



MASSACHUSETTS BAR FOUNDATION

KEEPING THE PROMISE OF JUSTICE SINCE 1964

2012/2013 IOLTA Grants Program Priorities

The following priorities have been established by the Massachusetts Bar Foundation Trustees. These will serve as guidelines throughout the IOLTA grant application review process. In rare cases, funding decisions may deviate from these priorities at the discretion of the Trustees. Please be advised that these priorities represent only one component of the review process. Meeting them does not guarantee funding.

Civil Legal Services

High Priority in order:

1. Programs that provide direct representation by attorneys (and 3:03 certified law students) to indigent clients on matters relating to basic subsistence needs and access to the legal system. Strong pro bono involvement can strengthen these programs, although Trustees recognize that some legal services functions are difficult to direct to pro bono attorneys.
2. Programs that provide limited representation and advocacy by attorneys (and 3:03 certified law students) to indigent clients.
3. Programs that provide assistance by paralegals and certified (SAFEPLAN or Board of Immigration Appeals) advocates, supervised by attorneys, to indigent clients.
4. Programs that provide centralized intake and referral that are directly linked to programs conducting activities listed above.

Substantially Less Competitive:

- Programs that provide legal information and advice by non-attorney/non-legal professional advocates-in spite of the fact that some may be supervised by attorneys and/or have referral agreements with legal services agencies.
- Programs that seek funding to add an attorney position within a non-legal organization/program staff, especially those within close geographic proximity to an existing legal services agency (i.e., attorney operating in isolation and duplication of services).

Administration of Justice

High Priority in order:

1. Programs that provide independent judicial education.
2. Programs that directly impact the courts' effectiveness, for example: mediation and conciliation programs that settle cases, consequently removing existing cases from court dockets.
3. Programs that address systemic problems in the Massachusetts court system and include a demonstrated interface with the courts (for example, a lawyer for the day program that can help ease the strain pro se litigants place on the courts).
4. Training or educational programs that serve as a leveraging tool for pro bono resources. Competitive training programs will not only provide legal education to attorneys, paralegals, and other legal professionals serving low-income clients in particularly complicated and

*Approved by MBF Trustees
December 7, 2011*

overwhelmingly underserved areas of the law, but also include a mechanism to involve the newly trained legal professionals in the provision of related pro bono services for the agency at which they received the legal education or training.

All highly competitive programs will:

- Demonstrate an innovative and cost-effective approach.
- Leverage MBF support with private bar pro bono involvement, as well as other sources of financial support (where possible).
- Collaborate with existing programs, expanding the scope of available services and avoiding duplication of services.
- Produce models that can attract funding from other sources, particularly governmental, and be replicated across the state.

Types of Programs Deemed Non-Competitive for IOLTA funding by the MBF Board

- Alternative sentencing programs
- Court-ordered supervised visitation centers
- Court sponsored programs (The MBF does not typically provide funding directly to a government agency or entity)
- Free standing conferences
- Free standing research and/or studies
- Juvenile or criminal diversion programs
- Legal services to businesses and other economic development organizations/initiatives
- Mediation programs that focus on disputes that have not yet reached the court system or are not likely to reach the court system
- Mock trial and law-related education programs, particularly for high school students
- Programs run by student organizations (secondary, undergraduate or graduate level)
- Programs that provide legal education to attorneys, paralegals, and other legal professionals serving low-income clients if the program's purpose is solely to provide the education rather than use this education to leverage pro bono resources
- Social service advocacy programs for court-involved individuals
- Stipend programs for law student internships or clinics
- Translation services

Please be advised that IOLTA funding can be used only for programs that involve civil legal issues. Programs involving criminal or delinquency legal issues cannot be funded by the IOLTA Grants Program.

Reconsideration of Previously Rejected Programs

The dramatic decline in IOLTA revenue has required the MBF Trustees to make difficult but necessary decisions NOT to fund certain programs in recent grant cycles. Due to continued reduced levels of available funding, it is our intention to keep to those decisions in the 2012/2013 IOLTA Grants Program. Consequently, organizations are discouraged from applying for reconsideration of a program that is not substantially different from that submitted and rejected in a recent grant cycle. We appreciate your cooperation regarding this matter.

*Approved by MBF Trustees
December 7, 2011*