

JUSTICE for ALL STRATEGIC ACTION PLANNING REQUEST for PROPOSALS

A. General Information

The Access to Justice Crisis and Response

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. Faced with these challenges, leaders in the bench and bar have developed an array of exciting innovations to help those who face civil legal problems. To date, however, these innovations usually have been offered piecemeal by different sectors in the states, rather than in an integrated approach that combines services across sectors to make the best use of available resources for each person with an essential civil legal need.

In July 2015, the Conference of Chief Justices and Conference of State Court Administrators unanimously passed Resolution 5, *Reaffirming the Commitment to Meaningful Access to Justice for All*, which:

- Envisions state systems in which everyone has access to effective assistance for their essential civil legal needs through a comprehensive approach that provides a continuum of meaningful and appropriate services.
- Calls for courts, Access to Justice Commissions or other such entities, and other essential partners, including civil legal aid organizations and the bar, to work together and develop in each state a strategic plan with realistic and measurable outcomes to reach the goal of effective assistance for all; and
- Urges the National Center for State Courts (NCSC) and other national organizations to develop tools and provide assistance to states in achieving the goal.

The Justice for All Project

Overall Goal and Leadership

Supported with funding from the Public Welfare Foundation and housed at the National Center for State Courts, the Justice for All (JFA) project will provide funding to states to support efforts that include *all* relevant stakeholders in the civil justice community in a partnership to move toward implementation of Resolution 5. The project seeks to encourage states to reimagine how to work across organizational boundaries, to advance access to justice for all and diminish the justice gap; to identify and make best use of all available resources; and to foster a constructive

collaboration among the courts, legal aid, access to justice commissions and the private bar. The State Supreme Court Justices recognized in their resolution that not all legal problems need to be, or will be resolved in court; the Resolution also acknowledged that the civil legal problems of individuals will be resolved in a variety of fora, including state, local, and federal administrative agencies and courts. However, the Justice for All project specifically targets the states through:

- Recognizing that *no one program or approach* alone can suffice to provide all of those in need of help with appropriate and meaningful assistance for their civil legal problems. An array of innovations have been developed by bench and bar but they usually have been offered piecemeal rather than in an integrated approach that attempts to make the best use of available resources for each person.
- Aiming to encourage state efforts that include all relevant stakeholders in the civil justice community—courts, access to justice commissions, legal aid, the private bar—in a partnership to implement CCJ/COSCA Resolution 5 (Meaningful Access to Justice for All). The Resolution envisions state systems in which everyone has access to meaningful and effective assistance for their civil legal needs through a comprehensive approach that provides a continuum of meaningful and appropriate services.
- Encouraging states to identify all available resources and reimagine how they can be used and coordinated to advance access to justice for all, focusing on the perspective of persons in need of services.

The JFA project is overseen by the JFA Advisory Committee, chaired by Hon. Ralph Gants (Massachusetts Supreme Judicial Court) and Hon. Laurie Zelon (California Court of Appeal). (See Appendix A for a complete Advisory Committee member list.) The Advisory Committee will review all grant applications and will have decision making authority regarding the number of grantees and the grant award amounts under the project.

JFA Project Components

1. Strategic Action Plan Grants: Based on this Request For Proposal (RFP), the JFA Advisory Committee will award grants to 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 as called for in Resolution 5. Applications must demonstrate that all core stakeholders—courts, access to justice commissions, the private bar, and 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 of the Project, *those states which received strategic action plan grant awards pursuant to this RFP* may apply for targeted grants to assist with implementation. The Advisory Committee will

determine a process to issue these grants in year 2, after consulting with grantees. 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: An expert working group will develop guidance materials to help states to identify and prepare an inventory of the relevant available resources, and to formulate a strategic action plan. The materials will provide information about a mix of services, as highlighted in the Resolution, for states to consider (e.g., self-help services to litigants, new or modified court rules and processes that facilitate access, discrete task representation by counsel, pro bono assistance, effective use of technology, increased availability of legal aid services, enhanced language access services, enhanced coordination with the human services sector, and triage models to match the specific needs of persons with legal problems with the appropriate level of services).

Specifically, two guides will be provided to *all* states during the summer of 2016: A guide for a strategic action plan, including a basic template for the possible plan; A guide for a state assessment/ inventory to help states identify and inventory the resources, services, and capabilities they have and may need, and consider how to address gaps in services to better meet the legal needs of all.

At the conclusion of the project, the expert working group will revise the guidance materials to reflect observations from grantee efforts as well as updated thinking among scholars and practitioners. Project staff will compile a repository of information around grantee efforts (e.g., award focus, implementation, outcomes) and make it available to others interested in achieving full access to justice in their states.

Vision of the Project

Ultimately, the Justice for All Project envisions helping states build a civil justice system that fulfills America's promise of justice. In particular, this system should provide a well-integrated and coordinated supporting infrastructure that permits all persons to have effective assistance to solve their civil legal problems. It should incorporate screening to identify the individual's needs and align them with appropriate resources in a system that provides:

- Access to information through technology like online forms, informational websites and tools;
- Services such as self-help centers and navigators;
- Widely available and adequate referrals including enhanced coordination with social services;

- Simplified court rules and processes;
- Legal representation through well-resourced civil legal aid providers, pro bono assistance, discrete task representation, and other appropriate services.

In short, this is a system that enables everyone to get access to the information and effective assistance they need, when they need it, and in a format they can use. 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.

B. Proposal Awards and Application Requirements

Under the 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 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 to create an integrated approach to accomplish the goal.

Strategic action planning efforts may be supported by consultants or other technical assistance, whose cost should be included as part of the application budget. States may request a list of technical assistance providers who are available to be retained to support strategic planning efforts. 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 \$50,000-\$100,000, depending on need in a particular 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 the state bar president and a representative from the legal aid bar, along with the signatures of the Chief Justice and state court administrator.
2. **Stakeholder identification and roles:** Identify prospective stakeholders and their roles in the strategic planning process.
3. **Description of deliverables:** Proposals should describe the proposed planning efforts, and give a proposed time-table for grant activities.

4. **Amount requested and budget:** A descriptive budget, using the template attached in Appendix B, must accompany the requested grant application and include any in-kind contributions and technical assistance provider costs.
5. **Description of approach.** The application should describe the state's interest in participating in the project, its vision of how it seeks to meet the legal needs of persons with legal needs (the system user), and explain why the applicant state may serve as a model for other states.
6. **Commitment to document and evaluate grant efforts.** The applicant must commit to including within its action plan a process to evaluate its implementation, to identify criteria that will be considered in that evaluation, and to document that evaluation.
7. **Identification of grant recipient:** The proposal must identify the entity that will receive and administer the grant funds.
8. **Length:** No more than 10 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 C.

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 D 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 **October 5, 2016**. The Advisory Committee will announce awards in November 2016 and anticipates grant monies will be distributed in December 2016. More information will follow regarding implementation grants, which may be applied for in 2017.

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

F. Contact(s)

Questions about the RFP should be directed to:

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Send responses electronically to: sspacek@ncsc.org

Appendices

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



APPENDIX A

**JUSTICE FOR ALL
ADVISORY COMMITTEE MEMBER LIST**

Justice for All Advisory Committee Members

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

Dan Becker
State Court Administrator
Utah Administrative Office of the Courts

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

Jim Sandman
President
Legal Services Corporation

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

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

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

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

APPENDIX B

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 C
CRITERIA FOR SELECTION

Justice for All Strategic Action Planning Selection Criteria

1. ***Integration of Access to Justice Partners:*** Demonstrated support from all relevant stakeholders.
2. ***Use of Guidance Materials:*** Willingness to work with the inventory and strategic action plan guides developed by the Justice for All Expert Working Group or utilize an approved alternative approach.
3. ***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.
4. ***Sustainability of Stakeholder Collaboration:*** Demonstrate a willingness to undertake sustained stakeholder collaboration. Examples of previous coordination/collaboration among stakeholders may be provided.
5. ***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.
6. ***Reporting and evaluating:*** Demonstrate a willingness to submit quarterly reports and establish measures to evaluate implementation efforts.

APPENDIX D

SAMPLE PROGRESS REPORT FORM

