

BUREAU OF JUSTICE ASSISTANCE

Tribal Civil and Criminal Legal Assistance Program

**FY 2021 Competitive Grant
Announcement**

April 6, 2021



BJA
Bureau of Justice Assistance
U.S. Department of Justice

Presenters

- Norena A. Henry, Senior Policy Advisor for Tribal Affairs, Bureau of Justice Assistance,
U.S. Department of Justice
- Geislia Barnes, State Policy Advisor, Bureau of Justice Assistance,
U.S. Department of Justice
- Nikki Borchardt Campbell, Executive Director
National American Indian Court Judges Association

Agenda

- Tribal Civil and Criminal Legal Assistance (TCCLA) Program Overview
- Application Overview
- Resources
- Just Grants

SECTION 1

**TCCLA
PROGRAM
OVERVIEW**



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Tribal Awards

- Civil Legal Assistance Services
- Criminal Legal Assistance Services

Training & Technical Assistance Awards (in development)

- Overall technical assistance and training for TCCLA grantees and subgrantees:
 - Holistic Defense Curriculum Development and Pilot Project
 - Tribal Legal Advocacy Training
- Tribal Law and Order Act Implementation of Enhanced Sentencing Authority Curriculum Development Project

Question & Answer Session

SECTION 2

APPLICATION OVERVIEW



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Application Deadlines



Important: Applications have two deadlines. The first is in Grants.gov and the second is in JustGrants

Grants.gov deadline: **April 7, 2021**

JustGrants deadline: **April 21, 2021**

There will be one recording of the solicitation webinar. They will be made available on the following links:

- <https://bja.ojp.gov/program/tribal-civil-and-criminal-legal-assistance-tcla-program/funding>

BJA FY 21 Tribal Civil and Criminal Legal Assistance Program

Assistance Listing Number #	16.815
Grants.gov Opportunity Number:	O-BJA-2021-51003
Solicitation Release Date:	January 06, 2021 5:00 PM
Version:	1
Grants.gov Deadline:	April 7, 2021 11:59 PM
Application JustGrants Deadline:	April 21, 2021 11:59 PM

Overview

The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Assistance](#) (BJA) is seeking applications for funding to improve the capacity of tribal justice systems to address civil and criminal causes of action and activities in their jurisdictions, and to ensure access to quality training and technical assistance (TTA) for systems' development and enhancement. This program furthers the Department's mission and Attorney General's priorities to reduce violent crime and promote public safety by enhancing the rule of law in tribal prosecutions.

Where to find the TCCLA Solicitation

- Fiscal Year 2021 Tribal Civil and Criminal Legal Assistance Program Solicitation can be found at:

<https://bja.ojp.gov/funding/opportunities/o-bja-2021-51003>

Program Goal

The goal of the TCCLA program is to build and enhance capacity and improve delivery of civil and criminal legal services to individuals and tribes as well as to develop policies that improve access to tribal justice systems.

Program Objectives

Category 1: Civil Legal Assistance Services

- The amount and quality of civil legal assistance services for tribal members pursuant to federal poverty guidelines, federally recognized Indian tribes, and tribal justice systems.
- The amount and quality of other legal assistance services to support tribes enhancing their capacity, operations, or legal infrastructure.

Program Objectives

Category 2: Criminal Legal Assistance Services

- The amount and quality of criminal legal assistance services for tribal members pursuant to federal poverty guidelines, federally recognized Indian tribes, and tribal justice systems.
- The amount and quality of other legal assistance services to support tribes enhancing their capacity, operations, or legal infrastructure.

Eligibility



Eligible Applicants

Nonprofits having a 501(c)(3) status with the Internal Revenue Service, other than institutions of higher education, Other

Other Eligible Applicants

For Categories 1 and 2:

- Eligible applicants are nonprofit entities as defined by 26 USC § 501(c)(3), including tribal nonprofit organizations, tribal enterprises, and educational institutions (public, private, and tribal colleges and universities), which provide legal assistance services for Indian tribes, tribal justice systems, or members of Indian tribes pursuant to federal poverty guidelines. Federal poverty guidelines are updated every year by the U.S. Department of Health and Human Services at <https://aspe.hhs.gov/2020-poverty-guidelines>.

Important

The 501(c)(3) tax status of a nonprofit is required, per the authorization (25 U.S.C. § 3661et.seq.).

Grant Categories

The solicitation features the following two categories:

- Category 1, Civil Legal Assistance Services
- Category 2, Criminal Legal Assistance Services

Allowable Use of Funds

Category 1: Civil Legal Assistance Services

One or more awards; grant maximum is \$600,000. Twenty-four month performance period.

- **Direct Legal Services:**
Award recipients are expected to provide a range of civil legal assistance services that may include guardian ad-litem appointments, court-appointed special advocates, and development and enhancement of tribal court policies, procedures, and code.
- **Project-Based Activities:**
For project-based activities, grantees will partner with Indian tribe(s) to provide legal or technical assistance such as development of tribal law or intergovernmental agreements or establishing a tribal civil legal assistance office.

Allowable Use of Funds

Category 2: Criminal Legal Assistance Services

One or more awards; grant maximum is \$600,000. Twenty-four month performance period.

- Direct Legal Services:

Award recipients are expected to provide a range of criminal defense counsel services that may include adult criminal actions, juvenile delinquency actions, and guardian ad-litem appointments arising out of criminal delinquency acts, or development and enhancement of tribal court policies and procedures and codes.

- Project-Based Activities:

For project-based activities, grantees will partner with Indian tribe(s) to provide legal or technical assistance such as development of criminal codes or intergovernmental agreements, establishing a public defense office, or law enforcement training.

Specific Information

The TCCLA Program supports 501(c)(3) nonprofit organizations that provide legal assistance services to eligible individuals pursuant to [federal poverty guidelines](#), federally recognized Indian tribes, and tribal justice systems to provide legal aid and indigent defense services to tribal communities located in rural and rural remote regions throughout the United States where legal services are sparse.

While the core focus of this program is to provide direct legal services, funding can also support other needs of eligible tribes such as

- providing conflict counsel for tribes exercising enhanced sentencing authority or special domestic violence criminal jurisdiction authorized through the Violence Against Women Act (VAWA) of 2013 and
- supporting veterans' legal clinics for Native American veterans.

Grant Requirements

- Initial, annual, and final written summary of projects and deliverables.
- Semi-annual progress reports
- Quarterly financial reports.

Grantee Requirements

- Describe the **communication and coordination plan** to inform individuals, tribal communities, and tribal government of available resources, and, within that plan, describe the strategy to obtain **signed tribal agreements** (e.g., letter of agreement, Memorandum of Agreement/Memorandum of Understanding) that the applicant has the requisite authorization from the tribe(s) to implement the proposed project(s) on tribal lands. Describe how the agreements will be collected and managed for audit purposes or BJA grant management activity.
- A signed agreement includes a request for legal assistance services, proposed response and deliverables, project period, and communication and coordination plan.

Grantee Requirements

- Describe an approach that includes an **advisory committee** that regularly convenes tribal leadership, legal services organizations, legal aid, and public defenders with the goal of fostering collaboration, cooperation, and program success while minimizing duplication of effort.
- Consider using the advisory committee to review deliverables before submitting to BJA.

Subgrantee Recommendation

- If subgrantee(s) is/are part of an award, BJA recommends to develop an individual implementation plan to guide and track the site's progress on its project's objectives, preparation for future data calls, and success stories
- The purpose of the report is to share findings and lessons learned with BJA and TTA provider to assist with program improvements and identify other TTA needs.

Basic Minimum Requirements



This solicitation identifies basic minimum requirements that an application must meet to move forward to peer review.

The critical elements of this solicitation includes:

- Proposal Abstract,
- Proposal Narrative,
- Budget Detail Worksheet and Budget Narrative, and
- Internal Revenue Service Determination Letter Recognizing the 501(c)(3) tax status.

Reminder: Project timeline do not forget to include in your application package.

Important Note:

Applications that do not contain ALL elements designated by BJA as critical in the solicitation will not be submitted to peer review.

Proposal Abstract (required)



Summarize the proposed project, include:

- Title of Overall Project/Award [e.g. (tribal legal service/activity name) for Civil Legal Assistance Services Program]
- Primary services/activities, products and deliverables
- Amount of funding requested (requested amount should not exceed grant amount for the category applying)
- Service area. Number of tribes to receive services and number of tribes in service area.
- Target population proposed to receive services
- Current capacity and increased capacity, if funded
- Data collection mechanisms

Note: BJA recommends that applicants use the abstract template in Justgrants and keep to a **400** word limit.

Proposal Narrative (required)



Make sure you understand and follow the instructions about page limits for the program narrative.

Proposal Narrative must be:

- Double-spaced,
- Standard 12-point font (Times New Roman font), and
- 1-inch margins.
- Should not exceed 15 pages.
- Number pages “1 of 15,” etc.

Helpful Tip: A table can be single spaced and can be put in an attachment if it is not a required component of the program narrative.

Proposal Narrative (required)



Section	Category 1	Category 2
Description of the Issue	20%	20%
Project Design and Implementation	30%	30%
Capabilities and Competencies	30%	30%
Plan for Collecting the Data Required for this Solicitation's Performance Measures	10%	10%
Budget	10%	10%

Budgets and the Budget Narrative



- The budget narrative should relate directly to the project design.
 - There should be no expenses in the budget that are not referenced in the project/program narrative (e.g., do not ask for lap top when not mentioned in program narrative).
- Personnel costs should relate to the key personnel for the project.
- Subrecipients should be categorized as either subawards or procurement contracts and also be clearly stated in the project/program narrative. Please refer to OJP guidance on this topic: <https://ojp.gov/training/subawards-procurement.htm>.
- The budget should include adequate funding to fully implement the project, **but not more than the amount listed in the solicitation as the available funding amount.**
- The budget narrative should leave no questions for a reviewer about the purpose of the requested funds.
- The total federal request entered in the SF-424 should match the total federal request in the application budget for the entire project period.

Budget and Budget Narrative (required)



- Itemized budget for each year of the grant.
- No match is required.
- Applicants should budget up to three team members attend up to two conferences or trainings per year to support ongoing capacity and success in implementation.
- If an applicant has more than five subgrantees, it is encouraged to set aside training funds for staff to attend local and national training activities.
- Prior approval, planning, and reporting of conference/meeting/ training costs

I.R.S. Determination Letter (Required)



A copy of the Internal Revenue Service determination letter recognizing the applicants 501(c)(3) tax exempt status must be submitted in your application package.

This letter determines eligible and further review of the application package.

Timeline / Project Plan



Timeline / Project Plan should include:

- Outline of goals and objectives
- Summarize major tasks and activities, deliverables, expected date of completion, and who is responsible for each activity
- Indicate number of program participants to be served quarterly
- Include solicitation requirements and expectations

Additional Attachments



Do not forget about the additional attachments when you are preparing your application!

Tip: Make sure you triple check your checklist and make sure you have everything.

- Project timeline
- Letters of Support and/or memorandum of understanding
- Position Descriptions/ Resumes for Key Personnel
- Request for Justification for Employee Compensation; Waiver (if applicable)
- Information to Complete the Application (SF-424) in Grants.gov
- Standard Applicant Information (SF-424 information form Grants.gov)

Tribal Agreements or Resolutions



2021 TCCLA Solicitation

Nonprofits (applicants) will be required to provide the communication and coordination plan to inform individuals, tribal communities, and tribal government of available resources and provides a strategy to obtain signed tribal agreements that the applicant has the requisite authorization.

Grantees will be required to:

- Engage with Tribal Leadership/Tribal Judicial Leadership to implement the project(s) on tribal lands.
- Memorialize via a letter of agreement, MOA/MOU, tribal resolution, or other agreement that the applicant has the requisite authorization from the tribe(s) to implement proposed project(s) on tribal lands. A signed agreement includes interest in legal assistance services, proposed responses and deliverables, project period, and communication and coordination plan.
- **Applicants will keep these agreements on file for audit purposes and to address any issues that surface between the tribe and nonprofit.** BJA may request copies of MOAs/MOUs, tribal resolution, agreements for grant management purposes.

Other Required Documents



- Financial Management and System of Internal Controls Questionnaire
- Applicant Disclosure and Justification – DOJ High-Risk status (if applicable)
- Disclosure of Lobbying Activities
- Applicant Disclosure of Duplication in Cost Items
- DOJ Certified Standard Assurance
- DOJ Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug Free Workplace Requirements
- Applicant Disclosure of Pending Applications
- Applicant Disclosure and Justification – DOJ High Risk Grantees (if applicable)
- Research and Evaluation Independence and Integrity

Common Mistakes

- Does not respond to all of the requested information.
- Failed to submit all required documents (Abstract, Narrative, Budget, and IRS Determination Letter Recognizing the 501(c)(3) tax status).
- Failed to draw connection between statement of the problem and the program design.
- Does not provide the requested information in relevant section where peer reviewers could easily locate it.
- Inconsistencies identified within proposal – different writers by section.
- Did not provide specific measurable targets for performance measures.

TIPS

- Check all of the resources linked in the RFP.
- Use scoring criteria as a general guide for how many pages to devote to each section.
- Don't wait until the deadline to apply.
- Go back and review the budget after completing the narrative.
- Focus on attachments (*Project Timeline/Time Task Plan!*).
- PDF everything!

If unsuccessful

- Always ask Agency to provide comments.
- Keep prior proposals and comments
(although different review panel each time),
- Ask Agency what other services can be provided such as:
 - Training and Technical Assistance (T/TA),
 - Capacity Building, and
 - Scholarships for Conferences/Trainings.
- Ask Agency for copies of successful applications.
- Serve as peer reviewer.

Question & Answer Session

SECTION 3

JUSTGRANTS

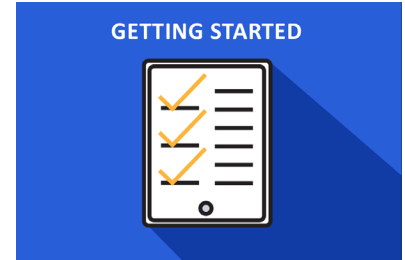


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JustGrants

- Offers a streamlined, end-to-end process, enabling applicants and grantees to move seamlessly through the full grants management life cycle.
- Gives applicants and award recipients new ways to manage their own entity information and that of users in the system.

Application Submission



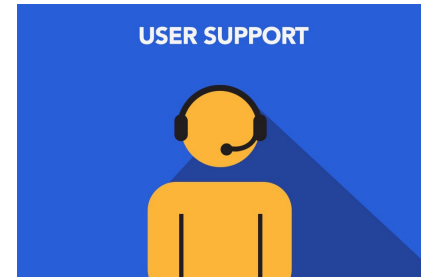
- ✓ Identify the forms needed to submit an application.
- ✓ Complete a web-based budget form.
- ✓ Complete an application, including certifying the information.
- ✓ Submit the application.

JustGrants Support



Register
now!

Access tutorials and
sign up for training
alerts.



Learn more about DOJ's
grants management and
financial systems.

<https://justicegrants.usdoj.gov>

JustGrants Technical Support

For technical assistance with submitting the full application in DOJ's Justice Grants System (JustGrants), contact the JustGrants Service Desk.

Technical Support

JustGrants.Support@usdoj.gov

Or

(833) 872-5175

*Monday - Friday between the hours of 5:00 AM and 9:00 PM EST
Saturday, Sunday, and Federal holidays from 9:00 AM to 5:00 PM EST*

Question & Answer Session

SECTION 4

RESOURCES



BJA
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Websites

- BJA TCCLA Program

<https://bja.ojp.gov/program/tribal-civil-and-criminal-legal-assistance-tccla-program/overview>

- FY 2021 TCCLA Solicitation

<https://bja.ojp.gov/funding/opportunities/o-bja-2021-51003>

Websites

- TCCLA TTA resources provided by National American Indian Court Judges Association
<http://www.naicja.org/tccla-training-and-technical-assistance/>
- Enhanced Sentencing Authority TTA provided by American Probation and Parole Association
<https://www.appa-net.org/TCCSC/resource-legislations.html>

Question & Answer Session

**THANK YOU
FOR YOUR
PARTICIPATION**



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