

Request for Proposal Questions and Answers from Bidders Conference Call

1. Question: What are the specific legal services that NCVLI expects to be provided and are these limited to criminal or do they include civil matters?

Answer: Crime victims have constitutional and statutory rights in the criminal justice system that are independent of the state or the defense, and they have interests that are unique from the general citizenry. This grant is designed to fund the direct legal representation of crime victims in the criminal justice system. Such representation will likely include a notice/entry of appearance in the criminal case, active participation in pre-trial motion practice, active participation at trial when crime victim's rights are implicated, and active participation in post-conviction proceedings, including sentencing and other release proceedings. "Active participation" would include oral and written argument regarding the crime victim's rights. Within these limits, the chosen clinics and their individual clients will establish the limits of the representation to be undertaken in any particular case in accordance with state laws and the client's wishes. Civil representation is outside the scope of this grant.

2. Question: Can a proposal choose a specific crime victim population, such as sexual assault survivors or families of murdered children, or must the proposal include legal services for any and all victims of crime?

Answer: A proposal can indicate a focus on a particular population of crime victims as a starting point of clinic development, although the representation of those victims must be inclusive of all aspects of the criminal justice system. Importantly, the proposal should discuss how the services to be provided to an initially limited population will eventually be expanded to a broader population. A proposal with a limited population focus will be reviewed and considered together with all other proposals, regardless of population limitations.

3. Question: What is the role and function of the attorney hired to direct and provide services for the Project?

Answer: Applicants are encouraged to review the response to Question 1 above for additional information responsive to this question. The attorney position with the clinic will be one of direct representation for the crime victim within the criminal justice process, including notice/entry of appearance and oral and written argument on behalf of the crime victim/client when his or her rights are at issue. Importantly, in addition to the direct legal representation role performed by the clinic attorney, s/he will likely also have responsibility for the fulfillment of other grant goals including education of the legal profession and development of a collaboration plan.

4. Question: What is the nature of the relationship with law schools that you are expecting the Project to develop?

Answer: There are a myriad of possible relationships that can be developed with a law school, and applicants are encouraged to be creative and begin discussing the possible relationships with their local schools. (*continued*)

Some examples of possible relationships include:

- Teaching a for-credit or pass/fail crime victims' rights substantive law course;
- Facilitating a for-credit or pass/fail crime victims' rights clinic course;
- Developing a student intern/extern program in which students assist with intake and legal representation, including perhaps certification to practice as students;
- Developing a student intern/extern program in which students assist with research and writing only.

5. Question: Considering the status of the law within a state, what is the quality/type of law that a successful proposal must demonstrate?

Answer: A proposal should discuss the depth and breadth of the applicant state's crime victims' rights law broadly defined. Importantly, the focus of the review will be on the enforceability of those rights in criminal trial and appellate courts. Consequently, a proposal should explain, in detail, the standing rights of crime victims in terms of both standing to appear and argue in trial courts when first asserting their rights and standing to appear and argue in appellate courts to challenge the denial of their rights. If a victim cannot independently access appellate courts within your jurisdiction to seek remedy of a violation of their rights, your jurisdiction cannot support this project.

6. Question: What is the expected geographic scope for a Project? Must it be an entire state?

Answer: A proposal may define the geographic scope the organization sees as suitable to both achieve all the required goals of the Project, as well as demonstrate practices and strategies that can be successfully duplicated by localities following the end of the Project.

7. Question: Are matching funds required for this proposal?

Answer: Matching funds are not required. An organization may choose to include "in kind" contributions in its budget, if those are deemed necessary to achieve the goals and objectives. If "in kind" contributions are included in the budget and the proposal is selected, the organization must account for those funds in all its reporting.

8. Question: Will proposals from organizations that are not non-profits be considered?

Answer: Proposals may be submitted by either law schools or non-profit organizations. A for-profit law school may apply.

9. Question: Are proposals required to list the CFDA number on the SF 424?

Answer: Proposals should include the CFDA number, 16-582, on the SF 424 form. This information was omitted in the Request for Proposal but will be included on NCVLI the website. The instructions portion for completing the SF 424 form was not successfully imported from the Office of Justice Programs' website to the RFP document and will now be included with the forms and RFP document on the NCVLI website.

10. Question: What is the fiscal year for the grant?

Answer: The sub-grants are anticipated to be announced in late March 2005, with funding to begin in early April. The sub-grant year will be the date of the announcement to that date the following year: for example, an April 1, 2005 announcement date would mean a 4/1/05 through 3/31/06 sub-grant year.

11. Question: Can an organization which is in the process of applying for 501 c 3 status apply for this grant?

Answer: An organization that is applying for 501 c 3 status could already be a nonprofit, but applying for the tax exempt status. We can accept the proposal and begin a review, with the application for tax- exempt status still pending. The organization would have to provide NCVLI with status reports during the review period and prior to any award. An award could not be made to an organization that did not have the tax-exempt status.

12. Question: What is the start date for the grant?

Answer: The start date for the grant is anticipated to be the beginning of April 2005, following the anticipated date of notification of awards in late March 2005.