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. 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. There's a lot of evidence about how much difference having a lawyer makes when it comes to a successful application for getting out of detention, filing for asylum or obtaining other immigration legal relief.

Can we apply to help DC companies sponsor immigrants? The purpose of the IJLS is to help individual immigrants, not companies. That said, some legal relief is only open to those who have sponsors. Be clear on your application about how many District of Columbia immigrants you will be benefitting, not just how many companies. When the clients are companies, it may or may not be an appealing application to the reviewers. Just do your best to sell the benefits to immigrants in line with the purpose of the grant.

Is this only for undocumented immigrants?

The IJLS is designed to benefit *all* DC immigrants who need more legal security, regardless of immigration status. The program funds services in categories that are only available to lawful residents, like filing citizenship applications. It is a great and damaging myth that all immigrants are here illegally.

How many people will the \$2,500,000 grant reach?

We do not have a target number of beneficiaries, as the specific number will depend on what organizations apply, win awards, and what type of legal services they provide.

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. If there's a fixed cost for a know your rights workshop serving DC residents, no costs need to be subtracted and allocated to other funders in your budget if Marylanders and Virginians come. But if you provide individual legal consults afterwards, only those consults or representations for DC residents can be funded with this grant. Your documentation of these events need not include names, but should include city of residence or zip code.

IV. ELIGIBILITY

Can my organization apply if we are incorporated elsewhere but have an office and do work in DC?

Yes. Some national organizations have won prior grants for their work serving DC residents.

Our attorneys are located in our Silver Spring office. Can we apply? Yes. Just be clear that you're serving clients in DC and host your events in DC. We don't care if your attorneys do their back office work elsewhere. It's better if DC residents don't have to travel out of state to meet with their attorneys, though. Specify that client meetings will be at a DC church, library, coffeehouse etc.

We have a pre-existing partnership with a law firm. Does that count as a deliverable for capacity building?

It would probably count if you do trainings for that firm's attorneys towards capacity building. List the trainings. It's less of a Bankshot if you require that those trained take on a matter with your non-profit organization for a DC resident. Reviewers will probably appreciate that kind of capacity building more if it's clearly tied to delivery of legal services for DC residents.

A group wants to partner with us (a current grantee). Is that advisable? While the grant is promoting partnerships whereby community organizations are forming partnerships that can help them deliver legal services, if you don't need a partnership because you already have plenty of intake from your own community connections, and they would not be providing additional legal help to the lawyers you already have, it's probably not advantageous. They might want to find a different partner that complements their work.

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

The main purpose is to provide more legal security for immigrants. There are lots of other DC government and foundation grants that may be used to help with other needs – learning English, addressing health needs, applying for benefits, and the like. You can't use IJLS funds to help an immigrant sue their landlord or get creditors off their back. If clients have other legal needs, please take care of those needs with other funds or direct them to other resources. Legal retainer agreements through this grant should be for one of the purposes identified in the grant.

Domestic violence cases and some family law cases may have an interesting mix of IJLS-eligible and ineligible expenses. If someone comes in whose current legal status is dependent on his/her abuser and needs to both get out of the relationship and file a VAWA petition, documenting the exiting of a relationship through filings for CPOs may be within the scope of the grant, as may be some custody matters designed to be sure a child has legal security. But a custody battle between two parents that is not based on family preparedness for someone's potential deportation is not within the grant purposes.

Does the work have to be new?

No. It can be a positive attribute of your application if you've been successfully delivering these services for years to your clients.

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

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

they hope to reunite with, as well as D.C. families who seek to adopt or foster children from war-torn countries. The program is a group effort from the Executive Office of the Mayor. Don't think that it's only for one group of people.

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

No. Representation of detained persons is to be undertaken when there is a reasonable likelihood of success. We trust the discretion and expertise of grantees in ensuring that grant dollars build legal security.

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 to assist victims of domestic violence and otherwise relating to DV. So this program is of a piece with our inclusive values.

V. MECHANICS OF APPLICATION PROCESS

How do I apply?

The only way to apply is through Zoom Grants as outlined in the RFA.

https://ovsjg.dc.gov/sites/default/files/dc/sites/ovsjg/page_content/attachments/FY%202019%20Immigrant%20Justice%20Legal%20Services%20Grant%20RFA.pdf

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?

Likely between 15 and 30 grants.

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. If the attorney handling the matter leaves, the organization should plan for the orderly transfer of the matter to another attorney. This commitment is a condition for receiving the grant.

Can we apply for technological infrastructure to help us better serve our clients – like to send out notices when people have questions about something like TPS expiring? Just give your best shot to making the proposal fit into the purposes of IJLS and give us some metrics. The standard metrics we have as KPIs can be added to, with unique programs. If better technology will help you to provide more and better legal services to DC residents, say so.

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

The RFA contains a detailed description of how applications will be judged.

Follow the rules. Application must be complete, and it should be clear and well-written. Be realistic about your goals. If it looks unrealistic, reviewers will realize. One reviewer emphasized using active verbs, being sure you give the who will do what, where, why and when. Experience on prior IJLS grants will be relevant this year, but not being current grantee will not knock you out from consideration.

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. So the scores the independent reviewers give the applications will not exactly match the awarded grants. If there are too many applications doing one activity – like brief legal consults or know your rights trainings – and not enough providing full legal representation, or vice versa, the array of awardees may include proposals that had lower scores than some proposals with higher scores from independent reviewers.

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 August 16. 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 Eduardo Perdomo at Eduardo.perdomo@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 by mutual agreement, the grant agreement will likely reflect fewer deliverables. 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. 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 that are client facing in the immigrant community are encouraged.

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 to partner with a nonprofit organization that can oversee your attorneys in this work.

You can use IJLS funds to provide services that support such partnerships, such as to hire pro bono coordinator or mentor.

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.

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 people got a brief legal consultation; how many people had full legal representation and applications filed on their behalf. At a site visit, we may ask to see where you keep your client files, physically or on line, but we will not ask to see names or the content of any petitions.

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.

VII. PRIOR GRANTEES

What organizations won previous grants?

FY 17 Grantees and amounts

AYUDA: Consultations, Orientation & Outreach Project (CO-OP)	\$73,013
Catholic Charities of the Archdiocese of Washington, Inc.: Immigration Legal Services (ILS)	\$55,675
Asian Pacific American Legal Resource Center: Immigration Legal Services	\$10,194.59
Torture Abolition and Survivors Support Coalition International: The Pro Bono Asylum Program (PBAP)	\$35,551.41
Briya Public Charter School: Free Legal Advice and Services for DC's Immigrant Parents	\$84,000
Whitman-Walker Health: DeColores (DC) Legal Access Initiative	\$57,155

Human Rights First: Washington DC Pro Bono Refugee Representation	\$40,103
KIND Inc.: Unaccompanied Immigrant and Refugee Children: Access to Justice and Protection	\$50,000
Asian/Pacific Islander Domestic Violence Resource Project: Enhancing Access to Immigration Relief	\$40,808
DC Affordable Law Firm D.C. Immigrants' Rights Project: DC Affordable Law Firm	\$50,000

FY 18 Grantees and Amounts

AYUDA: Consultations, Orientation & Outreach Project (CO-OP)	\$60,000
Catholic Charities of the Archdiocese of Washington, Inc.: Immigration Legal Services	\$60,000
African Communities Together	\$30,000
Torture Abolition and Survivors Support Coalition International: The Pro Bono Asylum Program (PBAP)	\$65,000
Briya Public Charter School: Free Legal Advice and Services for DC's Immigrant Parents	\$70,812
Whitman-Walker Health: De Colores (DC) Legal Access Initiative	\$57,155
Latin American Youth Center	\$30,000

KIND Inc.: Unaccompanied Immigrant and Refugee Children: Access to Justice and Protection	\$40,000
Asian/Pacific Islander Domestic Violence Resource Project, in partnership with Libraries Without Borders	\$32,688
DC Affordable Law Firm in partnership with CARECEN: Pathways to Permanent Status Project	\$50,000

FY 19 Grantees and Amounts

African Communities Together (IJLS)	\$ 30,000.00
American Arab Anti-Discrimination (IJLS)	\$ 40,000.00
Asian Pacific American Legal Resource Center	\$ 60,000.00
Asylum Seeker Assistance Project	\$ 40,000.00
AYUDA	\$ 85,000.00
Briya Public Charter School: Free Legal Advice and Services for DC's Immigrant Parents	\$ 85,000.00
Catholic Charities	\$ 85,000.00
DC Affordable Law Firm	\$ 60,000.00
Human Rights First	\$ 30,000.00
KIND	\$ 85,000.00
Latin American Youth Center	\$ 30,000.00
Legal Aid Society	\$ 50,000.00
Torture Abolition and Survivors Support Coalition International (IJLS)	\$ 85,000.00
Trabajadores Unidos (IJLS)	\$ 50,000.00
Whitman Walker (IJLS)	\$ 85,000.00

VIII. MONITORING

How will you monitor these grants?

Monitoring will be conducted through the quarterly reports that winners submit based on the KPIs they identified as performance measures with their grant, as well as at least one site visit, and a short final report. Quarterly and final reports are submitted through ZoomGrants. EOM may make additional requests for information during the grant period. Awardees should keep careful track of their expenses, with receipts, payroll records and the like. Please also notify EOM about any important legal developments, like grants of asylum, visas, or citizenship. Keep careful track of how many people you serve and where your cases are in process.

Is there any other contact with the Mayor's Office required during the grant period? We would also appreciate the participation of grantees in meetings of grantees; we believe those meetings have been of mutual benefit and benefit to DC's immigrants. There may also be common workshops or forums for immigrants that you may be invited to attend.

How long does the continuing request to notify you of results last? We know that results may occur long after the grant ends. We would appreciate hearing about results, especially if your grant is renewed, but we don't require it.

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

IX. REPROGRAMMINGS

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

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; it may even be possible to switch a focus if external events compel a shift in legal tactics of benefit to DC's immigrant community.