

**BUREAU OF JUSTICE ASSISTANCE**  
**TRIBAL CIVIL AND CRIMINAL LEGAL ASSISTANCE (TCCLA) GRANT PROGRAM**  
**PERFORMANCE MEASURES**

The following pages outline general questions and performance measures for the Bureau of Justice Assistance (BJA) Tribal Civil and Criminal Legal Assistance (TCCLA) Grant Program. The performance measures for this program were established to indicate how grant activities meet the following objectives:

1. Provide civil legal assistance services for Indian tribes, members of Indian tribes, and tribal justice systems, including guardians ad litem and court-appointed special advocates, pursuant to Federal poverty guidelines.
2. Provide criminal legal assistance services for Indian tribes, members of Indian tribes, and tribal justice systems, pursuant to Federal poverty guidelines. *Criminal legal assistance services may include adult criminal actions, juvenile delinquency actions, and guardian ad litem appointments arising out of criminal or delinquency acts.*

The performance measures for the Tribal Civil and Criminal Legal Assistance Grant Program are structured in two formats—quantitative (numeric) measures and qualitative (narrative) measures. You will complete the quantitative measures in the BJA Performance Measurement Tool (PMT) four times per year to report on your activity during the prior 3 months, also known as a reporting period. You will be asked to complete qualitative measures twice each year. These consist of nine narrative questions that you will answer based on activities during the previous two reporting periods.

**Please know that this information is used to show the impact and value of this important program.**

In January and July of each year, you will be responsible for creating a report from the PMT that you upload into the Grants Management System (GMS). This is the GMS report. During the nonsubmission reporting periods, you are encouraged to create a report for your records, but you will not upload this to the GMS.

If you have questions about your program, please contact your State Policy Advisor (SPA) at <https://www.bja.gov/About/Contacts/ProgramsOffice.html>.

Your responses to the questions that follow must be entered in the PMT at <https://bjapmt.ojp.gov>. If you have any questions about the PMT or performance measures, please call the BJA Performance Tools Help Desk at 1-888-252-6867, or send an e-mail to [bjapmt@usdoj.gov](mailto:bjapmt@usdoj.gov).

**NOTE: Data collection on the following measures will take effect with grant activities that begin as of April 1, 2012. Specifically, data entry and reporting in the PMT will begin on July 1, 2012. Subsequent data entry will occur quarterly or every 3 months, with a 30-day submission period following the close of the reporting period.**

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**GRANT ACTIVITY**

The first question asks if the grant had **activities** conducted. This question determines if further questions in the survey are answered.

1. Was there grant activity in the reporting period? *Grant activity is defined as any activity proposed in the BJA-approved grant application that is implemented or executed with BJA grant funds.*
  - A. Yes
  - B. No
  - C. If no, please explain \_\_\_\_\_

**LEGAL ASSISTANCE ACTIVITIES**

This question is about the legal assistance activities that you are providing, either civil or criminal. The answer to this question will determine which questions you will answer in other sections in the survey.

2. What types of **legal services** are provided to members of a tribe(s), a whole tribe(s), or a service area?
  - A. Civil services
  - B. Criminal services

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**GENERAL AWARD INFORMATION**

The first set of questions covers general information about the grantee and the Tribal Civil and Criminal Legal Assistance award.

3. What **stage** of activities are you currently in? *Planning refers to setting up legal assistance services, such as creating policies and procedures, hiring personnel, meeting with an advisory group, etc. Implementation refers to providing legal assistance services, publicizing services, offering trainings on services, etc. Expansion/Enhancement refers to enhancing legal assistance services that have already been in operation in various ways, including adding more tribal courts, providing more communities with services, or improving/strengthening the services already in operation.*
- A. Planning stage
  - B. Implementation stage
  - C. Expansion/Enhancement stage
  - D. Other
  - E. If other, please explain.
- \_\_\_\_\_
4. What is the expected number of tribal members you will serve with BJA program funds over the life of this award? \_\_\_\_\_
5. Are legal services provided to **any Indian tribe(s), tribal justice system(s), or other entities** (government agency, tribal court, commission or agency within the tribe, local district, or other political subdivision)? *The intent is to find out if legal services have been directly provided to any Indian tribe(s), tribal justice system(s), or other entity. The tribe(s), tribal justice system, or other entity would be the client.*
- A. Yes
  - B. No (Go to question 7)
6. How many Indian tribe(s), tribal justice system(s), or other entities (government agency, tribal court, commission or agency within the tribe, local district, or other political subdivision) are you providing legal services to? *The intent is to find out if legal services have been directly provided to any Indian tribe(s), tribal justice system(s), or other entity. The tribe(s), tribal justice system, or other entity would be the client.* \_\_\_\_\_
7. Are legal services provided to **members of more than one tribe**? *The intent is to find out if legal services have been directly provided to members of more than one tribe.*
- A. Yes
  - B. No (Go to question 9)

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8. How many **tribes are represented by individuals** who receive legal services? *The intent is to find out if legal services have been directly provided to members of more than one tribe.* \_\_\_\_\_
9. Are legal services in your tribe **funded fully or partially** through this BJA grant? *Other sources of funding may include tribal, State, county, Federal, and/or other types of funding.*
- A. BJA TCCLA grant funds only
  - B. BJA TCCLA funds and other source(s) of funding

**BASELINE CHARACTERISTICS: CRIMINAL SERVICES**

The next set of questions is about baseline data for criminal legal assistance services provided. Data reported should be for the 3 months before the start of the TCCLA grant. If services were not provided before this grant, or if an outside agency provided services before the grant, enter zero for the questions below. These questions will only be reported once, during the first reporting period where activity occurs.

10. How many **defendants** were provided with criminal legal assistance services in the 3 months before the start of this TCCLA grant? *Include individuals served with a previous TCCLA grant (when applicable) and/or other funding sources.* \_\_\_\_\_
11. How many criminal cases, where legal assistance was provided, were **closed** during the 3 months before the start of this TCCLA grant? *A criminal case is considered closed when a case is dismissed, a plea agreement and sentence have been entered, or a verdict and sentence have been rendered in the case.* \_\_\_\_\_

**BASELINE CHARACTERISTICS: CIVIL SERVICES**

The next set of questions is about baseline data for civil legal services provided. Data reported should be for the 3 months before the start of the TCCLA grant. If services were not provided before this grant or if an outside agency provided services before the grant, enter zero for the questions below. These questions will only be reported once, during the first reporting period where activity occurs.

12. How many **clients/respondents/petitioners** were provided with civil legal assistance services in the 3 months before the start of this TCCLA grant? *Include individuals served with a previous TCCLA grant (when applicable) and/or other funding sources.*
- \_\_\_\_\_

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13. How many civil cases, where legal assistance was provided, were **closed** during the 3 months before the start of this TCCLA grant? *A civil case is considered closed when a case is dismissed or a judgment has been rendered in the case.* \_\_\_\_\_

**CODES, POLICIES, AND PROCEDURES**

The next set of questions is about the codes, policies, and procedures developed or updated for the tribe(s). Your grant activities should represent data collected from the first day of the reporting period to the last day of the reporting period. This set of questions is applicable to Criminal or Civil grantees and is not specific for grantees that are focusing on code writing.

14. Have any eligible tribe(s) that are served developed any new or updated any existing **civil or criminal codes or policies** during the reporting period? *Include if eligible tribe(s) are in the process of writing or updating codes or policies.*
- A. Yes
  - B. No (Go to question 20)

15. How many **new civil or criminal codes or policies** have been developed for the tribe(s) or tribal court during the reporting period? *Civil codes and policies help to resolve disputes between individuals and/or organizations and define the rights of the individuals. Criminal codes or policies define what is considered a crime or a wrong and set an appropriate punishment for committing the crime or wrongful act.* \_\_\_\_\_

16. How many civil or criminal codes or policies were **updated or amended** for the tribe(s) or tribal court during the reporting period? *Civil codes and policies help to resolve disputes between individuals and/or organizations and define the rights of the individuals. Criminal codes or policies define what is considered a crime or a wrong and set an appropriate punishment for committing the crime or wrongful act.* \_\_\_\_\_

17. Explain the **status** of the writing or revision of codes or policies among eligible tribe(s). *The completion date, a link to the code Web site, or any other information may be provided. (Please enter N/A if not applicable.)*

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18. During the reporting period, have any new or updated codes or policies been made **publicly available**?
- A. Yes
  - B. No (Go to question 20)

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19. During the reporting period, how many new or updated codes or policies were made **publicly available**? \_\_\_\_\_

**PERSONNEL**

The next set of questions is about the personnel who have been hired and maintained with grant funds. Your grant activities should represent data collected from the first day of the reporting period to the last day of the reporting period.

20. Have you **hired or retained employees, recruited unpaid volunteers, or signed contracts** with any individuals to provide legal assistance services during the reporting period?

- A. Yes
- B. No (Go to question 22)

21. Please complete the matrix below for the reporting period. Include the number of part-time or full-time personnel who were hired to work with the TCCLA program, either as employees, contract personnel, or non-paid staff. *Please only count new and retained personnel once in the quarter in which they started performing program activities. If you are retaining an employee (paying the salary of an existing employee with this TCCLA grant) report this individual(s) under the “Employees” section.*

	Employees		Contract Personnel		Non-paid Staff	
	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time
Attorney(s)						
Lay Advocate(s)						
Paralegal(s)						
Administrative Assistant(s)						
Social Worker(s)						
IT/Justice Information-Sharing Personnel						
Legal Services Intern(s)						
Volunteer(s) (includes Other Interns and Adult Volunteers)						
Guardian(s) Ad Litem						
Other						
If other, please explain						

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**GUARDIANS AD LITEM AND LAY ADVOCATES**

The next set of questions is about the recruitment and/or training of lay advocates and guardians ad litem. Your grant activities should represent data collected from the first day of the reporting period to the last day of the reporting period.

22. Does the TCCLA program **recruit guardians ad litem**?
- A. Yes
  - B. No (Go to question 24)
23. How many TCCLA-funded guardians ad litem are currently **available to work with clients**? \_\_\_\_\_
24. Does the TCCLA program **recruit lay advocates**?
- A. Yes
  - B. No (Go to question 26)
25. How many TCCLA-funded lay advocates are currently **available to work with clients**? \_\_\_\_\_

**TRAINING**

The next set of questions is about trainings that have been provided and completed for staff and community tribal members. Your grant activities should represent data collected from the first day of the reporting period to the last day of the reporting period.

26. Have staff who work with the legal assistance program attended any **internal or external trainings** during the reporting period? *Staff are defined as (but not limited to) attorneys, paralegals, administrative assistants, lay advocates, social workers, and guardians ad litem. Volunteers and interns may be included. Do not include initial trainings for guardians ad litem.*
- A. Yes
  - B. No (Go to question 28)

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27. How many **internal or external trainings** related to the legal assistance program have been **attended by staff** during the reporting period? *Count the number of trainings attended, regardless of how many individuals attended. Internal trainings are any that are held in the tribal community. External trainings are held outside of the tribal community.*
- \_\_\_\_\_
28. Have **tribal members within the community** had opportunities to attend presentations, meetings, trainings, and/or other events that discuss legal assistance services during the reporting period? *Presentations, meetings, trainings, and/or other events may include presenting in formal and informal settings, such as at tribal meetings or in individual or family training discussions.*
- A. Yes  
B. No (Go to question 31)
29. How many **meetings, trainings, and/or other events** that discuss legal assistance services were made available to tribal members within the community during the reporting period? \_\_\_\_\_
30. How many **tribal members within the community participated** in a meeting, training, and/or other event that discussed legal assistance services during the reporting period?
- \_\_\_\_\_

**COMMUNITY OUTREACH**

The next set of questions is about any community outreach materials developed and distributed. Your grant activities should represent data collected from the first day of the reporting period to the last day of the reporting period.

31. Have you **developed and/or distributed community outreach materials** during the reporting period? *Community outreach materials are educational materials that have been developed and distributed to increase awareness among community tribal members about the types of legal services available to them, the legal rights that community members have, etc.*
- A. Yes  
B. No (Go to question 33)



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32. Select the type of **outreach materials** that have been developed and distributed during the reporting period.

		Yes	No
Bulletin(s)			
DVD(s)/CD(s)			
E-mail(s)			
Fact Sheet(s)			
Letter(s)			
Newsletter(s)			
Pamphlet(s)/Brochure(s)			
PowerPoint Presentation(s)			
Web Site Information			
TV Ads			
Radio Ads			
Other			
If other, please explain			

**CRIMINAL LEGAL ASSISTANCE SERVICES**

The next set of questions is about criminal legal assistance services provided. Your grant activities should represent data collected from the first day of the reporting period to the last day of the reporting period.

33. Have you provided **criminal legal assistance** to tribal members during the reporting period?
- A. Yes
  - B. No *(Go to narrative questions at the end of this questionnaire, when applicable)*
34. How many defendants have **applied** for criminal legal assistance services during the reporting period? \_\_\_\_\_

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35. How many defendants who applied for services were **determined to be ineligible**? For example, *individuals may have been determined to be ineligible for any reason.*  
 \_\_\_\_\_
36. How many **new** cases where criminal legal assistance services are provided were opened? *A new case is defined as a case that just began during this reporting period.*  
 \_\_\_\_\_
37. Of those reported in question 36, how many defendants **served in the U.S. military**? *A U.S. military veteran is defined as anyone who has served in the armed forces.* \_\_\_\_\_
38. Of those reported in question 36, how many defendants have had a **guardian ad litem** assigned to their cases? *A guardian ad litem is a guardian appointed by a court to protect the interests of a minor or incompetent individual.* \_\_\_\_\_
39. Of those reported in question 36, how many defendants were **charged** with a felony (either through the current sentencing authority or enhanced sentencing authority) or misdemeanor? *Only count one charge per defendant. If a defendant has multiple charges, count the most serious charge.*
- A. Number charged with a felony under current authority \_\_\_\_\_
  - B. Number charged with a felony under enhanced sentencing authority \_\_\_\_\_
  - C. Number charged with a misdemeanor \_\_\_\_\_
40. Of those reported in question 36, indicate whether the defendant was a **juvenile or adult** and whether the case is being prosecuted in a **tribal, State, Federal, or other type of court (where applicable).**

	Adult	Juvenile
Tribal Court (as defined by the 25 U.S.C. 3661) including peacemaking court or sentencing circle		
State Court		
Federal Court		
Other		

41. During the reporting period, what is the **total** number of criminal cases provided with legal assistance services? *This count includes any cases that first received legal assistance services during this reporting period and those cases that received services in previous reporting periods and continue to receive them. Please also include cases that were closed during this reporting period.* \_\_\_\_\_

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42. Did you close any criminal cases during the reporting period?
- A. Yes
  - B. No (Go to question 44)
43. Please provide the number of cases **closed** by closure type during the reporting period:
- A. Counsel and Advice. *The advocated ascertained and reviewed relevant facts, exercised judgment in interpreting the particular facts presented by the client and in applying the relevant laws the facts presented, and counseled the client concerning his or her legal problem.* \_\_\_\_\_
  - B. Limited Action. *The advocate took limited action(s) on behalf of an eligible client that addressed the client's uncomplicated legal problem. Examples include communications by letter, telephone, or other means to a third party; or preparation of a simple legal document.* \_\_\_\_\_
  - C. Court Decision Contested \_\_\_\_\_
  - D. Court Decision Uncontested \_\_\_\_\_
  - E. Court Decision Appeals \_\_\_\_\_
  - F. Plea Deal Reached \_\_\_\_\_
  - G. Other Closure Reason \_\_\_\_\_
44. How many **staff hours** of legal assistance were provided defendants during the reporting period? *To calculate this number, add the number of staff hours provided to each defendant who was served through the TCCLA grant. Then add the number of hours for each defendant together. Staff hours may include time spent (but not limited to) identifying and speaking with witnesses, locating and examining evidence, working with experts, interviewing family members, working with experts on determining competency, drafting and filing pleadings, preparing for hearings and other court sessions, and/or investigating any possible violations of a defendant's rights.* \_\_\_\_\_
45. Have defendants assessed the **quality** of services they received through their grant-funded attorney? *Assessments may be based on a survey given to rate the satisfaction with services that were provided.*
- A. Yes
  - B. No (*Go to narrative questions at the end of this questionnaire, when applicable*)
46. How many total defendants **assessed** the services they received through their grant-funded attorney? \_\_\_\_\_
47. How many defendants assessed the services they received through their grant-funded attorney as **satisfactory or better**? \_\_\_\_\_

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**CIVIL LEGAL ASSISTANCE SERVICES**

The next set of questions is about civil legal assistance services provided. Your grant activities should represent data collected from the first day of the reporting period to the last day of the reporting period.

48. Have you provided **civil legal assistance** to tribal members during the reporting period?  
 A. Yes  
 B. No (*Go to narrative questions at the end of this questionnaire, when applicable*)
49. How many clients/respondents/petitioners have **applied** for civil legal assistance services during the reporting period? \_\_\_\_\_
50. How many clients/respondents/petitioners who applied for services were **determined to be ineligible**? For example, *individuals may have been determined to be ineligible for services for any reason.* \_\_\_\_\_
51. How many **new** cases where civil legal assistance services were provided opened during the reporting period? *A new case is defined as a case that just began during this reporting period.* \_\_\_\_\_
52. Of those reported in question 51, how many clients/respondents/petitioners served in the U.S. military? *A U.S. military veteran is defined as anyone who has served in the armed forces.* \_\_\_\_\_
53. Of those reported in question 51, how many clients/respondents/petitioners had a **guardian ad litem** assigned to their cases? *A guardian ad litem is a guardian appointed by a court to protect the interests of a minor or incompetent individual.* \_\_\_\_\_
54. Of those reported in question 51, indicate whether the client/respondent/petitioner was a **juvenile or adult** and whether the case is being pursued in a **tribal, State, Federal, or other type of court (where applicable)**.

	<b>Adult</b>	<b>Juvenile</b>
Tribal Court (as defined by the 25 U.S.C. 3661) including peacemaking court or sentencing circle		
State Court		
Federal Court		
Other (Public benefits)		

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55. During the reporting period, what is the **total** number of civil cases provided with legal assistance services? *This count includes any cases that first received legal assistance services during this reporting period and those cases that received services in previous reporting periods and continue to receive them. Please also include cases that were closed during this reporting period.* \_\_\_\_\_
56. Did you close any civil cases during the reporting period?  
A. Yes  
B. No (Go to question 59)
57. Please provide the number of cases **closed** by closure type during the reporting period:  
A. Counsel and Advice. *The advocated ascertained and reviewed relevant facts, exercised judgment in interpreting the particular facts presented by the client and in applying the relevant laws the facts presented, and counseled the client concerning his or her legal problem.* \_\_\_\_\_  
B. Limited Action. *The advocate took limited action(s) on behalf of an eligible client that addressed the client's uncomplicated legal problem. Examples include communications by letter, telephone, or other means to a third party; or preparation of a simple legal document.* \_\_\_\_\_  
C. Settlement without Litigation \_\_\_\_\_  
D. Settlement with Litigation \_\_\_\_\_  
E. Agency Decision \_\_\_\_\_  
F. Court Decision Contested \_\_\_\_\_  
G. Court Decision Uncontested \_\_\_\_\_  
H. Court Decision Appeals \_\_\_\_\_  
I. Other Closure Reason \_\_\_\_\_
58. Of the civil cases that were closed (question 57), please indicate the number of each **type of case** that was closed.  
A. Consumer cases (debt collection) \_\_\_\_\_  
B. Education cases \_\_\_\_\_  
C. Employment cases \_\_\_\_\_  
D. Family cases (divorce, adult guardianship) \_\_\_\_\_  
E. Juvenile cases (child support, child custody, paternity, neglect) \_\_\_\_\_  
F. Health cases \_\_\_\_\_  
G. Housing cases \_\_\_\_\_  
H. Public benefits cases (State public benefits, disability) \_\_\_\_\_  
I. Individual rights cases (protection order) \_\_\_\_\_  
    Of the individual rights cases, how many were violations of protection order(s)?  
    \_\_\_\_\_
- J. Other cases \_\_\_\_\_

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59. How many **staff hours** of legal assistance were provided to clients/respondents/petitioners during the reporting period? *To calculate this number, add the number of staff hours provided to each client/respondent/petitioner who was served through the TCCLA grant. Then add the number of hours for each client/respondent/petitioner together. Staff hours may include time spent (but not limited to) identifying and speaking with witnesses, locating and examining evidence, working with experts, interviewing family members, working with experts on determining competency, drafting and filing pleadings, preparing for hearings and other court sessions, and/or investigating any possible violations of a client's/respondent's/petitioner's rights.* \_\_\_\_\_
60. Have clients/respondents/petitioners assessed the **quality** of services they received through their grant-funded attorney? *Assessment may be based on a survey given to rate the satisfaction with services that were provided.*
- A. Yes
  - B. No *(Go to narrative questions at the end of this questionnaire, when applicable)*
61. How many total clients/respondents/petitioners **assessed** the services they received through their grant-funded attorney? \_\_\_\_\_
62. How many clients/respondents/petitioners assessed the services they received through their grant-funded attorney as **satisfactory or better**? \_\_\_\_\_

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**SEMIANNUAL NARRATIVE QUESTIONS**

You are asked to answer the following questions in January and July of each calendar year. Please answer the questions based on the last 6-month period. You can use up to 8,000 characters for each response.

1. What were your accomplishments within this reporting period?

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2. What goals were accomplished, as they relate to your grant application?

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3. What problems/barriers did you encounter, if any, within the reporting period that prevented you from reaching your goals or milestones?

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4. Is there any assistance that BJA can provide to address any problems/barriers identified in question #3?

- A. Yes (Please explain)
- B. No

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5. Are you on track to fiscally and programmatically complete your program as outlined in your grant application?

A. Yes

B. No (Please explain)

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6. What major activities are planned for the next 6 months?

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7. Based on your knowledge of the criminal justice field, are there any innovative programs/accomplishments that you would like to share with BJA?

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8. Please explain the status of the enhanced sentencing authority in the tribe(s) being provided with services.

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9. As a TCCLA grantee, are there collaboration efforts occurring between you and the Indian tribe(s), specifically the tribal public defender and any other entity in your service area? If so, please describe these efforts. If not, please explain.

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**THANK YOU FOR PARTICIPATING!**