



ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

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This document will be updated weekly

VOCA LEGAL ASSISTANCE FOR CRIME VICTIMS

RESPONSES TO APPLICANT QUESTIONS

Questions regarding eligibility

1. Q: What kind of organizations are eligible to apply for the new funding for legal services. Is it only open to legal services agencies? Or is it also open to victim service agencies hoping to add legal services to their programs?

A: We have outlined the eligibility requirements on pages 14-15 of the Notice of Funding Opportunity. In brief, eligible applicants include public agencies and nonprofit organizations, whose primary mission is the provision of legal assistance services through the use of attorneys. If a victim service agency doesn't currently focus on the provision of legal services, then it is not eligible. Eligible applicants without a history of providing victim services must enter into a collaborative working relationship with a victim service provider within the community to be served. This partnership can include funding to support a victim advocate position to work with the legal service agency to support the crime victims.

2. Q: Some of the Court Appointed Special Advocate (CASA) programs in the state feel they might qualify under this category so I wanted to reach out to see if this is the correct category for CASA. If not, could you please let me know what category CASA will be under and when the RFP is expected to be released?

A: ICJIA did not intent to fund CASAs under this NOFO. Please keep an eye on our website for future announcements.

3. Q: Is a state university law school eligible to apply for funding a project at one or more of its community based clinics?

A: Yes

4. Q: Our agency provides immigration legal services to victims of domestic violence through Board of Immigration Appeals (BIA) accredited staff. We do not have lawyers on staff, every client is served by a highly qualified BIAS-accredited representative and regularly utilizes the expertise of attorneys working in the field. Are we eligible to apply for this NOFO?

A: The NOFO is eligible to agencies that provide legal assistance through attorneys. Please see our website for future NOFOs.

5. Q: What is the Self Report Statement of Faith Based Organization? We are a faith based legal aid. Is there any reason we would not qualify for this grant?

A: The following is taken from the grant agreement and may be helpful:

In order to qualify for federal funding, faith-based organizations must certify that federal and match funded services will be offered without regard to religious affiliation. The organization must also certify that the receipt of services through the federally funded program shall not be contingent upon participation in a religious event or activity. Grant or match funds may not be used for any inherently religious activities such as worship, religious instruction, or proselytization. The organization may engage in inherently religious activities, but such activities must be separate in time or place from the grant funded program, and beneficiaries cannot be compelled to participate in them.

Faith-based organizations may take into account religion when hiring staff consistent with the Religious Freedom Restoration Act. Grantee must however, receive approval from the Department Of Justice, Office of Civil Rights before doing so.

State Regions Questions

6. Q: The NOFO states that applicants may apply for up to \$800,000 of the six million dollars. It is not clear if an organization may have more than one application with the total exceeding \$800,000.

A: Organizations may submit one application per regional category. Multi-region is a unique category.

7. Q: How many applications will be selected for Cook County?

A: The NOFO outlines that we hope to fund a minimum of one applicant per region and did not identify a maximum.

Program Design and Services Questions

8. Q: Will there be another application that covers other services to victims of violent crime such as our current crime victim compensation project?

A: Assistance with victim compensation paperwork is an allowable VOCA expense under this NOFO.

9. Q: Please define victim advocate.

A: For the purposes of the CLS NOFO, a victim advocate position can complete the following activities, though this list is not comprehensive:

- providing legal advocacy in the criminal and civil court such as obtaining, modifying, or extending, or enforcing temporary and emergency orders of protection, stay away/no contact orders, and elder and child abuse petitions.

- assisting victims in identifying their needs, facilitating access to those services and providing emotional support
- assisting victims in securing rights and services from other agencies; locating emergency financial assistance, intervening with employers, creditors and others on behalf of victim; assisting in filing for losses covered by public and private insurance programs; accompanying victim to the hospital; etc.
- assisting victims in filing victim compensation applications and subsequent procedures
- assisting in childcare respite care to enable a victim to attend activities related to criminal justice and other public proceedings arising from the crime
- providing transportation directly or through a paid service to ensure victims can access services.

This position requires completion of any mandatory trainings. For domestic and sexual violence, there is a 40 hr training. Other victim group trainings are varied and it is the responsibility of the organization to ensure that the staff person receives the appropriate training.

10. Q: Can we assist crime victims that fall outside of the five victim areas outlined in the NOFO?
A: No, this application is restricted to the five victim areas listed in this NOFO.
11. Q: How much detail is required in the letter of commitment?
A: The letter of Commitment should include each party's roles and responsibilities as well as a regularly meeting interval to ensure program coordination.
12. Q: If you are an agency that has provided legal services to victims of DV does that make you an agency with a history of providing victim services?
A: The applicant should clearly articulate any previous history of victim services.
13. Q: Are the specific goals/outcomes listed in the RFP the only ones we are able to report on? Do we need to put all the goals listed in the application even if the number is zero?
A: There are additional reporting metrics from the Office of Victims of Crime that will be shared during the grant initiation process. Please keep the chart intact and type NA if it is not applicable.
14. Q: How flexible are the outcome projections? If we said we were going to serve X clients in one category, but do not reach that goal while exceeding another goal, will that reflect negatively on our program?

- A: Applicants should make reasonable yet ambitious projections. Grantees will be able to explain progress and challenges in the quarterly reports.
15. Q: Is representing crime victims at compensation hearings an allowable activity under this grant funding?
- A: Yes, it is an allowable under this NOFO. Applicant should explain the need for the specific services and outline the time spent on them.
16. Q: Can we represent the parents of a child sexual assault victim in obtaining help for the parent/family? For example, divorce from the abuser or a custody order against the abuser?
- A: Yes, as long as the legal action stems from the victimization.
17. Q: Does intervention with administrative agencies include representing clients before DHS and SSA (public benefits issues)?
- A: Yes as long as it is reasonable and directly resulting from victimization.
18. Q: If 95% of our services are in one region and 5% are statewide, should we apply just for Cook County? Or should we apply for multi-region?
- A: Cook County
19. Q: The application requires the availability of non-attorney legal advocates and these may be provided via domestic violence program partners. However, it is unclear whether such services if provided by a partner are to be reported and what data is needed. Is there the expectation of contracting with all domestic violence and sexual assault centers in each region? Will there be funding for these entities to apply for funds separately for non-attorney legal advocates? We have close to 25 different dv/sa organizations in our service areas and doing subcontracts will all could be very challenging and difficult to manage if data reporting of their work is needed.
- A: First, the NOFO states that the client must have access to a victim advocate. Victim advocates provide personal (not just legal) advocacy to eligible clients who receive services from a VOCA-funded attorney. The victim advocate direct services will be reported via the quarterly data reports. There is no expectation that the applicant will contract with ALL domestic and sexual violence centers in the region. The NOFO outlines that the client must have ACCESS to a victim advocate. The applicant should propose a program that meets all NOFO requirements while attending to their specific needs. In a large multi-county region(s) it is conceivable that a legal assistance organization may work with more than one victim service organization. The NOFO does suggest a coordinator position to assist in managing this. Please refer to the ICJIA website for more information regarding additional VOCA funds.

20. Q: During the information sessions today, you stated that an attorney and an advocate must be assigned to each victim's case. Does this mean that we cannot ask for dollars to fund supportive positions, i.e. legal aid case managers, intake staff, etc.?
- A: Your additional staffing is allowable as long as they are justified.
21. Q: The Program Requirements state that program eligibility is independent of victim income. Does this apply only to income or is eligibility also independent of a victim's assets?
- A: The NOFO program requirement is limited to victim income. The legal assistance agency should follow its own internal policy regarding victim assets.
22. Q: The program requirements state that the applicant must make reasonable efforts to provide the victim assistance with child care and transportation to enable victims to participate in criminal justice proceedings. We are a civil legal services provider, so we do not represent victims in criminal proceedings. Does this program requirement mean that we would have to arrange for child care and transportation for victims to attend the criminal proceedings at which we would not represent them?
- A: Child care and transportation services are to enable a victim to attend activities related to criminal justice and other public proceedings arising from the crime. If the legal assistance agency is not providing legal assistance or victim services that involve the victim participating in these specific activities, then the agency should not provide child care or transportation for this purpose.
23. Q: Please explain the transportation and child care requirements. Can we give clients funds to pay for these activities?
- A: Direct payments to clients are not allowable. For transportation, an agency can pre-purchase bus tickets and/or develop a billing system with a non-public transportation system. That being said, non-public transportation must be reasonable and necessary, as public transportation or other means (such as transportation set up under public benefits) are much less costly.

VOCA funding of child care must be limited to the following situations:

Except as mentioned in 28 CFR 94.119(a)(6), "child care" means the temporary supervision of minors under the care of the victim, provided by a VOCA-eligible victim service provider, during the period of time the caretaker-victim is receiving a grant-funded allowable direct service from the victim service provider. Child care services must be provided on location at the victim service provider and meet any additional federal, state and ICJIA requirements.

24. Q: Please explain the victim advocate position.
- A: Every applicant must have access to a victim advocate. These advocates are required to do non-legal case management work. Every funded advocate must provide these services.

Here is the definition of the advocate position from the VOCA Final Rule 28 CFR 94.119

(b):Personal advocacy and emotional support—Personal advocacy and emotional support, including, but not limited to: (1) Working with a victim to assess the impact of the crime; (2) Identification of victim’s needs; (3) Case management; (4) Management of practical problems created by the victimization; (5) Identification of resources available to the victim; (6) Provision of information, referrals, advocacy, and follow-up contact for continued services, as needed; and (7) Traditional, cultural, and/or alternative therapy/healing (e.g., art therapy, yoga);

ICJIA may also reference additional direct services that can be provided by an advocate, such as specific, relevant services listed in 94.119(a) (Immediate emotional, psychological, and physical health and safety) and (e) (Facilitation of participation in criminal justice and other public proceedings arising from the crime.

25. Q: In terms of Victim groups, if we want to assist with U-Visa’s for immigrant victims of violent crimes, would these clients fall within the grant’s definition of victim group?

A: The types of victimization are restricted to: domestic violence; elder abuse; financial exploitation; human trafficking; and sexual violence. Grantees can only serve clients who have experienced at least one of those victimization types.

26. Q: How do you define “community” in question 1B?

A: The community served can be both your specific client population as well as the community within which they and you operate.

27. Q: Can ICJIA provide assistance with the community demographics required in the narrative?

A: ICJIA has datasets by county available on our webpage underneath datasets (http://www.icjia.state.il.us/research/overview#tab_research-data) Search “demographics and risk factors” to find datasets broken out by county.

28. Q: Some of our clientele include unaccompanied minors who are victims of crime. Does this funding opportunity allow for the expansion of their work to include this group?

A: Under this NOFO, legal assistance for immigration needs is limited to the victimization types listed in the NOFO. Eligible victims include victims of crimes under State or local laws, and victims of federal crimes as allowed under 28 CFR 94.102. Legal assistance must be reasonable and address immigration needs that directly result from the victimization. ICJIA envisions immigration assistance to

primarily involve assistance with U-visas and T-visas for victims of sexual assault, domestic violence and human trafficking.

Budget Questions

29. Q: Will ICJIA be allowing requests for waiver of the 20% match?
A: The Match Waiver is approved by the Office of Victims of Crime on a case by case basis.
30. Q: Is rental office space for the VOCA funded position a direct cost?
A: It can be direct or indirect. It cannot be both. If it is part of their indirect costs it cannot be a direct cost in ANY Federal grant.
31. Q: Medical insurance varies by the type of coverage- if it is single or family. The budget form doesn't seem to permit this variability. Should we just use the highest cost rate?
A: Please use an average cost. Be sure to explain this in the budget narrative be sure to include the calculation for the insurance costs.
32. Q: Do we need to get sole source for contracts with domestic violence programs?
A: Yes.
33. The Webinar slides clarify that the supplantation rules do not apply to non-profits. However there is also info that says information presented in the webinars is not binding on ICJIA. Since we have had many discussion and issues related to seeking funding for existing staff positions, it is unclear how much we should address supplantation in the application if we are a non profit.

A: If they are a non-profit organization, they do not have to address supplanting in their application. However, applicants must still provide all required information (i.e. including funding sources) in their staffing plan.
34. Q: We have a current VOCA grant that run through September 30th. How should we address this in our proposed budget?
A: If selected under this NOFO, any current VOCA grant will be canceled so that only one VOCA funded grant is running at a time. The NOFO Application should take into consideration all current programs and positions now funded with VOCA funds.
35. Q: We have an attorney who is 30% funded by the Illinois Attorney general for domestic violence work and we will be seeking funding for the other 70% of her time. Can we put the 30% cost in as match? If so do those cases get reported for VOCA as well as the AG? We don't want to double count, but if funding is provided as match it seems we would have to report the work?

A: You can use the 30% as match for the VOCA grant as long as the staff members' non-VOCA funding is not federal funds. The Data would be counted towards both grants.

36. Q: In a similar situation we will be seeking funding for a full time VOCA funded attorney. We have another attorney in the office partially funded for domestic violence work by the Illinois AG. Can that portion of the non VOCA attorney be counted as match and then all clients reported to VOCA?

A: Yes.

37. Q: Are Attorney Registration and Disciplinary Commission registration dues allowable?

A: No.

Miscellaneous Questions

38. Q: Should the applicant create a file name (i.e. budget narrative) for each file that is emailed?

A: Section D2 outlines how to label and submit the documents. All documents should be saved with the appropriate document title, for example "Proposal Narrative", and then included as an attachment in the submittal email.

Documents that require a signature as part of submission should be downloaded, completed, printed, signed, scanned and saved as a PDF document. Save the scanned document under the name of the document. The scanned and properly labeled PDF document should be included as an attachment in the submittal email.

39. Q: I noticed today that there is a mandatory webinar, but the registration for it is closed. Would it be possible for us to still watch the recording of the webinar, and thereby submit a grant application?

A: The March 6th Comprehensive Legal Services Webinar Recording is now posted here at: <http://www.icjia.state.il.us/sites/required-webinar>

If you did not attend the March 6th webinar, please watch the recording and certify that you have done so. This will ensure you have met this mandatory requirement. Answers to any questions posed during the webinar will be posted on the webpage ASAP. And remember the last day to ask questions is March 24th. Until then, please send questions to cja.grantsunit@illinois.gov. Thank you.

40. Q: Do we need to submit the narrative on the Word document you provided? What font should we use? Is it okay if we re-format it?

A: Yes, please use the Word document and use Times New Roman Font size 12. Yes, please reformat numbering if that helps.

41. Q: Does the 30 page limit for the narrative include the required tables and charts? And does it include the detailed instructions for each question, or could those be deleted in the final product?

A: The page limit includes the charts and questions.

42. Q: After downloading the attachments for the application, I noticed that the Non-Supplanting Certification and the EEOP Certification Form list the program as Transitional Housing. Should we change these to Victims of Crime Act Comprehensive Legal Assistance? Or do I not have the correct forms downloaded?

A: Please correct the form. Thank you for noticing this. We apologize for this inconvenience.