

**Selected Q&A from Legal Assistance for Victims (LAV) Pre-Application Call
1/9/24**

This document summarizes questions and answers that we did NOT address verbally during the pre-application call. For questions that were answered verbally, please refer to the recording and transcript.

ELIGIBILITY / PARTNERSHIPS

We are planning on hiring an on-staff attorney for the first time. Does it make more sense to apply for LAV, or should we apply for the Expanding Legal Services Initiative (ELSI) instead?

In that situation, you may apply to either program. Please see the two solicitations ([FY 24 LAV Solicitation](#) and [FY 24 ELSI Solicitation](#)) to determine the grant program that best fits your project.

What is the cutoff for being considered a “New” versus “Continuation” applicant? Our LAV grant ended a couple of weeks ago.

If you have an existing or recently closed (after February 15, 2023) LAV award, you are considered a Continuation applicant. Otherwise, you are considered a New applicant. Please note that the application procedure is similar for New and Continuation applicants (with the exception of Non-Competitive applicants, who were notified individually by OVW).

Can multiple organizations in the same geographic area receive LAV funds? The projects are distinct.

Yes, multiple organizations in the same geographic area can receive LAV funds.

Are LSC Legal Aid entities eligible for this grant?

Yes.

Is a project partner required?

Yes, with an exception for organizations with the mission or purpose to provide services to victims of domestic violence, dating violence, sexual assault or stalking that also have experience and expertise providing legal representation to victims. Please see the “Required Partnerships” and MOU/MOE sections of the solicitation for more information.

We are a DV provider who does provide an array of services, including legal services, under the umbrella of the agency as a whole. Can we submit an MOE and apply without a project partner?

If our organization provides legal advocacy in-house (under the supervision of a licensed attorney) but contracts with licensed attorneys for legal services, would we still be eligible to provide a MOE, or would we need to provide a MOU?

Can our organization demonstrate experience and expertise in providing legal representation by an attorney through contracted attorney partners?

You may submit a Memorandum of Exemption (MOE) in lieu of a Memorandum of Understanding (MOU) if you meet all of the criteria to submit an MOE, as outlined in the solicitation (see the bottom of page 27).

Our organization is a multi-faceted legal services provider. Our organizational mission isn't exclusively to provide services to victims of violence, but our DV/Family unit exists for this specific purpose. Does this mean we could apply without a partner organization?

Please see the "Required Partnerships" section of the solicitation (beginning on page 14). There are two requirements detailed here. For the first requirement, the entity with the mission or purpose of providing direct services to victims of domestic violence, dating violence, sexual assault or stalking "may be a larger multi-service organization that does not solely address domestic violence, dating violence, sexual assault, or stalking but has a distinct division or program with the mission or purpose of serving victims of these crimes."

Does an organization have to include DV, SA, or stalking services in its mission statement to qualify as the required partner serving victims of these crimes?

As stated in the solicitation, in the MOU or MOE you must "Demonstrate that the mission or purpose of the organization (or designated subdivision) serving as the required partner with the mission or purpose to serve victims of domestic violence, dating violence sexual assault or stalking is to serve victims of one or more of these crimes." The inclusion of the word "purpose" is intended to allow some leeway for organizations that do not mention victims of domestic violence, dating violence, sexual assault, and stalking directly in their mission statement.

Can the legal services provider be a project partner, or must they be the lead applicant?

The organization with experience providing legal representation to victims of domestic violence, dating violence, sexual assault, or stalking may be the lead applicant or a project partner.

Are we required to have MOUs for potential referral partner organizations who will not be providing direct services under the grant? Should we address referral partner organizations' activities in the project narrative?

"For purposes of this solicitation, the MOU is a document containing the terms of the partnership and the allocation of roles and responsibilities between two or more parties" (page 26). All organizations with a role in carrying out grant-funded activities should be included in the MOU.

Your project narrative and budget should cover all services that you intend to fund using grant awards.

Would a proposal be negatively affected if an MOU partner were not provided a subcontract?

Please see the "Compensation for Partners" section in the solicitation (page 40). Beyond the information included in the solicitation, we cannot comment on the quality of individual applications.

Can you provide an estimated range of percentage of the total grant that should be allocated to the MOU partner?

There is not an estimated range we can provide. Page 22 of the solicitation indicates that all MOU partners should be fairly and reasonably compensated for their effort on the project.

PRIORITY AREAS

The solicitation states that there are four priority areas, but page eight lists only two. Are there two others not listed in the solicitation?

The Office on Violence Against Women overall has four priority areas in FY 2024; the LAV program is addressing two (of these four) priority areas, as listed in the solicitation.

The first priority area listed includes the phrase "advance equity and tribal sovereignty." In order to qualify under this priority area, must we address tribal victims in particular?

The text of the priority area reflects OVW's officewide priority, rather than our expectation for each individual applicant applying under the priority area. That is, we expect and understand that individual applicants applying under this priority area will have expertise in certain underserved population(s) and not others.

If we prioritize multiple historically marginalized or underserved communities, may we apply under the first priority area?

Yes, if you can demonstrate that you fulfill the requirements to apply under the priority area (as detailed in the solicitation). A program prioritizing multiple underserved communities rather than one underserved community does not, in and of itself, impact its ability to apply under the first priority area.

Are victims located in rural areas that can be geographically isolated considered an "underserved population" or "underserved community?"

From Appendix C (Applicant Questionnaire) of the solicitation: "Underserved population (defined by 34 U.S.C. 12291(a)(46)) means a population who faces barriers in accessing and using victim services, including populations underserved because of geographic location, religion, sexual orientation, gender identity, underserved racial and ethnic populations, and populations underserved because of special needs (such as language barriers, disabilities, immigration status, or age)."

What is the definition of non-intimate partner sexual assault, per this grant?

Non-intimate partner sexual assault is sexual assault where the perpetrator is not an intimate partner of the victim.

With respect to the sexual assault priority area, do legal advocacy, translation, child care, etc. that are directly related to legal representation and conducted in cooperation with an attorney qualify as direct legal services?

No, these activities do not qualify as direct legal services.

If we are applying under the sexual assault priority area but plan to dedicate only 50% (rather than 100%) of our activities to legal services for victims of sexual assault, do we still need to answer the sexual assault-specific questions indicated in the Proposal Narrative?

Yes. To be considered under the sexual assault priority area, you must answer the additional questions listed in the Proposal Narrative section of the solicitation.

Will applying under more than one priority area increase an organization's chance of being funded?

As indicated in the solicitation, applicants applying under one or more of the priority areas indicated will be given special consideration.

The solicitation states: “not less than three percent of funds made available for the LAV Grant Program must be used for projects that assist victims of domestic violence, dating violence, stalking, and sexual assault on lands within the jurisdiction of an Indian tribe.” Does this apply to all grantees?

This is a number that we track internally. We welcome applications that propose to dedicate anywhere from 0 to 100% of grant funds to victims within the jurisdiction of an Indian tribe. To receive special consideration under this statutory priority, an application must include the percentage of proposed activities that will support services to victims on tribal lands.

ALLOWABLE COSTS / PROJECT ACTIVITIES

Can legal services be provided by a legal advocate (not an attorney)?

Can we include funds for paralegal support for the licensed attorneys named on the grant?

All LAV grant- funded projects must include an attorney in the budget to provide representation, except for projects that propose to provide legal services exclusively in Indian Tribal Courts where lay legal advocates are permitted to provide representation. Projects *may also* include other staff – such as legal advocates or paralegals - but they *must* include an attorney providing representation (with the limited exception noted above.)

Does the required attorney have to be employed by the lead applicant, or can that attorney be employed by a partner organization?

Does the required attorney have to be a full-time staff member, or may they be part time?

Does the required attorney have to be on staff at the lead applicant or a project partner, or may be they instead be contracted for their work?

The required attorney may be employed by the lead applicant or a project partner; may be full-time or part-time; and may be on staff or contracted. When considering these questions, we encourage you to keep in mind the goals and objectives of the proposed project and the capacity of the designated individual(s) to carry out those goals and objectives.

Can we use LAV funds to conduct an internal assessment?

You may use up to one percent of award funds to conduct an assessment for internal improvement purposes only. Please see “Limited Use of Funds,” on page 10 of this year’s solicitation.

Can LAV funds be used to cover the staff attorney’s legal malpractice insurance?

Yes, this is an allowable use of LAV funds.

Can you please expand on the requirement that individuals with lived experience be involved in shaping and implementing the project- particularly in the case of an established project applying for this funding? Can you speak to what would be sufficient to fulfill this requirement?

As stated in the solicitation: “An example of involving people with lived experience is asking survivors who have obtained protection orders to help develop a brochure explaining the steps for requesting a protection order. For more information about engaging people with lived experience, see this brief from the [Department of Health and Human Services](#).” Previously, grantees have convened listening sessions to solicit feedback from individuals with lived experience; and put together an advisory group/board consisting of individuals with lived experience.

If you are applying for a continuation grant, can you change the primary focus of the project?

Competitive continuation grantees are not obligated to continue with the same focus as in their existing (or recent) grant.

Non-competitive continuation grantees are expected to continue their focus on legal services for victims of non-intimate partner sexual assault.

BUDGET/FINANCIAL

Does OVW provide guidelines for the IRS three step safe harbor procedure for executive compensation?

Yes, please see the resources linked in the solicitation (pages 25-26). Feel free to email OVW.GFMD@usdoj.gov if you have further questions.

Could you please discuss cost sharing and matching funds? Should it be included in budget?

This program has no cost sharing or matching requirement. Feel free to reach out to OVW.GFMD@usdoj.gov if you have detailed questions about cost sharing/matching.

Should the budget narrative should be included in the Excel budget worksheet? Or may we upload the narrative as a separate Word document or PDF?

You may integrate the Budget Narrative into the Budget Worksheet or submit these as two separate documents.

Can you please confirm that the awarded funds can be spent over the life of the 36-month grant do not need to be spent equally for each 12-month period?

This is a 36-month award. Your budget must cover 36 months of project activities, but if awarded, you do not need to spend grant funds equally for each 12-month period.

Would "pro bono services" include law student volunteers or interns who represent clients under direct supervision by an attorney funded by the grant?

Our organization does not charge clients for the legal services that we provide. Would these be considered "pro bono" for purposes of the 10% cap (page 7 of the solicitation)?

No cost services provided by a legal service organization as part of their organization's model are not pro bono. Pro bono refers to legal work taken on voluntarily without pay. This same analysis would have to be applied to activities involving law students.

Please recall that we track the 10% cap on funds for pro bono services internally. Individual applicants may dedicate anywhere from 0% to 100% of grant funds to pro bono legal services.

OTHER

I didn't submit a Letter of Intent. May I proceed with the full application?

Yes. The Letter of Intent is optional.

Will you accept digital/electronic signatures in lieu of wet signatures?

Yes.

For the textboxes and surveys in JustGrants, can you copy and paste responses from pre-prepared documents?

We suggest copying and pasting from a plain text format, such as Notepad, or typing directly into textboxes.

Can we attach a timeline of objectives and activities as a spreadsheet in additional attachments? Can we upload MOUs with our subcontractors that describes that work in more detail?

We will not review any materials beyond those requested in the solicitation.

Can tables in the project narrative be single spaced?

Yes, as indicated on page 16 of the solicitation, charts (i.e., tables) may be single spaced.

CONTACT

Help – I think that I mis-clicked something in Grants.gov!

Applicants experiencing technical difficulties with Grants.gov should contact support@grants.gov.

I need help navigating the application in JustGrants.

Applicants experiencing technical difficulties with JustGrants should contact OVW.JustGrantsSupport@usdoj.gov.

Who can we contact for additional information?

Please reach out to OVW.LAV@usdoj.gov for questions about the LAV solicitation. For financial questions, reach out to OVW.GFMD@usdoj.gov. Additional contacts for technical questions may be found in the solicitation.