



NORTH CAROLINA  
IOLTA

## **NC IOLTA Grant Programs and Criteria**

NC IOLTA currently awards grants under two of the grant purposes identified in the rules governing NC IOLTA, Section .1300 of the Governing Rules of the North Carolina State Bar codified in Chapter 1 of Title 27 of the North Carolina Administrative Code.

The two grant programs are:

- (1) Civil Legal Aid Grant Program
- (2) Administration of Justice Grant Program

### **(1) Civil Legal Aid Grant Program**

#### **Grant Purpose**

NC IOLTA's Civil Legal Aid Grant Program provides general support for a network of organizations, including both civil legal aid organizations and other agencies that provide civil legal aid, that together provide basic access to the justice system for indigent people residing in every county in North Carolina. Civil legal aid includes direct representation of eligible clients and client groups as well as related training and technical assistance. An organization or program may be providing services through staff attorneys and advocates or using volunteer lawyers on a pro bono basis.

#### **Areas of Funding**

- **Civil Legal Aid Grants.**
  - **General Civil Legal Aid Grants** are offered to legal aid organizations, defined as a non-profit organization under Section 501(c)(3) of the Internal Revenue Code whose primary purpose is to provide civil legal aid to low-income clients. General Civil Legal Aid Grants are intended to provide general programmatic support to civil legal aid organizations to broadly support legal services for eligible clients.
  - **Project Support Grants** are offered to legal aid organizations or other entities that run legal aid programs (such as social service providers, advocacy organizations, and other nonprofits that provide other non-legal services in addition to the legal services provided). Project Support Grants are intended to support programs focused on particular client subgroups or particular types of client services, especially where the clients served are not being reached or the program offers services that are not otherwise available through civil legal aid organizations.
- **Pro Bono Support Grants.** Pro Bono Support Grants are offered to support the development and expansion of efforts to engage lawyers and other legal professionals in the provision of voluntary legal services. Note that a pro bono program that does not focus their efforts specifically on indigent clients is not eligible for a Pro Bono Support Grant under the Civil Legal Aid Grant Program but may apply under the Administration of Justice Grant Program.
- **System Support Grants.** System Support Grants are offered to support efforts to improve the system of the delivery of civil legal aid by increasing program efficiency, effectiveness, and collaboration. Examples of some efforts within this area of funding

include training, research and evaluation, program innovations, website development or updates, online platforms or tools, and planning and sustainability efforts.

Applicants may apply for more than one Civil Legal Aid Program Grant.

### **Eligibility**

In addition to meeting the stated eligibility for all NC IOLTA grants, to be eligible for funding from NC IOLTA under the Civil Legal Aid Grant Program, applicants must meet the following requirements:

- 1) **Serve North Carolina residents who are indigent**, defined as individuals who are at or below 200% of the federal poverty guidelines or who are eligible to receive public assistance through a government program for the indigent. In addition to income, programs may consider other relevant factors in determining financial eligibility for services, including access to liquid assets, fixed debts and obligations, and family size for example.

The organization may also consider availability of income, i.e., whether the individual seeking assistance has direct and unfettered access, without having to obtain the consent or cooperation of another person over whom the individual does not have control and who does not in fact consent or cooperate.

If an organization uses a definition of indigent or low-income clients, for all or a portion of its clients that is different from the above, it must be able to show that a majority of its clients fall within the stated NC IOLTA definition.

- 2) **Provide services without charge to the client.** An organization will not be disqualified from receiving funds from NC IOLTA for charging nominal fees as long as the organization allows for the complete waiver of fees in cases where clients cannot pay the fee. The Board reserves the right to approve grants to an organization charging significantly reduced fees in areas of law where services are otherwise unavailable to low-income clients.

Grantees that charge fees, whether nominal or reduced, are required to provide a copy of their client fee policy and schedule to NC IOLTA and include information on fees received in their regular financial reports to NC IOLTA, including information about the number of fee waivers provided to clients.

### **Funding Criteria**

Preference generally will be given to requests from applicants:

- Providing direct representation of clients or client groups, including engaging in a range of services from extended representation to brief advice offered through a variety of methods, offering community legal education to clients, and supporting community economic development through services to client groups;

- Who are staffed civil legal aid organizations, as the most effective and efficient means by which to deliver high quality legal assistance to the poor, including pro bono efforts as an important supplement to staffed legal services;
- Who are current qualified providers over additional, separate programs except where a separate program can address client needs more effectively and efficiently;
- Having diverse funding sources;
- Cooperating in the statewide coordination of delivery of civil legal aid, for example, through participation in geographic or practice area collaboratives, participation in the NC Equal Justice Alliance (formerly known as the NC Legal Services Planning Council) and, in areas with multiple providers, undertaking cooperative efforts as appropriate;
- Responding to the most critical legal needs and identified gaps, for example as documented in legal needs assessments or other studies;
- Developing innovative client service techniques and evaluating their effectiveness and efficiency.

## **(2) Administration of Justice Grant Program**

### **Grant Purpose**

NC IOLTA's Administration of Justice Grants provide support for programs seeking to improve the administration of justice in North Carolina.

### **Areas of Funding**

A goal of NC IOLTA is to focus grants in areas where they can have a measurable impact. Therefore, IOLTA grants for improvements in the administration of justice are made in the areas outlined below with emphasis on how the justice system can operate more effectively and expeditiously.

- Improvement in the operation and management of the justice system;
- Public education and understanding about the law, including law-related education;
- Promotion and support for a full range of dispute resolution techniques and alternatives;
- Promotion and support for public interest legal representation.

NC IOLTA reserves the right to consider or seek out projects in these or other subject areas related to improving the administration of justice in North Carolina.

*Note: Administration of Justice Grants must initially be approved by the NC Supreme Court.*

### **Funding Criteria**

Preference will generally be given to:

- Applicants seeking start-up funds or seed money for new projects or programs;
- Programs that seek to offer services to individuals who do not qualify for civil legal aid based on their income but who are unable to afford legal assistance, including pro bono programs;
- Programs with demonstration value or replication potential;
- Programs that will have statewide significance; and/or
- Requests for matching funds.

Administration of Justice Grants typically do not fund:

- Direct service programs (e.g., counseling);
- Replicas of established programs;
- Local community groups unrelated to the practice of law;
- Programs (or budget items) for which there is a governmental responsibility to provide funding; and
- Continuing program support for local projects that exceed three years.