

TEXAS | ACCESS to JUSTICE
FOUNDATION
MEMORANDUM

From: Jonathan W. Vickery, Associate Director & Director of Grants

To: Interested Persons

Re: Revised Extended Funding Opportunity for Free Civil Legal Aid to Low-Income Veterans
2015-2017 Grant Applications- **NOW DUE JULY 31, 2015**

Date: July 24, 2015

The Texas Access to Justice Foundation (TAJF) is pleased to announce the extended due date for this funding opportunity's requests for proposals. Your application should reflect a ***two-year grant cycle between September 1, 2015 and August 31, 2017***. TAJF is soliciting new or amended requests for proposals to fund and support free civil legal aid to Texas veterans and their families.

Current applicants that have already submitted veteran applications for 2015-2017 will also be allowed to amend and modify their proposals and requested amount.

Additional Available Funds

The 84th Texas Legislature recently appropriated \$3,000,000 (for the biennium) to the Supreme Court of Texas in general revenue funds for providing basic civil legal services to veterans and their families. This amount has allowed TAJF to re-open the grant applications to solicit additional proposals to fund crucial civil legal aid to Texas veterans and their families.

These funds significantly supplement funds raised annually by the Texas Access to Justice Commission's Champions of Justice Gala which this past year raised \$401,780. With the appropriation, TAJF will distribute significant additional funds for this purpose than previously anticipated.

All applications must be submitted or amended online no later than Friday, July 31, 2015.

If you have any questions, please feel free to contact Jonathan Vickery at jvickery@teajf.org.

Requests for Proposals for Funding Civil Legal Aid for Low-Income Texas Veterans and their families

Application Deadline: Friday July 31, 2015

TAJF is pleased to announce solicitation of proposals for Grant Cycle 2015-2017 to fund free civil legal services for low-income Texas veterans.

Purpose

TAJF is soliciting new requests for proposals to fund and support free civil legal aid to Texas veterans and their families for Grant Cycle 2015-2017 from September 1, 2015 through August 31, 2017. Information about TAJF and general funding requirements can be found at <http://www.tajf.org/grants/faq.aspx>.

Applicant Requirements

Grant applicants must currently be a Texas 501 (c) (3) non-profit organization in good standing and who fits within the grant funding criteria (see Attachment II). TAJF will only accept grant applications through the [online grants system](#).

Client Eligibility Requirements

Only clients financially eligible (200% of federal poverty guidelines) under this funding source may be supported with TAJF funds. (See Attachment II and <http://www.tajf.org/grants/faq.aspx>). These funds cannot support criminal law legal work regardless of income eligibility. Selected applicants' screening and intake procedures must include instructions to solicit sufficient questions from the applicant to determine the total amount of household income for eligibility and must be able to demonstrate that intake of new applicants will follow these procedures uniformly and consistently. Applicants must have adopted asset guidelines for eligibility determination and all clients funded with TAJF funds must be screened for eligibility and qualification. TAJF funds cannot be used to support or assist ineligible clients.

Funds Restrictions

Funds may also not be used to directly fund class action lawsuits; to directly fund lawsuits against governmental entities, except by individuals to gain benefits authorized by statute or regulation; to support lobbying for a candidate or issue; and may not be used in matters that might reasonably be expected to result in a fee from public funds or from an opposing party unless appropriate attempts have been made to obtain representation from an attorney in private practice.

Screening and Reporting Requirements

TAJF requires, as a condition to the granting of funds to any eligible organization, that adequate accounting and financial management be in place to account for all grant funds as well as to be able to report the actual use of the funds granted. Annual audits or audited financial statements are required

from the organization. Each such selected organization receiving funds from TAJF shall keep its financial records in accordance with generally accepted accounting principles for organizations of its type and shall furnish reports to TAJF in such form and containing such information as shall be reasonably requested. Minimally, TAJF will require quarterly financial expenditure reports, bi-annual programmatic reports, and annual programmatic and financial reports.

Selected grantee shall utilize a case management system and procedures that ensure that information necessary for the effective management and reporting of cases is accurate and timely recorded in a case information system and has the capacity to meet funding sources' reporting requirements.

Geographic Service Area To Be Served

Legal-aid programs can apply for funding to support civil legal services for Texas veterans and their families to be offered in one of the three regions as defined in Attachment I. Projects can only serve all or part of one region unless the proposal is to offer statewide service. Note: If an eligible client outside funded region applies for services, the grantee must locate and make a referral to a Veteran Legal Services Program grantee where the client resides.

All programs that receive funds under the Veterans Legal Services Grant Program must agree to receive—and to assist, if at all possible—any and all veterans who were determined eligible for services by a TAJF-funded legal aid provider in another region. This requirement does not preclude, nor is it intended to interfere with, any lawyer from exercising his or her ethical and professional responsibilities.

Online Grants System

You can access the online grants system by going to <http://grants.tajf.org>. You must register before you can submit an online application. If new to the system click on “register” and enter applicable information. Once approved, you will be able to access funding opportunities. To access the new funding opportunities, select *Funding Opportunities* from the *Main Menu*. For technical support in WebGrants, contact Jessica Murray, jmurray@tejaf.org, 512-320-0099 ext. 103.

Criteria for Proposals

These funds are to address the increased demand for legal services at a time when many veterans are returning from deployment. Selected grant applicants will help increase support and deliver free civil legal services to help low-income Texas veterans and their families with many critical civil legal services in matters such as including filing claims for compensation or pensions from the Department of Veterans Affairs (VA), Legal assistance to represent veterans in filing claims for indigent veterans suffering from service-connected disabilities as well as in practice areas including family law, employment, housing, consumer, bankruptcy and probate. The scope of work can also help eligible family members of living or deceased veterans apply for VA benefits.

TAJF is especially looking to fund and increase the number of staff and private pro bono attorneys representing eligible veteran beyond advice and counsel at clinics. While these are important and worthwhile activities, many veterans and their families need full representation.

We encourage interested applicants to review the work provided by current TAJF-funded grantees (see below) as well as the Veterans Consortium Pro Bono Program of National Veterans Legal Services Program (www.nvlsp.org). Current funded veteran legal aid programs; *Baylor University School of Law Clinical Program, Texas Legal Services Center, the Tarrant County Bar Foundation Pro Bono Program, Lone Star Legal Aid, Fort Bend Lawyers Care, Jefferson County Bar Foundation Pro Bono Project, Legal Aid of NorthWest Texas, Houston Bar Foundation Pro Bono Veterans Initiative, Community Justice Project of the San Antonio Bar Association, Beacon Law (formerly Cathedral Justice Project-Cathedral Health and Outreach Ministries), and Oficina Legal del Pueblo Unido.*

It is required that applicants contact programs within their service area to make sure that proposed projects are not duplicative; that there is a minimum of overlapping unless strategically planned in a coordinated and collaborative process.

Applicants should demonstrate an ability to work with local bar associations, pro bono and legal aid programs, and capitalize on the existing infrastructure to deliver pro bono services to Texas veterans. Funds must be used to provide free civil legal assistance to low-income individuals, and grant applicants must have the capacity to screen and conduct eligibility determinations as well as maintain adequate documentation that funds are being used for their intended purpose. Selected applicants must report quarterly on actual expenditures, report activities and services provided, as well as the level and type of legal service provided.

Any proposal submitted should be designed so support for the project will continue after the grant period. Submitted proposals might include one or more of the following features:

- Designing and holding pro bono training for private and legal aid attorneys in representing veterans in one or each of the three TAJF regions (see below)
- Recruiting and supporting pro bono attorneys in providing legal services to veterans
- Establishing or supporting regular and ongoing clinical modules utilizing volunteers and legal aid staff targeting eligible low-income veterans in heavily populated areas

- Establishing or supporting a telephone hotline for veterans to contact when they cannot obtain free legal aid but still will access to legal information to help resolve their problem. The hotline piece may be staff or volunteer run or a combination of both
- Supporting the State Bar of Texas, local bar associations with recruiting and training volunteer lawyers and helping sponsor and coordinate pro bono civil legal clinics for veterans
- Providing veterans with the resources they need to seek and receive civil legal assistance
- Providing local bar associations with the materials and other resources to successfully conduct legal clinics
- Recruiting and training a measurable number of lawyers and tracking the number of lawyers attending specially created clinics for veterans, and offering legal assistance to veterans
- Creating an online legal resource center for the veteran community by contributing content and materials to www.texaslawhelp.org and www.texaslawyershelp.org .

New Grant Applicants

If you are a new applicant, you will need to upload the following documents into the online grants system *in addition to the grant application*:

1. IRS 501(c)(3) determination letter
2. Articles of Incorporation
3. Current Bylaws
4. Current Board of Directors roster with terms of service
5. Most recent 12 months of Board Minutes
6. Most recent independent Financial Audit and Form 990
7. 2015 Organization budget
8. Any monitoring/audit /desk or site review report issued within the last 24 months
9. Certificate of professional liability and malpractice coverage. (Only need summary page)
10. Case Acceptance policies and Program Priorities
11. Current Client Financial Eligibility Guidelines
12. List by position of all paid staff of organization
13. List of all Texas attorneys employed by organization to provide free civil legal aid. If the Executive Director is not a licensed attorney, please note Managing Attorney.
14. If Organization has multiple offices, list of offices and their locations
15. If fees are charged clients, most recent fee schedule with explanation as to when fees are required and when they are waived
16. Current Client Grievance & Appeal Policy
17. Program's Board-approved Non-Discrimination Policy

Note: Applications submitted without all requested documentation may not be considered. If a particular document is requested that the program does not have, please attach a separate page stating the name of the document and that it is unavailable or not applicable.

Collaborative Stakeholders

Any selected applicant(s) would be expected to work with, coordinate and collaborate with existing legal aid and bar association pro bono programs working to expand civil legal services to low-income Texas veterans, avoid duplication, and maximize limited resources.

The Texas Lawyers for Texas Veterans (TLTV) project focuses on expanding and increasing the delivery of pro bono civil legal services to veterans or their family members who cannot afford or do not have access to basic legal services. The TLTV project expands to a statewide level as veterans' initiative began in 2008. The TLTV project works with state legal aid organizations and veterans' organizations, including the VA Medical Centers, the Veterans of Foreign Wars, and the American Legion. The goal is to identify and assist hard-to-reach veterans seeking legal assistance for benefit claims and civil matters, such as family law issues, consumer law issues, bankruptcy or tax issues, landlord/tenant disputes, and probate or estate planning.

Operation Enduring LAMP (Legal Assistance for Military Personnel) is a program of the State Bar of Texas (SBOT) and the Military Law Section whereby local bar members provide pro bono legal assistance to include some court actions, to qualifying active duty military, members of the Reserves and National Guard called to active duty, and their families, occasioned by action in Afghanistan and Iraq.

Please reference the formal grant application protocol listed in this section of the website.

If you have any questions, please feel free to contact me at jvickery@teajf.org.

Attachment I

TAJF Service Areas by Counties in Region

Southwest Texas

Aransas, Atascosa, Bandera, Bastrop, Bee, Bexar, Blanco, Brewster, Brooks, Burnet, Caldwell, Calhoun, Cameron, Comal, Crockett, Culberson, Dewitt, Dimmit, Duval, Edwards, El Paso, Frio, Gillespie, Goliad, Gonzales, Guadalupe, Hays, Hidalgo, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Karnes, Kendall, Kenedy, Kerr, Kimble, Kinney, Kleberg, Lasalle, Lavaca, Live Oak, Llano, Mason, Maverick, McMullen, Medina, Nueces, Pecos, Presidio, Real, Reeves, Refugio, San Patricio, Starr, Sutton, Terrell, Travis, Uvalde, Val Verde, Victoria, Webb, Willacy, Williamson, Wilson, Zapata, Zavala

Northwest Texas

Andrews, Archer, Armstrong, Bailey, Baylor, Borden, Briscoe, Brown, Callahan, Carson, Castro, Childress, Clay, Cochran, Coke, Coleman, Collin, Collingsworth, Comanche, Concho, Cooke, Cottle, Crane, Crosby, Dallam, Dallas, Dawson, Deaf Smith, Denton, Dickens, Donley, Eastland, Ector, Ellis, Erath, Fannin, Fisher, Floyd, Foard, Gaines, Garza, Glasscock, Gray, Grayson, Hale, Hall, Hansford, Hardeman, Hartley, Haskell, Hemphill, Hockley, Hood, Howard, Hunt, Hutchinson, Irion, Jack, Johnson, Jones, Kaufman, Kent, King, Knox, Lamb, Lipscomb, Loving, Lubbock, Lynn, Martin, McCulloch, Menard, Midland, Mills, Mitchell, Montague, Moore, Motley, Nolan, Ochiltree, Oldham, Palo Pinto, Parker, Parmer, Potter, Randall, Reagan, Roberts, Rockwall, Runnels, San Saba, Schleicher, Scurry, Shackelford, Sherman, Somervell, Stephens, Sterling, Stonewall, Swisher, Tarrant, Taylor, Terry, Throckmorton, Tom Green, Upton, Ward, Wheeler, Wichita, Wilbarger, Winkler, Wise, Yoakum, Young

East/Gulf Coast Texas

Anderson, Angelina, Austin, Bell, Bosque, Bowie, Brazoria, Brazos, Burleson, Camp, Cass, Chambers, Cherokee, Colorado, Coryell, Delta, Falls, Fayette, Fort Bend, Franklin, Freestone, Galveston, Gregg, Grimes, Hamilton, Hardin, Harris, Harrison, Henderson, Hill, Hopkins, Houston, Jasper, Jefferson, Lamar, Lampasas, Lee, Leon, Liberty, Limestone, Madison, Marion, Matagorda, McLennan, Milam, Montgomery, Morris, Nacogdoches, Navarro, Newton, Orange, Panola, Polk, Rains, Red River, Robertson, Rusk, Sabine, San Augustine, San Jacinto, Shelby, Smith, Titus, Trinity, Tyler, Upshur, Van Zandt, Walker, Waller, Washington, Wharton, Wood

ATTACHMENT II

FINANCIAL INCOME GUIDELINES

Each year, the Texas Access to Justice Foundation (TAJF) adopts criteria relating to income, assets and liabilities defining the indigent persons eligible to benefit from Foundation grants. Income-eligibility standards are based on the federal poverty guidelines issued by Department of Health and Human Services (DHHS) and published each year in the Federal Register by DHHS. Below are the TAJF Guidelines that incorporate the 2015 federal poverty data.

These guidelines establish maximum income levels for individuals and families eligible for assistance from TAJF-funded legal aid programs such as the Legal Aid to Veterans' fund. The purpose of the criteria for income, assets, and liabilities is to determine whether an individual seeking legal assistance, funded in part or whole with TAJF funds, has insufficient income and assets to make private legal assistance unavailable and therefore is eligible under one of TAJF's grant programs.

Organizations receiving funds from the Legal Services to Veterans Grant Program must use such funds to provide free civil legal services to veterans and family members who are eligible for services under these guidelines and under the enacting rules of the source of funds (see <http://tajf.org/grants/applications.aspx>). Grantees must adopt and utilize this criteria relating to income, assets, and liabilities defining the indigent persons eligible to benefit from TAJF grants.

For individuals served via the Veterans Legal Services Grant Program, TAJF defines low-income households as having an annual income at or below 200% of the federal poverty level and whose assets cannot exceed certain limits established by the grantee.

Grantees must have written asset and liabilities criteria in place for defining indigent persons eligible for TAJF-funded free civil legal services. See section on "**Assets Limitations.**"

DEFINITIONS

1. **Family:** Includes only those persons related by blood or by law to the applicant and for whom the applicant has a legal responsibility of support.
2. **Income:** Actual current annual total cash receipts before taxes of all persons who are resident members of and contribute to support of the family to the extent that such funds are legally and actually available to the family.
3. **Liquid Assets:** Those assets that can readily and promptly be converted to cash by the individual seeking assistance, prior to the time that the assistance is required. Only net

liquid assets, i.e. what remains after subtracting all expenses of conversion and taxes, are considered.

4. **Non-Liquid Assets:** All assets other than liquid assets.
5. **Available:** Assets to which the individual seeking assistance has legal and actual access without having to obtain the consent or cooperation of another person over whom the individual does not have control and who does not, in fact, consent or cooperate

No Exceptions to Income Guidelines

Unlike Legal Services Corporation funds, there are no provisions to allow household incomes to exceed the TAJF maximum household income caps. No deductions or expenses are to be considered when calculating whether the household income meets TAJF income guidelines.

Intake and Screening of Applicants

Grantees' screening and intake procedures must include instructions to solicit sufficient data from the applicant to determine the total amount of household income, and grantees must be able to reasonably demonstrate that staff follows procedures uniformly and consistently. The total amount of the applicant's household income must be recorded even if the total is zero. Records of TAJF client eligibility must be retained and be available for inspection in a manner consistent with attorney-client confidentiality.

To determine monthly income, divide annual income by 12. For weekly income, divide annual income by 52, or divide monthly income by 4.2. Your approach must be in writing and used consistently. Income received twice a month should be multiplied by 2 to establish monthly income. If the applicant is a seasonal employee, consideration can be based on previous year. Applicants must be informed of their duty to report changes in income that occur after their case is accepted.

If an applicant's total household income is derived solely from a means-tested government program for low-income individuals or families, then the TAJF grantee may determine that the applicant is financially eligible based solely on the receipt of those benefits; however, the grantee must record household size, household income, and the specific identity of the government program.

ASSET LIMITATIONS

Grantees must have an Assets & Liabilities Policy that caps the amount of assets for eligibility determinations regarding TAJF-funded cases and clients. Grantees may select one of the below options OR develop an alternative asset policy that is consistent with the intent to provide free civil legal services to indigent individuals. The policy must be adhered to uniformly and consistently by staff and volunteers in determining eligibility for free civil legal services. The policy must be approved by their Board of Directors/ Board of Trustees or governing body. If the legal program is a component of a larger non-legal aid institution such as religious

organization, then the Chief Executive Officer may approve the policy. In the case of law school clinical program or bar association *pro bono* grantees, another designated authorized body or individual beyond the manager/director of the legal aid program must approve policy. The asset policy regarding TAJF eligibility must be in writing and available upon request.

OPTION 1

- 1) In general, an individual client may have up to \$10,000 in liquid assets (plus \$5,000 for each additional family member) and \$15,000 in non-liquid assets (plus \$5,000 for each additional family member).
- 2) Exempted from the asset limit are the client's principal residence, first car, personal and household goods, tools or equipment essential to employment, trusts restricted to educational or medical purposes, interest in IRA or Keogh plans, assets not counted by public assistance programs, and burial plots or trusts.
- 3) Where a client owns property, each asset must be identified (e.g., *savings account*), and its value must be entered into the client's financial eligibility field in their case-management system or paper application. The client's home, household goods, one car, or checking and/or savings account whose combined value is less than \$2,000 need not be listed. If the client has no countable assets, the grantee will report "*None*" in the appropriate area of the financial eligibility field.

OPTION 2

- 1) An individual seeking assistance may not have total family assets disregarding exclusions, if in excess of the following:
 - a) Liquid assets of \$2,500 or non-liquid assets of \$20,000 OR
 - b) \$5,000 in liquid assets or \$40,000 in non-liquid assets if a member of the applicant's family is elderly, handicapped, or institutionalized.
- 2) An individual seeking assistance may not have total family assets, disregarding exclusions, in excess of the following:
 - a) Liquid assets in excess of two times—or non-liquid assets in excess of four times—the estimated cost of obtaining private legal assistance for the matter on which assistance is sought OR
 - b) Liquid assets in excess of three times the estimated cost of obtaining private legal assistance for the matter on which assistance is sought, IF a member of the applicant's family is elderly, handicapped, or institutionalized, in which case non-liquid assets may be disregarded.
- 3) Where a client owns property, each asset must be identified (e.g., *savings account*), and its value must be entered into the client's financial eligibility field in their case-

management system or paper application. The client's home, household goods, one car, or checking and/or savings account whose combined value is less than \$2,000 need not be listed. If the client has no countable assets, the grantee will report "None" in the appropriate area of the financial eligibility field.

- 4) **Exclusions:** The following items are to be excluded from consideration in determining whether an individual seeking assistance has assets in excess of those permitted:
- a) The principal residence of an individual seeking assistance or of any member of the applicant's family.
 - b) The reasonable equity value in work-related equipment that is essential to the employment (or self-employment) of an applicant or members of an applicant's family.
 - c) Any assets which are exempted from execution by Texas or Federal Law.

TAJF 2015 FINANCIAL INCOME GUIDELINES

| 2015 Veterans Financial Eligibility Guidelines 200% of Poverty | |
|---|---|
| People in Household | <u>Annual</u> Household Income 200% of Poverty Guideline |
| 1 | \$23,540 |
| 2 | \$31,860 |
| 3 | \$40,180 |
| 4 | \$48,500 |
| 5 | \$56,820 |
| 6 | \$65,140 |
| 7 | \$73,460 |
| 8 | \$81,780 |
| For each additional member of the household in excess of 8, add: | \$8,320 |

Attachment III
Required information To be collected From
Each Applicant for Legal Aid

- Number of persons living in household
- Description and amount of all household income
- Gender, age, sex and race/ethnicity of applicant
- Address city, county zip code-telephone number

- Client profile-
 - Homeless
 - Veteran
 - Disabled or physically impaired
 - Victim of crime
 - Victim of domestic violence
 - Person that is terminally ill
 - Undocumented immigrant (including refugee)
 - Migrant worker
 - Elderly
 - Prisoner/inmate (incarcerated in jail or prison)

Attachment IV

Key Definitions To Be Used for Tracking, Recording and Reporting on TAJF Funded Legal Aid to Veterans

Case: *A "case" is a distinct legal problem or a set of closely related legal problems of a client, and legal activities or processes used in resolving those problems. The case must have been accepted by the program and includes advice, counsel and limited action, as well as other types of legal representation. A client with two or more closely related problems will be considered as presenting a single case if all of the problems will be resolved through a single legal process or forum. The provision of legal information solely, does not constitute a case.*

Legal Information: *Legal information is defined as the provision of substantive information not tailored to address a person's specific legal problem. As such, it is general and does not involve applying legal judgment and does not recommend a specific course of action. For example, providing only a pamphlet or brochure is legal information and not legal assistance. The provision of legal information does not create an attorney-client relationship. Legal information alone is not legal assistance and the provision of legal information may not be reported as a Case Service Report number. However, this should be tracked and documented so as available for other non-case reports.*

NOT REPORTABLE AS CASE

"Major Reason Case Closed" Definitions

Counsel and Advice: *A case closed as a result of the provision and receipt of legal advice to an eligible client, e.g., the review of relevant facts, exercised judgment in interpreting the particular facts presented and in applying the relevant law to the facts, and the counseling of the client on actions to take to address the problem(s).*

Limited Action: *A case closed through limited action(s) on behalf of an eligible client that addressed the client's legal problem that is not as complex or extended as to meet the requirements for "extensive service". Examples include, communications by letter, telephone or other means to a third party; preparation of a simple legal document such as a routine will or power of attorney; or legal assistance to a pro se client that involves preparation of court or other legal documents.*

Negotiated Settlement without litigation:

A case closed through negotiation where an actual settlement was reached on behalf of a client without any court or administrative actions pending. This category should be reserved for cases in which the advocate conferred with another party so as to reach a resolution of the client's legal problem.

Negotiated Settlement with litigation:

A case closed through neg. where settlement was reached while a court or administrative action was pending. This is reserved for cases in which the advocate conferred with another party to resolve client's problem and where an appearance has been entered as counsel; not assisting a pro se client.

Administrative Agency Decision:

A case closed because of representation of a client in an administrative agency action that resulted in a case-dispositive decision by the administrative agency or body, after a hearing or other formal administrative process. This category does not include settlements made during the course of litigation that are then approved by the administrative agency, voluntary dismissals or the grant of a motion to withdraw as counsel.

Court Decision:

A case closed in which the advocate represented a client in a court proceeding that resulted in a case dispositive decision made by the court should be closed as a Court Decision. This category is divided into the following three subcategories:

(a) Uncontested Court Decisions

either there is no adverse party or the adverse party does not contest the case;

(b) Contested Court Decisions

there is an adverse party and that party contests the case;

(c) Appeals

Appeals to an appellate court taken from a decision of any final court or tribunal

Other:

A closed case that does not fit any of the preceding case closure categories. Cases which fit two or more CSR categories may not be closed in this category, but should be closed in the category which best reflect the level of service provided.

Extensive Service (not resulting in Settlement or Court or Administrative Action)

A case closed in which the program undertook extensive research, preparation of complex legal documents, extensive interaction with third parties on behalf of an eligible client, or extensive on-going assistance to clients who are proceeding pro se should be closed as Extensive Service. Some examples are preparation of complex advance directives, wills, contracts, real estate documents or other legal documents, or the provision of extensive transactional work. This category also includes cases closed after extensive interaction or negotiations with another party which do not result in a negotiated settlement. In addition, cases closed after litigation is initiated in which the program appears as counsel of record that do not result in a negotiated settlement, administrative agency or court decision, or in which an order of withdrawal or voluntary dismissal is entered should be closed in this category.

Direct/Program Costs and Indirect/Administrative Costs

Direct costs (also known as “program costs”) are those costs that can be identified specifically with a particular cost objective. These may be charged directly to cost objectives without further decision making. Examples include: salaries, wages and related fringe benefits; materials consumed or expended specifically for the purpose of the grant; equipment and other approved capital expenditures necessary to accomplish the purpose of the grant; travel expenses incurred specifically to carry out the award and services furnished specifically for the cost objective.

Indirect costs (typically “administrative costs”) are costs incurred for common or joint purposes benefiting more than one cost objective. They cannot be readily directly assignable to the cost objective specifically benefited. In other words, those costs remaining after all direct costs have been identified. Examples of indirect costs are: costs of operating and maintaining facilities such as space/occupancy, utilities, telephone, office supplies, incurred; general and administrative expenses, such as salaries and expenses of executive officers, accounting staff, for the benefit of the project as a whole, as well as other activities of the grantee.

Attachment V

Legal Problem Codes That Must be Recorded for Each Client's Case

Clients' legal problems are to be categorized and tracked using ONLY ONE of the below:

CONSUMER/FINANCE

- 01 – Bankruptcy/Debtor Relief
- 02 – Collection (Including Repossession/Deficiency/Garnishment)
- 03 – Contracts/Warranties
- 04 – Collection Practices/Creditor Harassment
- 05 – Predatory Lending Practices (Not Mortgages)
- 06 – Loans/Installment Purchase (Not Collections)
- 07 – Public Utilities
- 08 – Unfair and Deceptive Sales and Practices (Not Real Property)
- 09 – Other Consumer/Finance

EDUCATION

- 11 – Reserved
- 12 – Discipline (Including Expulsion and Suspension)
- 13 – Special Education/Learning Disabilities
- 14 – Access (Including Bilingual, Residency, Testing)
- 15 – Vocational Education
- 16 – Student Financial Aid
- 19 – Other Education

EMPLOYMENT

- 21 – Employment Discrimination
- 22 – Wage Claims and other FLSA (Fair Labor Standards Act) Issues
- 23 – EITC (Earned Income Tax Credit)
- 24 – Taxes (Not EITC)
- 25 – Employee Rights
- 26 – Agricultural Worker Issues (Not Wage Claims/FLSA Issues)
- 29 – Other Employment

FAMILY

- 30 – Adoption
- 31 – Custody/Visitation
- 32 – Divorce/Separation/Annulment
- 33 – Adult Guardian/Conservatorship
- 34 – Name Change

- 35 – Parental Rights Termination
- 36 – Paternity
- 37 – Domestic Abuse
- 38 – Support
- 39 – Other Family

JUVENILE

- 41 – Delinquent
- 42 – Neglected/Abused/Dependent
- 43 – Emancipation
- 44 – Minor Guardian/Conservatorship
- 49 – Other Juvenile

HEALTH

- 51 – Medicaid
- 52 – Medicare
- 53 – Government Children’s Health Insurance Programs
- 54 – Home and Community Based Care
- 55 – Private Health Insurance
- 56 – Long Term Health Care Facilities
- 57 – State and Local Health
- 59 – Other Health

HOUSING

- 61 – Federally Subsidized Housing
- 62 – Homeownership/Real Property (Not Foreclosure)
- 63 – Private Landlord/Tenant
- 64 – Public Housing
- 65 – Mobile Homes
- 66 – Housing Discrimination
- 67 – Mortgage Foreclosures (Not Predatory Lending/Practices)
- 68 – Mortgage Predatory Lending/Practices
- 69 – Other Housing

INCOME MAINTENANCE

- 71 – TANF
- 72 – Social Security (Not SSDI)
- 73 – Food Stamps
- 74 – SSDI
- 75 – SSI
- 76 – Unemployment Compensation
- 77 – Veterans Benefits
- 78 – State and Local Income Maintenance
- 79 – Other Income Maintenance

INDIVIDUAL RIGHTS

- 81 – Immigration/Naturalization
- 82 – Mental Health
- 84 – Disability Rights
- 85 – Civil Rights
- 86 – Human Trafficking
- 89 – Other Individual Rights

MISCELLANEOUS

- 91 – Legal Assistance to Non-Profit Organization or Group (Including Incorporation/Dissolution)
 - 92 – Indian/Tribal Law
 - 93 – Licenses (Drivers, Occupational, and Others)
 - 94 – Torts
 - 95 – Wills/Estates
 - 96 – Advance Directives/Powers of Attorney
 - 97 – Municipal Legal Needs
 - 99 – Other Miscellaneous
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Attachment VI

Legal Outcomes To Be Tracked & Reported To TAJF

1. Consumer/Finance

- 101 Obtained federal bankruptcy protection
- 201 Stopped or reduced debt collection activity
- 202 Averted repossession
- 203 Avoided or reduced deficiency judgments
- 204 Avoided, ended or reduced garnishment or levy
- 205 Stopped or avoided predatory lending practices
- 301 Overcame unfair or illegal sales contracts or fraudulent sales practices
- 302 Enforced sales contracts and/or warranties
- 303 Obtained life insurance benefits for spouse or beneficiary of deceased person
- 401 Obtained or preserved credit or resolved credit reporting errors
- 701 Avoided or delayed utility termination, or secured utility services
- 702 Obtained waiver or reduction of utility arrearage (including phone)
- 991 Obtained advice & counsel on a Consumer/Finance matter
- 992 Obtained non-litigation advocacy services on a Consumer/Finance matter
- 993 Obtained adverse decision in a Consumer/Finance matter
- 999 Obtained other benefit on a Consumer/Finance matter, none of the above

2. Education

- 1100 Avoided fraudulent student financial aid practices
- 1101 Avoided corporal punishment or delayed suspension or expulsion
- 1106 Avoided barriers to educational services
- 1103 Avoided inappropriate special education classification
- 1104 Obtained individualized educational program and/or appropriate services consistent with the special education law
- 1105 Obtained correction of school records
- 1191 Obtained advice & counsel on an Education matter
- 1192 Obtained non-litigation advocacy services on an Education matter
- 1193 Obtained adverse decision in an Education matter
- 1199 Obtained other benefit on an Education matter, none of the above

3. Employment

- 2101 Overcame, or obtained redress for, job discrimination based on race, gender, disability, age, sexual orientation, national origin, immigration status, or other factors not related to job
- 2201 Obtained wages, back (or equal) pay or overtime due
- 2301 Obtained assistance in applying for EITC
- 2401 Obtained taxpayer advocacy assistance with Federal income taxes
- 2501 Enforced employee rights under state or federal law

- 2601 Addressed issues adversely impacting agricultural workers
- 2901 Avoided, or obtained redress for, wrongful discharge
- 2902 Delayed discharge
- 2904 Obtained job training
- 2905 Resolved on-the-job issues such as safety or grievance procedures
- 2906 Resolved minimum wage dispute
- 2907 Enforced employment contract
- 2908 Overcame, or obtained redress for, violation of protective statutes
- 2909 Asserted collective rights in employment
- 2991 Obtained advice & counsel on an Employment matter
- 2992 Obtained non-litigation advocacy services on an Employment matter
- 2993 Obtained adverse decision in an Employment matter
- 2999 Obtained other benefit on an Employment matter, none of the above

4. Family

- 3001 Obtained adoption
- 3101 Obtained or maintained custody of children
- 3102 Obtained or preserved right to visitation/possession
- 3103 Avoided removal of children
- 3201 Obtained a divorce
- 3202 Obtained a divorce, including custody and support
- 3203 Obtained ex parte/temporary orders prior to client/attorney withdrawing
- 3204 Obtained annulment
- 3301 Obtained guardianship (adult)
- 3302 Prevented guardianship (adult)
- 3304 Prevented guardianship
- 3401 Obtained name change
- 3502 Avoided termination of parental rights
- 3503 Obtained family reunification
- 3601 Established paternity for child
- 3602 Established paternity and obtained support
- 3701 Obtained a divorce in a case involving domestic violence
- 3702 Obtained a divorce with Protective Order in a case involving domestic violence
- 3703 Obtained a divorce with Protective Order, including custody, support (child and/or spousal) and appropriate terms of possession in a case involving domestic violence
- 3704 Obtained divorce, including custody, support and appropriate terms of possession in a case involving domestic violence
- 3705 Obtained temporary orders prior to client/attorney withdrawing in a case involving domestic violence
- 3720 Obtained Protective Order from domestic violence
- 3721 Obtained Protective Order, Custody and Support (child and/or spousal) in a case involving domestic violence

- 3722 Obtained protection from elder abuse or neglect
- 3723 Obtained assistance with safety planning
- 3791 Obtained advice & counsel on a domestic violence matter
- 3792 Obtained non-litigation advocacy services on a domestic violence matter
- 3801 Obtained, preserved or increased child support
- 3802 Obtained modification of child support
- 3803 Obtained, preserved or increased spousal support
- 3901 Obtained foster care services
- 3902 Improved terms of foster care plan
- 3991 Obtained advice & counsel on a Family matter not involving domestic violence
- 3992 Obtained non-litigation advocacy services on a Family matter not involving domestic violence
- 3993 Obtained adverse decision in a Family matter
- 3999 Obtained other benefit on a Family matter, none of the above

5. Juvenile

- 4301 Obtained emancipation of minor
- 4401 Obtained protection of rights by representing minor in guardianship or conservatorship
- 4991 Obtained advice and counsel on a Juvenile matter
- 4992 Obtained non-litigation advocacy services on a Juvenile matter
- 4993 Obtained adverse decision on a Juvenile matter
- 4999 Obtained other benefit on a Juvenile matter, none of the above

6. Health

- 5101 Obtained, preserved or increased Medicaid or Medicare benefits/rights
- 5102 Obtained assistance with Medicaid planning
- 5301 Obtained, preserved or increased Children's Health Insurance Program benefits
- 5901 Obtained, preserved or increased individual access to health care
- 5902 Prevented abuse or premature discharge, or assured quality care, in nursing home or mental treatment facility
- 5903 Obtained discharge from nursing home or mental treatment facility
- 5401 Obtained preserved or increased home and/or community based care benefits
- 5501 Obtained, preserved or increased private health insurance benefits
- 5601 Obtained, preserved or increased access to long term health care facilities
- 5701 Obtained, preserved or increased Crime Victim's Compensation benefit
- 5904 Stopped, or obtained redress for, harmful medical treatment
- 5905 Obtained, or enforced terms of, health or disability insurance
- 5991 Obtained advice & counsel in a Health matter
- 5992 Obtained non-litigation advocacy services in a Health matter
- 5993 Obtained adverse decision in a Health matter
- 5999 Obtained other benefit on a Health matter, none of the above

7. Housing

- 6101 Obtained access to Section 8 housing
- 6102 Obtained access to housing under applicable law
- 6201 Obtained assistance in homeownership
- 6202 Obtained clear title to property
- 6203 Had fraudulent mortgage rescinded
- 6301 Prevented eviction from private housing
- 6302 Delayed eviction providing time to seek alternative housing
- 6304 Avoided, or obtained redress for, charges by landlord
- 6305 Overcame denial of tenant's rights under lease
- 6306 Obtained repairs or otherwise enforced rights to decent, habitable housing
- 6307 Preserved or restored access to personal property
- 6401 Prevented denial of public housing tenant's rights
- 6402 Prevented eviction from public housing
- 6501 Prevented loss of /or eviction of mobile home
- 6601 Overcame, or obtained redress for, discrimination in obtaining or keeping housing
- 6701 Avoided or delayed foreclosure or other loss of home
- 6801 Rescinded, modified and/or avoided mortgage because of predatory lending practices
- 6901 Overcame, or obtained redress for, discrimination in obtaining housing
- 6902 Obtained assistance in development/renovation of affordable housing
- 6991 Obtained advice & counsel in a Housing matter
- 6992 Obtained non-litigation advocacy services in a Housing matter
- 6993 Obtained adverse decision in a Housing matter
- 6999 Obtained other benefit on a Housing matter, none of the above

8. Income Maintenance

- 7101 Obtained, preserved or increased general public assistance or TANF benefits/rights
- 7102 Overcame denial of emergency assistance by DHS
- 7103 Overcame illegal or unfair application of welfare work requirement
- 7104 Avoided wrongful placement or term of training
- 7201 Obtained, preserved or increased Black Lung benefits/rights
- 7301 Obtained, preserved or increased food stamps eligibility/right
- 7401 Obtained, preserved or increased SSA benefit/right
- 7402 Obtained, preserved or increased SSD benefit/right
- 7501 Obtained, preserved or increased SSI benefit/right
- 7601 Obtained, preserved or increased unemployment insurance benefits/rights
- 7701 Obtained, preserved or increased Veterans benefits/rights
- 7702 Obtained, preserved or increased other military benefits/rights
- 7801 Obtained Workmen's Compensation benefits/rights
- 7802 Obtained, preserved or increased Crime Victim's Compensation benefit

- 7902 Obtained, preserved or increased civil service retirement or disability benefits/rights
- 7903 Obtained, preserved or increased railroad retirement benefits/rights
- 7904 Obtained identification
- 7991 Obtained advice & counsel in an Income Maintenance matter
- 7992 Obtained non-litigation advocacy services in an Income Maintenance matter
- 7993 Obtained adverse decision in an Income Maintenance matter
- 7999 Obtained other benefit on an Income Maintenance matter, none of the above

9. Immigration

- 8101 Obtained relief from deportation
- 8102 Obtained citizenship
- 8103 Obtained asylum or relief under convention against torture
- 8104 Obtained release from INS custody
- 8105 Obtained adjustment of legal status
- 8106 Obtained employment authorization or obtained/replaced Green Card
- 8107 Family kept intact
- 8108 Obtained tort relief under civil rights claim
- 8109 Obtained relief or redress from constitutional violation
- 8110 Obtained administration relief from misconduct
- 8111 Undocumented minor obtained declaration as abused, neglected or abandoned
- 8191 Obtained advice & counsel in an Immigration matter
- 8192 Obtained non-litigation advocacy services in an Immigration matter
- 8193 Obtained adverse decision in an Immigration matter
- 8199 Obtained other benefit on an Immigration matter, none of the above

10. Disability

- 8401 Obtained discharge from institutional setting (i.e., state schools, state hospitals, nursing homes, ICF-MRs)
- 8402 Secured appropriate treatment plans in institutional setting
- 8403 Obtained investigation of abuse or neglect in institutional setting
- 8404 Obtained validation of abuse or neglect in institutional setting
- 8405 Secured vocational rehabilitation (i.e., employment) training services
- 8406 Secured, maintained or advanced in employment
- 8407 Secured access to or maintained housing
- 8408 Secured access to or maintained health care
- 8409 Secured or maintained financial benefits or entitlements
- 8410 Secured an appropriate public education
- 8411 Secured appropriate educational services in an inclusive and integrated setting
- 8412 Secured transition services as part of their IEP
- 8413 Obtained reversal of illegal suspension/expulsion from school

- 8414 Secured or maintained assistive technology devices/services
- 8415 Secured community residential and support services
- 8491 Obtained advice & counsel in a Disability-Related matter
- 8492 Obtained non-litigation advocacy services in a Disability-Related matter
- 8493 Obtained an adverse decision in a Disability-Related matter
- 8499 Obtained other benefit related to rights of disabled persons

11. Other Individual Rights

- 8601 Prevented and/or obtained relief from, the battery or cruelty, sexual assault or trafficking, or related crimes, for victims of trafficking or family members
- 8902 Obtained or preserved rights of community residence facility resident(s)
- 8903 Obtained or preserved rights of other institutionalized person(s)
- 8904 Obtained, preserved or increased access to public facilities/accommodations
- 8991 Obtained advice & counsel in an Individual Rights matter
- 8992 Obtained non-litigation advocacy services in an Individual Rights matter
- 8993 Obtained adverse decision in an Individual Rights matter
- 8999 Obtained other benefit on an Individual Rights matter, none of the above

12. Miscellaneous Outcomes

- 9101 Obtained incorporation
- 9102 Obtained dissolution of corporation
- 9103 Obtained tax exempt status
- 9104 Obtained judicial relief
- 9301 Overcame taking of or restriction to a driver's license
- 9302 Obtained occupational license
- 9401 Avoided or reduced tort judgment
- 9501 Obtained a will
- 9502 Settled estate
- 9503 Obtained a living will and/or health proxy/health care power of attorney
- 9504 Obtained a special needs trust
- 9505 Obtained a financial power of attorney
- 9506 Obtained assistance with estate planning / living trusts
- 9507 Obtained major estate planning packet, without execution
- 9508 Obtained major estate planning packet, with execution
- 9601 Obtained assistance in filing for Crime Victim's Compensation
- 9701 Obtained assistance with Federal income taxes
- 9702 Obtained assistance in filing for Earned Income Tax Credits
- 9799 Solved other tax problem
- 9903 Obtained assistance with business start/development
- 9999 Other Outcome - none of the above - Specify: