



The State Bar of California

OPEN SESSION

AGENDA ITEM 4.2

JULY 2023

LSTFC BANK GRANTS COMMITTEE

DATE: July 28, 2023

TO: Members, Bank Grants Committee

FROM: Jennifer Zelnick, Senior Program Analyst

SUBJECT: Approve Selection Criteria and Other Parameters for the 2024–2025 Bank Grants

EXECUTIVE SUMMARY

In 2015 and 2016, the State Bar of California received over \$50 million from Bank of America and Citi in accordance with settlement proceeds known as Bank Community Stabilization and Reinvestment Grant (BCSR) funds. To date, the State Bar has allocated over \$46.96 million of these funds to foreclosure prevention and community redevelopment legal services (bank grants). On March 24, 2023, the Legal Services Trust Fund Commission (LSTFC) delegated to the Bank Grants Committee (Committee) approval of the scoring rubric, request for proposals (RFP), and timeline for making 2024–2025 bank grants. This memo describes the parameters for 2024–2025 bank grants funding. It also presents an RFP (Attachment A) and scoring rubric for the Committee’s meeting on July 28, 2023.

BACKGROUND

Funding History

In 2015 and 2016, the State Bar of California received over \$50 million from Bank of America and Citi in accordance with settlements with the U.S. Department of Justice. These national settlements provided funds to Interest on Lawyers’ Trust Accounts (IOLTA) organizations in every state for “foreclosure prevention legal assistance and community redevelopment legal assistance.” The State Bar, through the LSTFC, previously allocated over \$46.96 million to fund 123 awards through several rounds of competitive and formula grants, as well as 74 planning grants.

The most recent bank grants ended on December 31, 2022. After allocating approximately five percent of the remaining funds (\$237,933) to the State Bar for grant administration, the remaining \$4,520,570 of BCSR funds will be distributed through a competitive RFP process.

DISCUSSION

Grant Timeline

On March 24, 2023, the LSTFC delegated authority to the Committee to approve the grantmaking timeline, RFP, and scoring rubric for 2024–2025 awards. Additionally, it delegated authority to a team of commissioners and State Bar staff (staff) to score applications in consultation with the Committee.¹ These delegations of authority facilitate a grant start date of January 1, 2024. The 2024–2025 bank grant awards would be final and without appeal.

Staff proposes the timeline below to make 2024–2025 bank grant awards:

Table 1: 2024–2025 Bank Grant Timeline

Date(s)*	Activity
July 28, 2023	Committee approves timeline, RFP, scoring rubric, and reporting requirements
August 2, 2023	Staff releases application
August 30, 2023	Applications due
September 11, 2023	Committee advises the scoring team/calibrates the rubric
September 12-October 13, 2023	Commissioner-staff team scores applications
October 27, 2023	Committee recommends awards
November 9, 2023	LSTFC approves awards
January 1, 2024	Grant period starts

*Most dates are approximate to accommodate applicant, commissioner, and staff schedules.

Selection Criteria

Staff recommends the rubric and guidance below to help evaluate applications. The rubric would be a tool to guide discussion of proposals. A comparatively high score would not guarantee funding. The Committee and LSTFC could still exercise discretion to recommend/make awards that best accomplish the goals of the bank grants.

¹ On March 24, 2023, the LSTFC passed the following resolution:

RESOLVED, that the Legal Services Trust Fund Commission (Commission) delegates authority to the Bank Grants Committee (Committee) to approve the grantmaking timeline, request for proposals, scoring rubric, and reporting requirements for the 2024-2025 bank grants, and to a commissioner-staff team to score applications in consultation with the Committee to make recommendations for final approval by the Commission.

Category	Exceeds expectation	Meets expectation	Below expectation	Not addressed
Project impact and strategies: The applicant proposes a project that significantly and directly addresses or will address a compelling need for the particular foreclosure prevention or community redevelopment intervention(s).				
Number of points	X25 points	X19 points	X11 points	X0 points
Administration: The applicant demonstrates that it has the organizational capacity (e.g., supervision structure and resources) that it needs to meet the proposal objectives. The applicant also demonstrates that it has the qualifications (e.g., knowledge, experience, and relationships), resources, and/or partners that it needs to meet the proposal objectives.				
Project evaluation: The applicant details how it will acquire and use data to measure the effectiveness in its services and meet reporting requirements.				
Serves rural populations: The applicant presents a strategy to meet the foreclosure prevention or community redevelopment legal needs of specific rural or frontier communities.				
Partnerships and/or subgrants: The applicant would leverage partnerships with and/or subgrants to community-based organizations or local jurisdictions. Those partnerships or subgrants may enable applicants to expand service provisions and/or populations reached. Strategic subgrants that enhance the project and/or ensure its continuity beyond				

Category	Exceeds expectation	Meets expectation	Below expectation	Not addressed
the grant period will be weighted more heavily than partnerships alone.				
Number of check marks	X15 points	X10 points	X5 points	X0 points
Subtotal				
Total				

The following explanations accompany the rubric's criteria:

- Project impact and strategies:** Applicants should explain how the project's strategies and goals—activities, partnerships, outputs, outcomes, etc.—will directly and significantly ameliorate homelessness. They should explain why they selected the particular intervention(s) over others. The justification for the proposed services should refer to the circumstances and needs of particular populations that the project seeks to serve.
- Administration:** Applicants should demonstrate their ability to implement and manage the project. Signs of strong administration include sufficient staffing, leadership, project monitoring, outreach, and resources. An applicant's history of achieving deliverables and complying with the requirements—including deadlines—for other grants is relevant to this criterion.
- Project evaluation:** Applicants should describe a strategy—frequency, diversity of approaches, etc.—to assess the effectiveness of project services. The project should gather and analyze data in time to inform services strategy during the grant period. Dedicating financial and other resources to evaluation is relevant to this criterion.
- Serves rural populations:** Applicants should describe the extent to which they would serve rural communities. The more the project would concentrate its efforts on rural populations, the more likely it will score a meets or exceeds expectations in this category.

Applicants should also detail their strategy for serving rural Californians. The strategy should consider the challenges they face—economic, geographic, political, and otherwise—to safe and reliable housing. Likewise, it should address the likely challenges to providing services. Proposals ought to explain how the project will prioritize outreach and services to rural areas rather than just affirm their eligibility.

The California Commission on Access to Justice recommends defining "rural" as areas that meet the medical service study area (MSSA) standard for "rural" or "frontier." The California Office of Statewide Health Planning and Development identifies MSSAs using

sub-county clusters of census tracts. The California Commission on Access to Justice argues that MSSA categories of rural and frontier—as opposed to urban—are better suited than counties to classify rural areas. Rural MSSAs have 50,000 or fewer residents and population densities below 250 people per square mile. “Frontier” MSSAs have population densities of fewer than 11 people per square mile.²

- **Partnerships and/or subgrants:** Applicants should describe their partnerships with and/or subgrants to community-based organizations and/or local jurisdictions. Scores in this category may reflect, among other things, the strength to the project of the partnership(s) or subgrant(s), and effectively demonstrating that these relationships may enable applicants to expand service provisions and/or populations reached. Applicants who propose strategic subgrants that enhance the project will score better than partnerships alone.

The following provide guidance for “not addressed,” “below expectations,” “meets expectations,” and “exceeds expectations”:

- **Not addressed:** A proposal that scores “not addressed” in a category/criterion fails to satisfy that criterion in a meaningful way or lacks the relevant nexus. A proposal might fail to satisfy a criterion in a meaningful way if it articulates only a vague intention to do so. A response might lack the relevant nexus to “serves rural populations,” for instance, if it would serve only an urban community.
- **Below expectations:** A proposal that scores “below expectations” in a category/criterion addresses that criterion but is insufficiently competitive or persuasive to justify a score of “meets expectations.” The proposal might aspire to do too little, for instance, such as only occasionally serving rural clients for the “serves rural populations” criterion. Or the proposal might lack sufficient detail, explanation, or basis in fact to demonstrate its contours or likelihood of success. Since such a proposal might still articulate a feasible project, this score confers some points.
- **Meets expectations:** A proposal that scores “meets expectations” in a category/criterion is competitive and persuasive with respect to that row of the rubric. To be competitive, the proposal will be sufficiently ambitious and/or compelling to merit the use of competitive funds. To be persuasive, the proposal will describe circumstances sufficiently probative of the applicant’s intention and ability to accomplish its stated objectives in that criterion.
- **Exceeds expectations:** A proposal that scores “exceeds expectations” in a category/criterion satisfies the standard for “meets expectations” while standing out as particularly compelling or impressive. A project might be especially compelling, for

² MSSA data is available on the California State Geoportal at <https://gis.data.ca.gov/datasets/CHHSAgency::medical-service-study-areas/explore?filters=eyJERUZJTklUSU90IjpbIjJ1cmFslwiRnJvbnRpZXliXX0%3D&location=36.206796%2C-118.684374%2C7.63>. This link provides data with the following filters for definition: “Rural” and “Frontier.”

instance, because its strategies or partnerships would be unusually impactful. Or the proposal might be exceptionally detailed, thorough, evidence-driven, or otherwise well-conceived and convincing.

The rubric is structurally similar to those for other competitive awards including the Homelessness Prevention (HP), California Housing Finance Agency, and Consumer Debt grants. These rubrics also provide for scores of below, meets, and exceeds expectations in similar criteria. Staff recommends adopting a similar rubric to increase predictability for applicants, consistency in scoring, and efficacy in grantmaking. The rubric most closely matches those used for the HP 4 and HP 4 supplemental grants, because they seek to address some similar issues related to housing. Serving rural populations is an important criterion for bank grants because rural Californians often face additional barriers to access to justice in California than their urban counterparts. It also follows some of the major selection criteria which were used to evaluate the 2020–2022 bank grants, which did not utilize a formal rubric.

The proposed rubric for the 2024–2025 bank grants differs, however, from the 2020–2022 bank grants selection criteria in two notable ways:

1. **Serves rural populations:** The rubric for 2024–2025 bank grants removes the 2020–2022 bank grants’ emphasis on statewide or regional services and replaces it with service to rural populations. Because rural Californians throughout the state often face additional barriers to access legal services in California than their urban counterparts, this change gives preference for projects that would work to address this deficit. Completing a post-scoring analysis will ensure that the 2024–2025 bank grants are still distributed throughout the state.
2. **Partnerships and/or subgrants:** The rubric for 2024–2025 bank grants gives preference to proposals that subgrant to, rather than simply partner with, other organizations. This change reflects the Committee’s preference to prioritize projects that fund complementary foreclosure prevention or community redevelopment legal services that may otherwise be outside the scope of work of many IOLTA organizations, or to reach populations beyond those served by IOLTA grantees.

Staff recommends that the Committee use its best efforts to distribute grants statewide. This would entail a geographic comparison of the highest scoring proposals. To the extent that particular regions might be underrepresented among top-scoring applications, the Committee could exercise discretion still to recommend awards to those areas. In doing so, the Committee might observe that a strong—although slightly lower scoring—proposal would provide high quality and badly needed services to communities that bank grant funding would otherwise fail to reach.

Likewise, staff recommends that the Committee strive for a diversity of bank grant interventions that address both foreclosure prevention and community redevelopment. This would entail a services-based analysis of the top scoring proposals. To the extent that particular services, such as foreclosure prevention, might be underrepresented, the Committee could

exercise discretion still to fund that work. The discretion to spread funding statewide and to fund a diversity of interventions invites a comparative, post-scoring analysis.

Application Components

Staff proposes that the 2024–2025 bank grants application include the following:

1. **Form A: Project Profile**

The project profile will include high-level information about the project such as its award request, other funding (if any), and abstract.

2. **Form B: Project Description**

The project description will include detailed information about the project. This includes, for instance, the project’s need, clients, partnerships/subgrants, goals, activities, deliverables, and strategies for outreach, accessibility, and evaluation. It will also ask for narratives about the applicant’s qualifications and resources to perform the work effectively.

3. **Form C: Project Budget**

The budget will include information on how the program proposes to allocate 2024–2025 bank grant funds to the project for two years. Applicants will need to identify staff by their role (e.g., “Managing attorney” or “Legal assistant”) and estimate the amount of time that these roles would spend on the project. The project staffing, budget, and description should be consistent with one another.

4. **Form D: Budget Narrative**

The budget narrative will include information about each line of the budget, noting whether the grant will directly pay for specific items or be allocated on a percentage or other basis.

Reporting Requirements

Demonstrating effective use of these funds is critical to supporting future funds. Grantees must, therefore, report quantitative and qualitative data describing their clients and activities. Grantees will be required to complete annual evaluations including outcomes (main and economic benefits) that demonstrate the value of these grants. As a grant condition, grantees must agree to cooperate in providing any additional reporting information required by Bank of America and Citi, their settlement monitors, regulators, or the State Bar. As such, some requirements might become known to the State Bar at a later date.

Staff proposes modeling 2024–2025 bank grants reporting after ongoing grant reporting for HP 4 and 4 supplemental grants, as well as past bank grants, as much as possible. That would allow for consistency for programs and comparisons between grant cycles. Reporting requirements would include:

1. **Annual Evaluations**

- A. Expense Reports:

Grantees will have to submit annual spending reports that compare expenditures to the approved budget. Grantees will have to report budget variances exceeding 10 percent to the State Bar as soon as possible.

- B. Services Reports: Annual reports will include data on:
- i. Main benefits for all cases according to those codes and definitions in the *California Legal Aid Reporting Handbook*.
 - ii. (To the extent possible) Economic benefits for cases that resulted in an award for or savings to the client.
 - iii. For foreclosure prevention legal assistance: total individuals served (and how many were seniors, children, and veterans), and how many foreclosures were prevented.
 - iv. For community redevelopment legal assistance: total individuals, nonprofits, and small businesses benefited from these services.
 - v. Evaluation of whether project deliverables were met, changes made to work plans, materials produced, and evaluation tools and reports.
 - vi. Whether there were unanticipated results, and whether the project helped identify areas of particular need.
 - vii. Community impact and response to the services provided.
 - viii. (For support centers only) Quantitative and qualitative data about trainings, convenings, research, and other support for qualified legal services projects (QLSPs).
 - ix. Any other data necessary to comply with state or settlement reporting requirements.

2. **A Final Evaluation**

After the grant period, grantees will have to submit a final evaluation that captures data collected by the annual evaluation, as well as the following outputs and outcomes, among others:

- A. Service population: How did this project help the people it served? What changed for them, or what negative outcomes were prevented?
- B. Community impact: Describe whether and how this project has helped the community it serves.
- C. Evaluation/Assessment: Describe the processes used to assess the effectiveness of this project and any lessons learned regarding the project itself or the community it serves.
- D. Reports: Upload any report completed regarding the evaluation or assessment of this project or demonstrating the effect of services rendered (e.g., client satisfaction survey results, pre and post test results, number of cases in which stipulations were reached, number of trials, outcome of trials, etc.).

- E. Other impacts: Will this project have any immediate or long-term impacts that are not already captured in main benefits reporting?
- F. Continuation of the project: Describe any plans to continue the project after the grant period.
- G. Publications: Describe any future publication or distribution plans for materials resulting from grant activities; provide the URL for online resources related to this project (web sites, resource libraries, etc.).
- H. Impact work and materials:
 - Overview of impact litigation cases: For any grant-funded impact cases your organization litigated as part of this project during the grant period, whether open or closed, report the case name, number of individuals estimated to be impacted, date filed, venue, and any partners or co-counsel also participating.
 - Overview of public policy advocacy activities: Describe any grant-funded public policy advocacy activities, such as regulatory advocacy, your organization engaged in during the grant period.
 - Training and support activities: Describe any grant-funded training or other support activities not identified above. For support centers, use this space to provide qualitative data about trainings, convenings, research, and other support for QLSPs.

Required Assurances

Staff proposes that the 2024–2025 bank grants use assurances based on those for other discretionary awards.

RECOMMENDATIONS

Should the Committee concur with staff’s proposal, passage of the following resolution is recommended:

RESOLVED, that the Legal Services Trust Fund Commission (LSTFC) Bank Grants Committee, acting on behalf of the LSTFC under its delegated authority, approves the priorities, grantmaking timeline, request for proposals, scoring rubric, and reporting requirements for the 2024–2025 bank grants as described in staff’s memo dated July 28, 2023.

ATTACHMENT LIST

- A.** 2024–2025 Bank Grants Request for Proposals



The State Bar of California

2024–2025 Bank Community Stabilization and Reinvestment (Bank Grant) Grant Request for Proposals

BACKGROUND

In 2015 and 2016, the State Bar of California received over \$50 million from Bank of America and Citi in accordance with bank settlements with the U.S. Department of Justice (U.S. DOJ). These national settlements provided funds to Interest on Lawyers' Trust Accounts (IOLTA) organizations in every state for "foreclosure prevention legal assistance and community redevelopment legal assistance." The Legal Services Trust Fund Commission (LSTFC) has since allocated about \$49.96 million to fund 123 awards through several rounds of competitive and formula grants, as well as 74 planning grants.

On March 24, 2023, the LSTFC approved the distribution of \$4,758,503—the remaining Bank Community Stabilization and Reinvestment Grant (BCSR) funds—for 2024–2025 bank community stabilization and reinvestment grants (2024–2025 bank grants). After administrative costs of approximately five percent (\$237,933), the amount available for 2024-2025 bank grants is \$4,520,570 as described below. 2024–2025 bank grant applications are due on August 30, 2023, at 5:00 p.m. (PDT).

ELIGIBILITY TO APPLY

Eligibility to apply for a 2024-2025 bank grant is restricted to qualified legal services projects (QLSPs) or support centers as defined in Business and Professions Code section 6213. Applicants must have received an IOLTA grant from the LSTFC for 2023. Projects must provide legal assistance in either foreclosure prevention or community redevelopment as defined below. Projects must include a minimum of one partnership or subgrant. Partners and subgrant recipients need not be current QLSPs or support centers and may also be community-based organizations or local jurisdictions. Funding caps are based on the total number of organizations collaborating on the project.

GRANT PARAMETERS

The Bank Grants Committee (Committee) has approved the following grant parameters for making 2024 – 2025 bank grant awards:

1. 2024–2025 bank grants may only fund work in foreclosure prevention or community redevelopment legal assistance:
 - **Foreclosure prevention legal assistance:** Proposals should describe how grant funds will prevent foreclosure in the communities served. Applicants should discuss specifically which foreclosure trends and ongoing borrower needs the project seeks to address, and how the proposed services will meet those needs. Strategies may be across a broad range of options including but not limited to advice and counsel, representation, mediation programs, or policy and impact work. Regardless of strategy, projects should reflect an understanding of the current needs and challenges within the communities to be served, knowledge of successful models, flexibility and creativity, and necessary collaborations to achieve stated goals.

Examples of legal assistance for foreclosure prevention include:

- Outreach and education on the foreclosure process and legal options;
- Review of loan documents and counseling regarding the viability of the loan modifications, and triage for state or federal violations, including Homeowner Bill of Rights violations;
- Loan modification assistance, including forbearance agreements and repayment plans for debt forgiveness or reduction, interest rate reduction, or extending time for payment. Also, transition options, including short sale, deed in lieu of foreclosure, and cash for keys;
- Negotiation, mediation, and litigation to address service violations;
- Loan modification denial appeals;
- Reverse mortgage advice to older adults;
- Pursuing affirmative actions to restore title in other contexts, such as consumer fraud, predatory lending, or financial abuse;
- Legislative or administrative advocacy; and
- Policy advocacy and support services to increase capacity and foster collaboration with local, state, and national groups on any of the issues above.

By the terms of the bank settlement agreement, grants in this category must “prevent foreclosure.” Therefore, protecting the rights of a tenant generally will not be considered for funding under this category. However, if, in proposing a project, the applicant can justify why the project falls within U.S. DOJ settlement parameters, it should do so with documented evidence.

Proposals that include work that is clearly not qualifying—such as eviction defense for individual tenants in already foreclosed properties—will likely not

receive funding. Applications will be reviewed based on the information provided and it is the applicant's responsibility to establish, in the original application, the connection to qualified purposes.

Alternatively, applicants may propose:

- **Community redevelopment legal assistance:** Proposals should describe how grant funds would be used for community redevelopment legal services. Proposed projects should promote economic development by providing legal services that revitalize or stabilize low-income communities. Strategies may include counseling advocacy groups, transactional law, representation, or policy and impact work. Regardless of strategy, proposals should reflect an understanding of the current needs and challenges within the communities to be served, and the knowledge of successful models for meeting those needs. The applicant should have established partnerships that advance the stated goals.

Applicants should present projects that will have lasting impact on communities. For this grant, community redevelopment legal assistance is different than legal aid to specific individuals. **For individual services to qualify as community redevelopment work, the services must be tied to broader systemic work that benefits the community.**

Examples of community redevelopment legal assistance include:

- Transactional support such as developing the capacity of nonprofit organizations that serve low-income communities; supporting projects typically considered community development such as development and preservation of affordable housing, childcare, senior centers, job training centers, day labor centers, etc.; or support for micro-businesses and low-income entrepreneurs, or other local and community-owned services (e.g., childcare and credit unions);
- Developing the capacity of low-income community members to advocate on behalf of their community with respect to proposed laws or legislative action, whether by representing a nonprofit organization or a community group;
- Representation of low-income communities with respect to community conditions (e.g., with respect to environmental justice, equity in transit-oriented development, prevention and elimination of homelessness, inclusion of affordable housing, and other matters that protect the healthy development of communities);
- Legal assistance that is transformative to a community, promotes systemic change, promotes economic security, and/or has broad impact;
- Redevelopment assistance to cities and counties (e.g., ensuring that localities and developers meet their obligations to provide adequate relocation assistance and replacement housing for families displaced by

redevelopment);

- Devising program, policy, and legislative solutions to the loss of affordable housing, other affordable housing advocacy to combat displacement and enforce redevelopment law;
- Developing anti-displacement and gentrification-prevention strategies;
- Strategies to eliminate and prevent conditions of blight; and
- Legislative or administrative advocacy.

If an applicant submits a proposal that includes work that is clearly not community redevelopment—such as direct legal immigration help or direct public benefits legal assistance—that proposal will not likely receive funding. Applications will be reviewed based on the information provided and it is the applicant’s responsibility to establish, in the original application, the connection to qualified purposes.

2. **Partnerships and/or subgrants:** Projects must be proposed by a QLSP or support center partnering with or subgranting to at least one other organization. There is not a specific date by which partnerships and/or subgrant relationships must have been established, however, the proposal should describe how the partnership(s) and/or subgrant(s) strengthen the project. If applicable, the application must also describe how these collaborations will enable applicants to expand services and/or populations reached. **Applicants may receive a higher score in this category if they subgrant to—rather than simply partner with—the other organization(s).**
3. **Preference for serving rural populations:** Applicants may receive points if they establish that their services will benefit rural Californians. The California Commission on Access to Justice recommends defining “rural” as areas that meet the medical service study area (MSSA) standard for “rural” or “frontier.” The California Office of Statewide Health Planning and Development identifies MSSAs using sub-county clusters of census tracts. The California Commission on Access to Justice argues that MSSA categories of rural and frontier—as opposed to urban—are better suited than counties to classify rural areas. Rural MSSAs have 50,000 or fewer residents and population densities below 250 people per square mile. Frontier MSSAs have population densities of fewer than 11 people per square mile.¹
4. **Funding Caps:** There is no minimum amount of funding that projects may request. The maximum that an applicant may request is determined by the total number of partnerships and/or subgrants involved in the project. Each project must consist of one QLSP or support center applying for the 2024-2025 bank grant and at least one partnership and/or subgrant.

Applicants may propose to partner with or subgrant to both IOLTA and non-IOLTA providers. Subgrants do not change a project’s funding cap. If a QLSP or support center

¹ MSSA data is available on the California State Geoportal at <https://gis.data.ca.gov/datasets/CHHSAgency::medical-service-study-areas/explore?filters=eyJERUZJTklUSU90IjpbIjJ1cmFslwiRnJvbnRpZXIiXX0%3D&location=36.206796%2C-118.684374%2C7.63>. This link provides data with the following filters for definition: “Rural” and “Frontier.”

applies for a grant and is also a subgrantee for another project, the subgrant amount will not count towards the funding cap in their application. However, the total amount requested per organization (as an applicant and subgrantee) may be taken into consideration when determining grant awards. QLSPs and support centers that both apply for a grant and are listed as a subgrantee must demonstrate that the separate grants will not fund the same activities.

The funding caps will be:

- Two organizations (including the applicant) may apply for up to \$250,000 per year for a total of \$500,000 over two years;
- Three organizations (including the applicant) may apply for up to \$300,000 per year for a total of \$600,000 over two years;
- Four organizations (including the applicant) may apply for up to \$375,000 per year for a total of \$750,000 over two years; and
- Five or more organizations (including the applicant) may apply for up to \$450,000 per year for a total of \$900,000 over two years.

The Committee seeks to fund high-impact projects that, within the scope of U.S. DOJ settlement parameters, provide foreclosure prevention or community redevelopment legal assistance. The Committee also seeks to fund a diversity of projects throughout the state.

SCORING CRITERIA

LSTFC award decisions are final and without appeal. A successful proposal will persuasively describe the applicant's ability to perform the proposed work, including, among other factors:

- Identifying how the proposed project aligns with scope of foreclosure prevention or community redevelopment legal assistance as this RFP describes above.
- Articulating the needs of a defined target population(s), with consideration to indigency, and to other particularly underserved communities, such as those of persons with limited-English language proficiency, immigrant populations, or persons with disabilities. While there are no income-eligibility requirements for this funding, proposals must demonstrate what income levels the project will serve. Income eligibility might be, for example, service to persons at 400 percent of the federal poverty threshold, or 80 percent of the Home Affordable Modification Program level for the county, particularly if the target population is an underserved community.
- Describing the anticipated outcomes of the services, including the number of people that will be served, and the nature of the impact on the targeted population(s). Applicants should identify goals of specific partnerships/subgrants, activities, and deliverables they seek to achieve with this grant. Grant deliverables must be achievable within the period of the proposed grant. While funding a portion of a project (e.g., impact litigation) coupled with other funding as a bigger project, or over a longer term,

will be considered, the proposal should articulate the specific deliverables that will be achieved with this grant funding during the grant period.

- Explaining the extent to which an applicant already has developed necessary relationships or has demonstrated the ability to collaborate with community organizations, local jurisdictions, or other stakeholders to accomplish their goals.
- Detailing the value added to the project through strategic subgrants (if any).
- Identifying the applicant's qualifications and ability to perform the proposed work, as well as how the proposed project fits within the applicant's current programming.
- Highlighting how (if at all) the project would serve clients in rural communities.

Additionally, the Committee seeks to fund a diversity of projects and will take into consideration various factors such as geographic region, program size, and project type.

The Committee has adopted the following rubric to guide its deliberations:

Category	Exceeds expectation	Meets expectation	Below expectation	Not addressed
Project impact and strategies: The applicant proposes a project that significantly and directly addresses or will address a compelling need for the particular foreclosure prevention or community redevelopment intervention(s).				
Number of points	X25 points	X19 points	X11 points	X0 points
Administration: The applicant demonstrates that it has the organizational capacity (e.g., supervision structure and resources) that it needs to meet the proposal objectives. The applicant also demonstrates that it has the qualifications (e.g., knowledge, experience, and relationships), resources, and/or partners that it needs to meet the proposal objectives.				
Project evaluation: The applicant details how it will acquire and use data to measure the effectiveness in its				

Category	Exceeds expectation	Meets expectation	Below expectation	Not addressed
services and meet reporting requirements.				
Serves rural populations: The applicant presents a strategy to meet the foreclosure prevention or community redevelopment legal needs of specific rural or frontier communities.				
Partnerships and/or subgrants: The applicant would leverage partnerships with and/or subgrants to community-based organizations or local jurisdictions.				
Number of check marks	X15 points	X10 points	X5 points	X0 points
Subtotal				
Total				

The rubric is a tool to guide Committee discussion of proposals. A comparatively high score does not guarantee funding. The Committee may still exercise discretion to make awards that best accomplish the statewide goals of this funding. This could happen, for instance, if they find that a project would provide high-quality and badly-needed services to communities—geographic or otherwise—that 2024–2025 bank grants funding would otherwise struggle to reach.

The following explanations accompany the rubric:

- **Project impact and strategies:** Applicants should explain how the project’s strategies and goals—activities, partnerships, outputs, outcomes, etc.—will directly and significantly prevent foreclosure or redevelop communities. They should explain why they selected the particular intervention(s) over others. The justification for the proposed services should refer to the circumstances and needs of particular populations that the project seeks to serve.
- **Administration:** Applicants should demonstrate their ability to implement and manage the project. Signs of strong administration include sufficient staffing, leadership, project monitoring, outreach, and resources. An applicant’s history of achieving deliverables and complying with the requirements—including deadlines—for other grants is relevant to this criterion.
- **Project evaluation:** Applicants should describe a strategy—frequency, diversity of approaches, etc.—to assess the effectiveness of project services. The project should

gather and analyze data in time to inform services strategy during the grant period. Dededicating financial and other resources to evaluation is relevant to this criterion.

- **Serves rural populations:** Applicants should describe the extent to which they would serve rural communities. The more the project would concentrate its efforts on rural populations, the more likely it will score a meets or exceeds expectations in this category.

Applicants should also detail their strategy for serving rural Californians. The strategy should consider the challenges they face—economic, geographic, political, and otherwise—to safe and reliable housing. Likewise, it should address the likely challenges to providing services. Proposals ought to explain how the project will prioritize outreach and services to rural areas rather than just affirm their eligibility.

The California Commission on Access to Justice recommends defining “rural” as areas that meet the medical service study area (MSSA) standard for “rural” or “frontier.” The California Office of Statewide Health Planning and Development identifies MSSAs using sub-county clusters of census tracts. The California Commission on Access to Justice argues that MSSA categories of rural and frontier—as opposed to urban—are better suited than counties to classify rural areas. Rural MSSAs have 50,000 or fewer residents and population densities below 250 people per square mile. “Frontier” MSSAs have population densities of fewer than 11 people per square mile.²

- **Partnerships and/or subgrants:** Applicants should describe their partnerships with and/or subgrants to community-based organizations and/or local jurisdictions. Scores in this category may reflect, among other things, the strength to the project of the partnership(s) or subgrant(s), and effectively demonstrating that these relationships may enable applicants to expand service provisions and/or populations reached. Applicants who propose strategic subgrants that enhance the project will score better than partnerships alone.

The following provide guidance for “not addressed,” “below expectations,” “meets expectations,” and “exceeds expectations”:

- **Not addressed:** A proposal that scores “not addressed” in a category/criterion fails to satisfy that criterion in a meaningful way or lacks the relevant nexus. A proposal might fail to satisfy a criterion in a meaningful way if it articulates only a vague intention to do so.
- **Below expectations:** A proposal that scores “below expectations” in a category/criterion addresses that criterion but is insufficiently competitive or persuasive to justify a score of “meets expectations.” For example, the proposal might lack sufficient detail,

² MSSA data is available on the California State Geoportal at <https://gis.data.ca.gov/datasets/CHHSAgency::medical-service-study-areas/explore?filters=eyJERUZJTklUSU90IjpbIjJ1cmFslwiRnJvbnRpZXliXX0%3D&location=36.206796%2C-118.684374%2C7.63>. This link provides data with the following filters for definition: “Rural” and “Frontier.”

explanation, or basis in fact to demonstrate its contours or likelihood of success. Since such a proposal might still articulate a feasible project, this score confers some points.

- **Meets expectations:** A proposal that scores “meets expectations” in a category/criterion is competitive and persuasive with respect to that row of the rubric. To be competitive, the proposal will be sufficiently ambitious and/or compelling to merit the use of competitive funds. To be persuasive, the proposal will describe circumstances sufficiently probative of the applicant’s intention and ability to accomplish its stated objectives in that criterion.
- **Exceeds expectations:** A proposal that scores “exceeds expectations” in a category/criterion satisfies the standard for “meets expectations” while standing out as particularly compelling or impressive. A project might be especially compelling, for instance, because its strategies would be unusually impactful. Or the proposal might be exceptionally detailed, thorough, evidence-driven, or otherwise well-conceived and convincing.

GRANTMAKING TIMELINE

The Committee has approved the following timeline for making 2024–2025 bank grant awards:

Table 1: 2024–2025 Bank Grant Timeline

Date(s)*	Activity
July 28, 2023	Committee approves the timeline, RFP, scoring rubric, and reporting requirements
August 2, 2023	Staff releases the application
August 30, 2023	Applications are due
September 11, 2023	Committee advises the scoring team/calibrates the rubric
September 12-October 13, 2023	Commissioner-staff team scores applications
October 27, 2023	Committee recommends awards
November 9, 2023	LSTFC approves awards
January 1, 2024	Grant period starts

*Some dates are approximate to accommodate applicant, commissioner, and staff availability and needs.

THE APPLICATION

A complete 2024–2025 bank grants application will include the components below. Please see the application instructions for detailed guidance.

1. Project Profile

The project profile will include high-level information about the project such as its award request, other funding (if any), and abstract.

2. Project Description

The project description will include detailed information about the project. This includes, for instance, the project's need, clients, partnerships/subgrants, goals, activities, deliverables, and strategies for outreach, accessibility, and evaluation. It will also ask for detailed narratives about the applicant's qualifications and resources to perform the work effectively.

3. **Project Budget**

The budget will include information on how the applicant proposes to allocate 2024-2025 bank grant funds to the project for two years. Applicants will need to identify staff by their role (e.g., "Managing attorney" or "Legal assistant") and estimate the amount of time that these roles would spend on the project. The project staff, budget, and description should be consistent with one another.

4. **Budget Narrative**

The budget narrative will include information about each line of the budget, noting whether the grant will directly pay for specific items or be allocated on a percentage or other basis.

5. **Project Assurances**

The application will include project assurances applicants must acknowledge.

REPORTING REQUIREMENTS

Grantees must report quantitative and qualitative data describing their clients and activities. Additionally, they must agree to provide any additional information required by Bank of America and Citi, their settlement monitors, regulators, or the State Bar. As such, some requirements might become known to the State Bar at a later date.

Reporting requirements will include:

1. **Annual evaluations**

Grantees will submit annual evaluations about outputs and outcomes such as:

- A. Expense Reports: Compare expenditures to the approved budget. Grantees will have to report budget variances exceeding 10 percent to the State Bar as soon as possible.
- B. Services Reports: Annual reports will include data on:
 - i. Main benefits for all cases according to those codes and definitions in the *California Legal Aid Reporting Handbook*.
 - ii. (To the extent possible) Economic benefits for cases that resulted in an award for or savings to the client.
 - iii. For foreclosure prevention legal assistance: total individual served (and how many served were seniors, children, and veterans), and how many foreclosures were prevented.
 - iv. For community redevelopment legal assistance: total individuals,

- nonprofits, and small businesses benefited from these services.
- v. Evaluation of whether project deliverables were met, changes made to work plans, materials produced, and evaluation tools and reports.
- vi. Whether there were unanticipated results, and whether the project helped identify areas of particular need.
- vii. Community impact and response to the services provided.
- viii. (For support centers only) Quantitative and qualitative data about trainings, convenings, research, and other support for qualified legal services projects (QLSPs).
- ix. Any other data necessary to comply with state or settlement reporting requirements.

2. **A Final Evaluation**

Grantees will submit a final evaluation about outputs and outcomes such as:

- A. Service population: How did this project help the people it served? What changed for them, or what negative outcomes were prevented?
- B. Community impact: Describe whether and how this project has helped the community it serves.
- C. Evaluation/Assessment: Describe the processes used to assess the effectiveness of this project and any lessons learned regarding the project itself or the community it serves.
- D. Reports: Upload any report completed regarding the evaluation or assessment of this project or demonstrating the effect of services rendered (e.g., client satisfaction survey results, pre and post test results, number of cases in which stipulations were reached, number of trials, outcome of trials, etc.).
- E. Other impacts: Will this project have any immediate or long-term impacts that are not already captured in main benefits reporting?
- F. Continuation of the project: Describe any plans to continue the project after the grant period.
- G. Publications: Describe any future publication or distribution plans for materials resulting from grant activities; provide the URL for online resources related to this project (web sites, resource libraries, etc.).
- H. Impact work and materials:
 - Overview of impact litigation cases: For any grant-funded impact cases your organization litigated as part of this project during the grant period, whether open or closed, report the case name, number of individuals estimated to be impacted, date filed, venue, and any partners or co-counsel also participating.

- Overview of public policy advocacy activities: Describe any grant-funded public policy advocacy activities, such as regulatory advocacy, your organization engaged in during the grant period.
- Training and support activities: Describe any grant-funded training or other support activities not identified above. For support centers, use this space to provide qualitative data about trainings, convenings, research, and other support for QLSPs.

FOR QUESTIONS

For questions about the 2024 – 2025 bank grants, please contact Jennifer Zelnick, Senior Program Analyst, at (213) 765-1210 or jennifer.zelnick@calbar.ca.gov.