

JUSTICE for ALL STRATEGIC ACTION PLANNING REQUEST for PROPOSALS

Deadline: June 28, 2019

A. General Information

Brief Overview of the Justice for All (JFA) Initiative

The rising number of people in poverty, the increase of self-represented litigants in our state courts and severe funding deficiencies take our civil justice system further than ever from fulfilling the promise of equal access to justice. In response, the Conference of Chief Justices and Conference of State Court Administrators have advanced resolutions: one that sets the aspirational goal of 100% meaningful access to effective assistance for essential civil legal aid needs, and a second that urges states to partner with traditional and non-traditional stakeholders to create an integrated and coordinated statewide plan to address access to justice gaps with a continuum of meaningful services and resources. Using these resolutions as the lodestar, JFA explicitly seeks to support and enhance states' commitment to re-imagining how to work across organizational boundaries and optimize all available resources to advance access to justice for all.

Courts must provide a critical leadership role in the effort to achieve meaningful access to justice for all, but access to justice reaches far beyond the courts. JFA recognizes that no one program or approach alone can suffice to provide all of those in need of help for their civil legal problems with appropriate and meaningful assistance: a network of traditional and non-traditional partners will be necessary. In addition to collaborations between judges, court and clerk staff, courts must also actively engage with the private bar, human services providers, religious communities, public libraries, medical providers, job/workforce commissions and other community members to ensure that people get the legal help they need.

Vision of the Project

What does this aspirational goal of 100% meaningful access to justice for all mean, and how could it possibly be accomplished? JFA establishes a framework for states to assess and strengthen their access to justice infrastructure and activities being undertaken by traditional and non-traditional stakeholders in order to provide meaningful access to justice to everyone who needs it. This work is done so that states can develop the needed infrastructure, resources and partnerships so that *all residents have the legal help they need, when they need it and in a format they can use.*

To reach this goal, JFA articulates several fundamental principles, as follows:

- The law applies equally;
- Everyone can find out what the law is and when to use it;
- There is an independent, impartial and effective judiciary; and
- There is access to appropriate legal help and the courts.

To support this vision and these common principles, state and local communities must provide a well-integrated and coordinated supporting infrastructure that permits all persons to have access to a continuum of effective resources and assistance to solve their civil legal problems. And to get there, jurisdictions must have available resources and screening mechanisms, including:

- Access to information through technology like online plain language forms, informational websites and tools;
- Services such as: self-help centers and navigators;
- Widely available and adequate referrals, including enhanced coordination with social services and other trusted community leaders;
- Simplified court rules and processes;
- Access to a court system that serves as a fair, impartial and transparent forum in which all users are addressed with dignity, respect, equality and professional courtesy by all judges, circuit clerks and other court staff; and
- Legal representation through well-resourced civil legal aid providers, *pro bono* assistance, discrete task representation, and other appropriate services.

The intent is not to reduce any of the existing capabilities and resources that support access to justice, but to supplement them to fill gaps in service to reach those who are unable now to obtain the legal help they need.

What makes JFA efforts successful?

Many lessons have been learned throughout the first few years of the JFA Initiative. Successful state JFA efforts have included several core components, including:

- Identifying diverse local JFA project leadership for participation (including both court leaders, members of the private bar and non-traditional partners) and engaged staff support for ultimate buy-in and plan implementation;
- A user-centered approach.

- Collaboration across a wide range of stakeholders and participants—not only courts, the organized bar, legal services providers, pro bono organizations, and law schools, but also social and human services providers, community organizations, information service providers (such as public libraries), health care providers, and the public;
- Building on existing local access to justice strengths;
- Viewing the JFA Initiative as a separate, but integrated process from ongoing operational planning and budgeting, court operations and direct legal services; and
- Looking outward to the external environment (such as demographic or geospatial surveys) as well as looking inward within the court system.

B. The Justice for All Application

Proposal Awards and Application Requirements

Under this RFP, grants will be awarded to help states assess and inventory the relevant resources and develop a state assessment/inventory and strategic action plan to achieve meaningful access to justice for all. All core stakeholders—courts, access to justice commissions, the private bar, and legal aid providers—must be willing to work together, and with new partners, to create an integrated approach to accomplish this goal. Moreover, given the expansive nature of JFA, states must identify and commit to working with non-traditional stakeholders in this work.

Strategic action planning efforts may be supported by consultants or other technical assistance, whose cost should be included as part of the application budget.¹ States may already have existing relationships with strategic planning technical assistance providers/experts. Whichever approach is used, states should identify their preferred technical assistance provider/expert with their application.

No grant shall be for a period longer than 12 months. The likely grant range will be between \$70,000-\$100,000, depending on demonstrated need in a state.

The grant proposals must specifically address each element below.

1. ***Signatures:*** Required signatories include the state’s Chief Justice, state court administrator, and the ATJ Commission Chair (if the state has an ATJ Commission). If there is no ATJ Commission, applicants must attach a letter of commitment from

¹ States are encouraged to identify local consultants to assist with this planning. If needed, states may also request a list of technical assistance providers who are available to be retained to support strategic planning efforts.

the state bar president and a representative from the legal aid bar, along with the signatures of the Chief Justice and state court administrator. While not required, letters of interest and support from at least one non-traditional stakeholder—such as a human service provider or a trusted community organization—would be viewed favorably.

2. **Stakeholder identification and roles:** Identify prospective stakeholders and their roles in the strategic action planning process.
3. **Description of deliverables:** Proposals should describe the proposed planning efforts, and provide a proposed timeline for grant activities.
4. **Amount requested and budget:** A descriptive budget, using the template attached in Appendix C, must accompany the requested grant application and include any in-kind contributions and technical assistance provider costs.
5. **Description of approach.** The proposal should describe the state's interest in participating in the project, its vision of how it seeks to orient planning efforts to meet user legal needs, and explain why the applicant state may serve as a model for other states. The proposal should also identify the state's commitment to use the inventory and strategic action plan guides developed by the Justice for All national leadership. *If a state has previously applied, the 2019 proposal should identify key access to justice planning activities that have taken place within the past two years, and discuss how those inform the proposed strategic action planning approach.*
6. **Commitment to document and evaluate grant efforts.** The applicant must commit to including within its action plan a process to evaluate its planning effort, identify criteria that will be considered in that evaluation, and document that evaluation.
7. **Identification of grant recipient:** The proposal must identify the entity that will receive and administer the grant funds. Grant recipients must be either a governmental entity or a 501(c)3 entity.
8. **Length:** No more than 12 pages.

C. Criteria for Selection

The Advisory Committee will consider a variety of factors when making award decisions. Identified criteria that are among those that may be considered by the Advisory Committee are described in greater detail in Appendix D.

D. Reporting Requirements

Grantees must report grant progress to the NCSC on a quarterly basis. Reports must include a description of activities for the quarter, an assessment of scheduled progress, and a description of problems impeding progress, if there are any. See Appendix E for a sample progress report template.

NCSC staff will conduct additional follow-up calls by phone.

E. Proposal and Award Timeframe

Proposals must be submitted no later than **June 28, 2019**. The Advisory Committee will announce awards in August 2019 and anticipates grant monies will be distributed in September 2019. More information will follow regarding implementation grants, which may be applied for in 2020.

While grant award amount and duration will vary by grantee, no grant shall be for a period longer than 12 months.

F. Contact

Questions about the RFP should be directed to:

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757-527-0943
dhirsch@ncsc.org

Send responses electronically to: dhirsch@ncsc.org

Appendices

Appendix A: Justice for All Advisory Committee Member List
Appendix B: Components of Justice for All Initiative
Appendix C: Sample Descriptive Budget
Appendix D: Criteria for Selection
Appendix E: Sample Progress Report Form



APPENDIX A

**JUSTICE FOR ALL
ADVISORY COMMITTEE MEMBER LIST**

The JFA project is overseen by a JFA Advisory Committee, chaired by Hon. Ralph Gants (Massachusetts Supreme Judicial Court) and Hon. Laurie Zelon (California Court of Appeal). In addition to its overall leadership over the work, the Advisory Committee reviews all grant applications and will have decision making authority regarding the number of grantees and the grant award amounts under the project.

Justice for All Advisory Committee Members

Hon. Ralph Gants, Co-Chair
Chief Justice
Massachusetts Supreme Judicial Court

Hon. Laurie Zelon, Co-Chair
Associate Justice
California Court of Appeal

Dan Becker
Former State Court Administrator
Utah Administrative Office of the Courts

Peter Edelman
Chair
D.C. Access to Justice Comm'n

Stephanie Hess
President, Nat'l Ass'n for Court Management
Director, Ohio Supreme Court Office of Court Services

William Hubbard
Partner
Nelson, Mullins, Riley & Scarborough, LLP

Jim Sandman
President
Legal Services Corporation

Jo-Ann Wallace
President & CEO
National Legal Aid & Defender's Ass'n

APPENDIX B

COMPONENTS OF JUSTICE FOR ALL INITIATIVE

JFA has three core components of this grant opportunity, which are as follows:

1. Strategic Action Plan Grants: Based on this Request For Proposal (RFP), the JFA Advisory Committee will award grants to three states to conduct a state assessment/inventory that will identify the relevant available resources, and to design a strategic action plan to achieve access to justice for all. Applications must demonstrate that all core traditional justice system stakeholders—including courts, access to justice commissions, the private bar and civil legal aid providers—are committed to work together to overcome fragmentation and create an integrated approach to accomplish the goal.

2. Implementation Grants: In the second year (2020), *those states which received strategic action plan grant awards pursuant to this RFP* may apply for additional targeted grants to assist with strategic action plan implementation. These grants may address targeted pilot implementation efforts as well as other needs that these states might require, and the Advisory Committee determines appropriate.

3. Guidance Materials: Revisions are being made to the initial JFA guidance materials to build on initial learning and address expert and community feedback. The revised guidance materials will help states to identify and prepare an inventory and gap analysis of their state's access to justice ecosystem, including, but not limited to, topics of court structure and existing court rules, capacity of legal and non-legal stakeholders, self-help services, judicial and court staff engagement and training and demographic needs. The new guidance material revisions will also include a new online inventory assessment tool, which will also provide an easy-to-use central repository for inventory data. These revised JFA guidance materials will be released publicly—and provided to *all* states, not just those receiving JFA programmatic funds—in October 2019.

Over the past few years, because of generous funding from the Public Welfare Foundation, the Open Society Foundations and the Kresge Foundation, the NCSC and its partner, the Self-Represented Litigation Network, have supported the development of state strategic action plans using these component parts in 11 states—Alaska, Colorado, Florida, Georgia, Hawai'i, Kentucky, Massachusetts, Minnesota, Montana, New Mexico and New York. This JFA process has strengthened local efforts expand access to justice efforts in these states.

APPENDIX C

SAMPLE DESCRIPTIVE BUDGET

Justice for All Sample Strategic Action Planning Budget

Budget Category*	Amount
Personnel	
Consultants	
Travel	
Materials	
In-kind Contributions	
Indirect	
Total	

**Include a short narrative for each budget category*

APPENDIX D
CRITERIA FOR SELECTION

Justice for All Strategic Action Planning Selection Criteria

1. ***Integration of Access to Justice Partners:*** Demonstrate support from all relevant stakeholders, including initial ideas for non-traditional partners.
2. ***Understanding of and Commitment to Strategic Planning:*** Demonstrate commitment to thoughtful, inclusive and creative inventory and gap analysis process.
3. ***Commitment to use the inventory and strategic action plan guides developed by the Justice for All national leadership:*** Willingness to use the inventory and strategic action plan guides developed by the Justice for All national leadership.
4. ***History of ATJ Leadership:*** Grantee and its partners have a demonstrated history of leadership in access to justice work.
5. ***Identify Local Resources:*** Identification of resources to support the strategic action planning effort and sustain stakeholder collaboration on planning. This includes a willingness to dedicate resources to the strategic action planning effort and, when the plan exists, a willingness to dedicate resources to plan implementation.
6. ***Sustainability of Stakeholder Collaboration:*** Demonstrate a willingness to undertake sustained stakeholder collaboration. Examples of previous coordination/collaboration among stakeholders may be provided.
7. ***Staff Commitment:*** Commitment of a staff person to oversee the inventory assessment and strategic action planning effort at the state level and prepare progress reports.
8. ***Commitment to Sustainability and Governance:*** Demonstrate a willingness to develop and implement long-term sustainability and governance planning to support the JFA process and a sustained multi-stakeholder framework for advancing access to justice.
9. ***Reporting and Evaluating:*** Demonstrate a willingness to submit quarterly reports and establish measures to evaluate planning and implementation efforts.

APPENDIX E

SAMPLE PROGRESS REPORT FORM

