

**RULES FOR THE
MAINE CIVIL LEGAL SERVICES FUND COMMISSION**

1. PURPOSE

The purpose of these rules is to set forth procedures to be followed by the Maine Civil Legal Services Fund Commission in its award of funds for operations and grants for programs (sometimes collectively referred to herein as “Award” or “Awards”) to nonprofit organizations that provide free civil legal services to low-income or needy people or the needy elderly (hereinafter “Low-Income People”) in Maine.

2. DEFINITIONS

A. “Fund” shall mean the Maine Civil Legal Services Fund, established by 4 M.R.S. § 18-A(1), as a nonlapsing fund to support civil legal services to persons in Maine who otherwise are not able to pay for these services.

B. ”Commission” shall mean the Maine Civil Legal Services Fund Commission appointed by the Maine Supreme Judicial Court, pursuant to 4 M.R.S. § 18-A(6), to consist of three persons knowledgeable about the problems of ensuring access to justice in Maine, who shall determine how to distribute the funds in accordance with the purposes of the Fund and pursuant to the within rules.

3. ELIGIBILITY CRITERIA

Only the following legal service providers are eligible to receive disbursements from the fund to provide free civil legal services in Maine:

A. Nonprofit organizations whose missions include the provision of free civil legal services and who have at least one year of experience providing free civil legal services;

B. Legal aid clinics of accredited law schools operating exclusively in Maine; and

C. Programs whose primary mission is to coordinate pro bono legal services for low-income people in Maine.

4. SELECTION CRITERIA

The Commission shall make awards for operational support and for specific programs, in either case to assist with their mission, to those organizations that demonstrate the ability to provide services that efficiently and effectively maintain and enhance access to justice for Low Income People in Maine. The selection criteria may include, but is not limited to, the following categories. *An applicant is not required or expected to demonstrate ability to meet each of the selection criteria.* The selection criteria are not listed in order of importance nor are they given weighted preference in evaluating applications.

I. Client centered and responsive to the needs of low-income people or communities.

II. Provides needed access to justice in an effective manner.

III. Collaborates with other legal aid and community services, and other entities doing similar work.

IV. Serves a broad area, if possible, and does not duplicate existing services.

V. Innovative in approach, with the potential to foster substantive improvements.

VI. Has the potential for independent financial and programmatic continuity, including independent funding sources.

VII. Includes a meaningful evaluation component to measure the desired objectives.

VIII. Well planned and presented, with reasonable and obtainable objectives.

IX. Establishes time parameters for the project to reach its objectives, and an economically feasible budget.

X. An established history of quality service and fiscal responsibility.

5. APPLICATION PROCEDURES

A. A request for applications will be published by the Commission for the coming two-year cycle no later than September 1st of the odd numbered year. Applications for Awards must be submitted to the Commission, at the address as set forth in the request for applications on or before October 15th of the odd numbered year, on forms developed by the Commission.

B. Subject to the provisions of section 8.B., awards will be made no less than biannually and awards distributed on an annual basis.

C. Awards will be determined on a competitive basis.

D. Grant applications must include the following information:

- (i) Name and address of the organization;
- (ii) Form of organization;
- (iii) Geographic area served and to be served (if different);
- (iv) Description of target population served and to be served (if different), including size and needs;
- (v) Fee structure for court fees or litigation expenses if such fees are charged (not to include charge for legal services, which must be provided without charge);
- (vi) Description of services provided and to be provided with the requested Award (if different);
- (vii) History of the organization;
- (viii) Description of staffing and management structure;
- (ix) List of current funding sources;
- (x) Amount of funds requested;
- (xi) Description of community and other forms of support (including work with other organizations that provide legal services);
- (xii) Annual budget, including, if relevant, the sources of other funds necessary to fully fund the organization or complete the program; and
- (xiii) Evaluation plan to measure organization's success.

E. Applications must be accompanied by the following documents:

- (i) Proof of nonprofit status, or in the case of legal aid clinics, proof of affiliation with an accredited law school; and

(ii) Audited financial statement of last fiscal year, or if an audit has not been conducted, a financial accounting for the period that has been certified correct by the responsible financial officer.

F. Applicants must submit an original and two copies of the application and attached materials.

G. As part of the selection process, the Commission may request an applicant provide additional or clarifying information when it is needed for proper review of the application.

H. Two or more entities may submit a joint application for funding. A joint application will not be given preference solely on the basis of its being a joint application.

I. The Commission will review applications and funds available over a two-year funding cycle in an amount to be determined by the Commissioner. The Awards shall be made no later than December 1st of the odd numbered year and shall be distributed consistent with paragraph 8 of these rules.

6. GRANT AWARD PROCEDURES

A. The Commission will hold a public meeting, with adequate notice given, at which it will make final decisions regarding the Awards.

B. Prior to the public meeting, each member of the Commission will receive a copy of the applications and will evaluate each application using the criteria set forth in these rules, as well as any other criteria the Commission deems appropriate for each funding cycle.

C. The Commission members will discuss their evaluations and deliberate publicly as to the selection of the Fund recipients. The Commission may, if necessary, adjourn the meeting and reconvene at a later date to complete its deliberations.

D. The funding cycle for the Awards will be every two years, with the selection-process taking place in the fall of alternate years.

7. DISTRIBUTION OF FUNDS

A. Funds must be distributed at least quarterly, commencing in January, with disbursements occurring in April, July, and October.

B. The Commission may review the allocation of funds every two years, or sooner on the request of any Commission member, and may make adjustments to the amount of the Award when appropriate. This review may include withdrawing or voiding the award or grant of funds to a recipient because the program proposed in the application has ceased to exist, the recipient has ceased to exist, the funds have not been used as represented in the application or for such other reason as determined by a unanimous vote of the Commission to be in the best interest of the Fund.

C. Money disbursed from the fund may not be used for the purposes of lobbying as defined in 3 M.R.S. § 312-A(9), unless the recipient is responding to a specific request from a legislator or representative of a State agency.

8. ANNUAL AND QUARTERLY REPORTING REQUIREMENTS; COMPLIANCE

A. First time Award recipients shall submit quarterly reports on April 1, July 1, October 1, and December 30 during the first year of the Award. All other organizations shall provide to the Commission an annual report to be received by the Commission January 15th for the prior year that funds are received by the recipient organization. The report shall be in narrative form, unless otherwise requested by the Commission, and identify, among other things:

i. The types of cases handled by the recipient as a result of the Award received from the Fund;

ii. The number of people served by the organization as a result of the Award received from the Fund;

iii. Demographic information about the people served as a result of the Award received from the Fund;

iv. The geographical area actually served by the organization as a result of the Award received from the Fund;

v. The status of the matters handled, including whether they are complete or open;

vi. Whether and to what extent the recipient organization complied with the proposal submitted to the Commission at the time of application for an Award; and

vii. Outcomes measurements used to determine compliance.

B. The Commission may require other reports as reasonably necessary, in particular to comply with any statutory reporting requirements.

C. The Commission may conduct site visits to the recipient organization at any time during the award period and in any case in conjunction with the submission of the annual reports.

D. In the event that the Commission determines that the recipient organization has not complied or is not complying with the proposal upon which the Award decision was made by the Commission, the Commission may suspend the distribution of funds to the recipient unless or until the recipient demonstrates to the satisfaction of the Commission that it is complying with the proposal upon which Funds had been awarded.

9. CONFLICT OF INTEREST PROHIBITIONS

A. No Commission member shall participate in the selection or administration of an Award if a conflict of interest, real or apparent, would result. A conflict of interest is deemed to consist of any financial or other personal interest in an Award if such involvement can be expected to result in subsequent financial remuneration to a member of the Commission, an immediate family member of a Commission member, or a business or law partner or associate of a Commission member.

B. No Commission member may be a current member of the board of directors of an applicant or a member of the board of the Maine Bar Foundation. This restriction does not apply to partners or associates of Commission members.