

# **MAINE BAR FOUNDATION IOLTA PROGRAM GRANT GUIDELINES**

## **The IOLTA Program**

IOLTA stands for “Interest on Lawyers’ Trust Accounts.” Attorneys routinely receive client funds to be held in trust for future use. If the amount is large or the funds are to be held for a long period of time, the attorney must place these monies at interest for the benefit of the client. However, in the case of amounts that are small or are to be held for a short time, it is impractical to establish separate interest-bearing accounts for individual clients. Participating in the Maine Bar Foundation’s IOLTA Program allows attorneys to pool these funds and to direct the cumulative interest to the Foundation. Participation in IOLTA is authorized by the Supreme Judicial Court of Maine under a 1986 amendment to the Maine Bar Rule 3.6(e) and 6. Effective April 1, 2008, participation in IOLTA is required for all attorneys who handle client funds.

The Foundation distributes these funds to organizations and projects in Maine, which provide civil legal services to poor and disadvantaged populations; to support administration of justice programs; and, to support law-related educational programs.

## **Grant Philosophy**

The Board of Directors of the Foundation views IOLTA Discretionary Grants as a source of funds for law-related public service programs. The Grants Committee will make a particular effort to fund worthy projects on an equitable geographic basis throughout the State of Maine.

Preference will be given to innovative projects developed by new or existing programs, which clearly respond to identifiable unmet needs in the community and which minimize overlapping administrative costs.

## **GRANT CRITERIA**

### **PRIORITIES:**

1. Programs which:
  - a. Demonstrate innovative approaches or new ideas;
  - b. Benefit Maine residents;
  - c. Have potential for independent continuity;
  - d. Demonstrate community support;
  - e. Avoid duplication of services in the service area;
  - f. Address under served needs or populations;
  - g. Achieve broad geographic or demographic benefits;
  - h. Use challenge grants or other fund-matching arrangements to augment Foundation funds;
  - i. If local, have potential for statewide applicability;
  
2. Applicants who:
  - a. Demonstrate a clear ability to deliver quality services;
  - b. Demonstrate cooperative efforts between service providers in their area;
  - c. Request funds for program rather than capital expenses;
  - d. Have sources of income in addition to Foundation funds;

## EXCLUSIONS:

1. The Foundation will not make grants:
  - a. To for profit entities;
  - b. To political campaigns;
  - c. To support religious activities;
  - d. If the Foundation's tax exempt status would be jeopardized;
  - e. If the applicant fails to demonstrate fiscal responsibility and integrity;
  - f. To fund programs the primary purpose of which is to provide constitutionally or statutorily mandated legal services; and,
  - g. If there is reason to believe that other existing income sources will be withdrawn as a result of the grant.
  
2. The Foundation generally will not make grants:
  - a. To individuals;
  - b. To endowment campaigns;
  - c. To repay loans;
  - d. As a substitute for other funds;
  - e. If Foundation funds will be the primary source of continuing financial support; and,
  - f. For renewal funding for the same project.

## GRANT APPLICATIONS

The Maine Bar Foundation will make funding determinations on the basis of written applications in the format prescribed by the Foundation. Application forms and instructions can be obtained from the Foundation office, 40 Water Street, 1<sup>st</sup> Floor, Hallowell ME 04347. The MBF may request supplementary material, make on-site visits or require applicants to appear at a Board or Committee meeting as a part of the grant process. **The application must be submitted by October 16, 2009.**

Applicants must prepare one original and 10 copies of the application form and attachments. All applications will be screened by Foundation staff to establish eligibility to receive IOLTA funds and completeness of the application.

The Grants Committee will review all qualified applications and make recommendations to the Board of Directors. Following the decision of the Board of Directors, applicants will be notified regarding the disposition of their grant application.

### Grant applicants must agree:

1. To submit grant applications in the prescribed format;
2. To sign and follow Foundation Grant Assurances;
3. To make their financial records open to review, upon request of the Foundation, during the application process and during the duration of the grant; and,
4. That upon receipt, applications become the property of the Foundation with the right to use any and all ideas presented whether or not the application is accepted for funding.

## **GRANT AWARDS AND PAYMENTS**

Applicants will be notified in writing within 30 days of the decision of the Board of Directors. All grants will be made in accordance with the terms and conditions of the grant award contained in the written notification to applicants. The method of payment (prepayment, installment or reimbursement) will be selected on a case by case basis at the time of making the award.

## **MONITORING OF GRANT RECIPIENTS**

Grant recipients will provide the following information to MBF:

1. One original and 10 copies of a final report of how the grant money has been spent and the results achieved;
2. If requested, one original and 10 copies of an interim report of how the grant money has been spent to date and the status of the project;
3. A copy of the applicant's annual financial statement (preferably audited) for the year in which the grant was made, as soon as it becomes available;
4. To meet with the Grants Committee when requested to evaluate the progress of the Grant during the period of the grant; and,
4. Responses to any reasonable request for further information by the MBF.

## **FURTHER INFORMATION**

If you have questions or require further information, please contact:

**Maine Bar Foundation**  
40 Water Street, 1<sup>st</sup> Floor  
Hallowell ME 04347  
207/622-3477  
FAX 207/623-4140

**MAINE BAR FOUNDATION  
IOLTA PROGRAM  
GRANT APPLICATION**

40 Water Street, 1<sup>st</sup> Floor  
Hallowell, Maine 04347  
207/622-3477 \* FAX 207/623-4140

NAME OF ORGANIZATION: \_\_\_\_\_

TITLE OF PROJECT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

STATE/ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

CHIEF EXECUTIVE OFFICER: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

STATE/ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

GEOGRAPHIC AREA SERVED: \_\_\_\_\_

AMOUNT REQUESTED: \$ \_\_\_\_\_ FOR TIME PERIOD: \_\_\_\_\_ TO \_\_\_\_\_

PAYABLE TO: \_\_\_\_\_

PERSON PREPARING APPLICATION: \_\_\_\_\_

TITLE: \_\_\_\_\_ PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

TAX EXEMPT:  YES  NO  PENDING (Attach copy of IRS exemption letter)

CORPORATION  UNINCORPORATED  OTHER \_\_\_\_\_

**SUMMARY OF GRANT REQUEST**

You must complete the space below. Use only this space. Do not attach a separate sheet. (Please write this Summary so that it is also suitable for use in press releases related to any grant awarded)

# MAINE BAR FOUNDATION IOLTA PROGRAM GRANT APPLICATION

The information requested below should be typed in the space provided or, where requested, on attached 8.5 x 11 paper. List applicant, date and question number on all attachments. **One original application and 10 copies should be submitted to the Maine Bar Foundation, 40 Water Street, 1st Floor, Hallowell, Maine 04347 by October 16, 2009.**

1. Describe applicant organization below, including form of organization (i.e. corporation, partnership, unincorporated association), date established and purpose. Attach a list of applicant's current officers and directors.

2. Project Narrative:

Use up to three pages to describe the project and anticipated activities for which funds are requested. Include project objectives and plan of action for accomplishing them, the needs to be met, geographic area(s) and population(s) to be served, and the anticipated results/impacts. Describe briefly the project's community support and indicate whether other organizations in the area provide services similar to those the project seeks to perform. Indicate also whether other organizations will be involved in this project or will work cooperatively with the proposed project.

3. A. Anticipated beginning date for the project:

B. Anticipated termination date for the project:

C. Are there any fees or other charges for the organization's services to be provided by this grant? If yes, please describe the criteria used for determining which clients pay for services, the nature of the services for which fees are charged and the method for monitoring these charges.

D. Geography?

4. If ongoing, explain whether/how the project will continue to be funded after the Foundation funds requested, are spent.

5.A. Describe with some specificity applicant's evaluation method(s) for the goals of the project.

5B. Briefly describe the financial accounting mechanisms to be used to account for Foundation funds requested.

6A. Attach applicant organization's most current operating budget and audited financial statements for its last fiscal year. If an audit was not conducted, attach a financial accounting for the period that has been certified correct by the responsible financial officer.

6B. List below the project's estimated budget detailed by major line items. Indicate which items are to be funded with the requested Foundation grant.

7. A. Total funds needed for this project: \$ \_\_\_\_\_  
 B. Amount of Foundation Grant requested: \$ \_\_\_\_\_  
 C. Other anticipated funding sources:  
 (Please name) \_\_\_\_\_ \$ \_\_\_\_\_  
 \_\_\_\_\_ \$ \_\_\_\_\_  
 \_\_\_\_\_ \$ \_\_\_\_\_

Indicate below which of the other potential funding sources are firmly committed and whether/how any will be fund matching arrangements or otherwise augment the requested Foundation funds.

- D. Please describe methods used for making decisions with whom you contract or acquire materials and services.
8. List the dates and purposes of any prior Foundation Grant application(s):

# MAINE BAR FOUNDATION IOLTA PROGRAM GRANT APPLICATION

## ASSURANCES BY APPLICANT

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(Applicant Name)

Applicant assures that:

1. It will restrict the use of Foundation funds to law-related activities and purposes that are charitable or educational within the meaning of Section 501(c)(3) of the Internal Revenue Code, as amended, and to the proposed uses described in the grant application.
2. It will not discriminate on the basis of race, color, religion, sex, sexual orientation, age, handicap or national origin against (a) any person applying for employment or employed by the applicant with respect to any personnel action proposed or taken concerning the applicant or employee; or (b) any person seeking participation in, or the benefits or proceeds of, the program or projects supported in whole or part by this grant.
3. It will, upon request, cooperate with all data collection and evaluation activities undertaken by the Foundation and give any authorized representative of the Foundation access to any copies of all financial records, books, papers or documents.
4. It will provide a copy of a program audit prepared within the previous two years if available, or in the alternative, a financial accounting conforming to the purpose(s) for which Foundation funds are awarded, and which has been certified correct by the responsible financial official of your organization.
5. It understands and agrees that the Foundation may, at its sole discretion, grant funds in greater or lesser amounts and/or for greater or lesser periods of time than requested in this application.
6. It understands and agrees that the application, once received by the Foundation, becomes the property of the Foundation, and any or all of the ideas contained within it may be used by the Foundation.
7. It will provide a final written report of how the grant money was spent and the results achieved within 90 days of completing the funded project, and other interim reports on the project's status as requested by the Foundation.
8. It will acknowledge the Foundation's funding assistance in press releases, media contacts and printed, video or audio material resulting from the programs or projects supported in whole or in part by any grant awarded.

We have read these assurances and understand that if this application is approved for funding, the grant will be subject to these assurances. We certify the applicant will comply with these assurances if the application is approved.

Project/Program Director: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Board Representative: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_