

The Pew Charitable Trusts

Civil Legal System Modernization

Funding to Support Courts During and After COVID-19 Pandemic

CHIAPPETTA: Great, so it looks like everyone is on. Welcome to our webinar on federal pass-through funding that's available to the courts and other civil justice organizations. My name is Casey Chiappetta, and I work with Pew. I will be your host and moderator this afternoon.

I'm hoping that you can use these slides as a resource. They are currently in the Zoom chat for you all to go through at your own leisure. This webinar will be recorded and uploaded along with a future article that will be posted on our website.

The purpose of this webinar is to highlight that federal pass-through funds are available to courts, provide courts with the resources to pursue these funds, and to highlight how courts are currently exploring this funding and their experience with this funding. So with that said, and to take a temperature of the room, if you feel comfortable doing so, can you share in the chat if you have previously explored CARES Act funding, which funds you have explored, and/or any pass-through funding like VOCA or CDBG and if you've been successful in receiving it. This will help when picking the questions later on in the Q&A to make sure that we're tailoring them to your experience.

We have a star lineup for you today. We have Erika Rickard, our project director at Pew Civil Legal System Modernization Project. We have Karen Lash, who is the former executive director of the White House Legal Aid Interagency Roundtable and current director of The Justice in Government Project. And we also have two court folks for you. We have Aja Brooks from New Mexico and Jackie Waters from New Hampshire.

I will be moderating. My name is Casey Chiappetta. I work as a senior associate of research and policy at Pew. I previously worked at the National Legal Aid and Defender Association where I provided technical assistance to legal aid organizations around the federal funding.

The way this webinar is going to be set up, we'll first begin with an overview of what Pew is doing and how we're doing it from Erika. Then Karen will talk about what federal pass-through funding is, what types of flexibilities it offers, and key ones to consider. Then we'll hear from two states, New Mexico and New Hampshire about their experience exploring federal funding, lessons learned and tips for you. Karen will wrap up with some additional resources.

We'll conclude this webinar with a Q&A. Please go ahead and send your questions to me throughout. My name on this is "Civil Legal System Modernization Project." It's not Casey. So don't be looking for that. If you are also having any trouble connecting, you can go ahead and send me a message, and I can work to troubleshoot with you from afar. With that said, I will hand it on over to Erika to go ahead and talk about Pew.

RICKARD: Thank you very much, Casey. And thanks to our presenters and to everybody who's participating on this call. I just want to call out from the beginning that with so much turmoil and tragedy across the country, the effective administration of justice has never been more challenging and has never been more important. So just want to share with you that I stand with you, and we stand with you in support of the efforts that you're each making to ensure meaningful participation in the courts and in the civil legal system in these times.

But I'll give just a quick overview to what we're doing in a general sense at Pew, and then I'll turn things to Karen after that. Pew institutionally helps states to apply fact-based solutions in a whole range of policy areas. We work in everything from the environment to healthcare to fiscal policy to consumer safety. The project that Casey and I both work on is focused on state and local courts.

What we do. We approach our work first and foremost with rigorous research on the ways that courts can effectively ensure access to the front door of the courthouse or the virtual front door of the courthouse to efficient court processes and tip their outcomes. And we combine that research about those kinds of best practices with partnerships, so partnerships with traditional stakeholders like courts and other civil justice leaders, but also with others who you might not think of as traditional stakeholders, ... so business leaders, philanthropy, and other branches of government.

And then we take both that research and the partnerships toward this common purpose, which we describe as modernizing the civil legal system. And by that, we mean import the use of technology, but more importantly, we mean leveraging research, leveraging those partnerships to ensure that the legal system is one that is open and transparent, that efficiently uses resources, and that is fair and equitable.

Our modernization efforts have been underway for years, as many of us across the country have been working on them, and the federal funding that supports some of those modernization have also been underway for years. But as we all know, the urgency around those efforts and the, really the exponential increase of those efforts has really taken off in the past six months in the wake of the COVID-19 pandemic.

Some of those funding streams that we're going to be talking about today have a foundation from the Department of Justice and, as Casey mentioned, the White House Legal Aid Interagency Roundtable. But we're seeing kind of new ideas and new opportunities coming about in this current moment. So with that, I'll turn the conversation to Karen Lash from the Justice in Government Project who can describe the current federal landscape in more detail.

LASH: Terrific. Thank you, Erika and Casey and the whole Pew Court Modernization Team for amplifying these opportunities to modernize and specifically through an access to justice lens. As you said, it's even more important during the extra challenges that the pandemic poses, plus the imperative to do justice remotely, kind of like Ginger Rogers dancing backwards in high heels.

And my job today is to give you an impossibly brief primer about federal pass-through funds, then introduce you to three specific ones so that Jackie and Aja don't have to explain them. And then I'll return at the end to walk through some helpful

resources so you can try this yourself at home in high heels. There's going to be a few visual aids because this is my third Zoom call of the day. Okay, next slide.

This illustrates an over-simplified primer on federal block or formula grants that I might also call pass-through funds to provide some context for the funds that we're going to focus on. So Congress passes a law, they create a program, and they appropriate funds. And they also name the federal executive branch agency that will be in charge of that program. The federal agency then drafts rules and usually guidance about how the states can spend those funds. And when I say states, I mean to include territories and District of Columbia and tribes, but that's too long to say every time.

So what's key here is that these kinds of funds, the decisions about how they're spent are made by state policymakers, who will ultimately decide who gets the funds in the state and how the program will be run. And then most of those funds will end up with local governments and nonprofits and sometimes even the courts. There are three important common denominators of the many different kinds of pass-through funds.

The first is that a state executive branch administrator, not the federal agency that they come from, originate from, but it's the state who decides who's going to get the money. Second, the state has a fair amount of discretion about how to spend those dollars within the constraints of those authorizing federal laws and rules and guidance. But they generally have a lot of leeway to decide on the local priorities. And third is that the state will get its share.

It's not automatic, but so long as the state or the tribe fulfills those federal requirements, which could be always an application, sometimes preparing a strategic plan about how the funds will be spent, definitely periodic reporting. But if they do all of those things and follow the rules, they get their share. The formula for distribution is always set by some very specific measures like the number of crime victims or the poverty population, something quantifiable like that.

The other defining feature is that we are, generally speaking, shifting our focus to the executive branch of government. A little less familiar typically to the justice community, and the exception is that some of these big stimulus funds post-pandemic, the state legislatures have been involved in some states in making decisions that, but largely, we are focused on the executive. Okay.

On the next slide, we see the three funding sources, the state-administered passive funds that we're going to talk about. First is the Coronavirus Relief Fund. Treasury Department is responsible for getting those funds out. Then the Justice Department gets the Coronavirus Emergency Supplemental Fund dollars out to states and local governments. And then last is HUD's Community Development Block Grant to states and local government, best known by its acronym CDBG. Okay.

On the next slide is our first one. The CARES Act, it's the federal government. That's an acronym that stands for the Coronavirus Aid Relief and Economic Security Act. It was signed into law on March 27th. It generated many new funding programs, and it also gave extra money to existing funding streams. So when someone says CARES Act funding, that doesn't tell you everything you need to know because each federal funding program, whether new or old, authorized by the CARES Act differs in every imaginable respect.

So CRF, this is the biggest of the new programs. It allocated \$150 billion, with a B, in direct assistance to states, territories, and travel areas, and every state got at least

\$1.25 billion. And some large cities and counties also got their own share carved out of the state share. Tribes and territories got less than that, but they got some. To spend the CRF dollars, all recipients have to meet all three criteria. First is that it was a necessary expenditure due to COVID. Second, the expenditures weren't already in your budget. There can be no supplanting with these dollars.

And these must be expenditures incurred by December 30th. Other funding streams authorized by the CARES Act don't have this super-short timeframe. So it's just Coronavirus Relief Funds. And more and more courts are tapping into these. I recently learned about Washington State, Harris County, Texas courts, and a new Indiana Supreme Court led eviction diversion program that I just learned about. So it's trending.

Okay. In the next slide, the Coronavirus Emergency Supplemental Funding Program, CESF, also authorized by the CARES Act, many of you will be familiar with the Edward Byrne Memorial Justice Assistance Grant, more commonly known as Byrne JAG. It's the main source of federal assistance for the Criminal Justice System and expressly allows funding of courts. So I'm betting a number of you are already tapping into those funds. The CARES Act authorized an additional \$850 million to be divided up by the usual formula to state and local Byrne JAG administrators.

On the next slide, the last is the block grant. That has been around since the 1970s, CDBG. HUD uses a formula to divide up among the states, their share. Most of the states' share goes directly to the largest cities in your state. I think it's 70%. And then the rest is administered by the state, but it's to benefit smaller cities. And these funds, they expressly allow for legal services. In fact, they all have to report on it. And they support housing, remember those from Monopoly, jobs, and related services. So I think now, it's on to Aja with that backdrop.

BROOKS: Good afternoon, everyone. My name is Aja Brooks, and I'm the director of the Second Judicial District Court Center for Self-Help and Dispute Resolution. And I just want to tell everyone about our experience here in New Mexico with applying for some federal funding. And so I am hopefully going to tell you how to avoid the wild goose chase, and this is my court manager's guide to exploring federal funding, so next slide.

So first of all, what I would recommend is if you're thinking about exploring federal funding is to do your research. What I did, and the reason that we were looking for funding specifically at our court is because we have a program called the Foreclosure Settlement Program. And it's a program where we have court settlement facilitators who help lenders and borrowers to come to an agreement with regards to mortgage payments. And so it's really trying to keep homeowners in their homes.

And so we, unfortunately, due to the pandemic, lost our funding through the legislative session because our budget is based on primarily oil and gas revenue. And so that revenue was really hit hard by the pandemic. And so we ended up losing our funding for that program. I was kind of looking for any way to keep that program going. I had signed up for the Tiny Chats, and just for, just to see, you know, just to listen and to see, you know, about self-help services and things like that. And I saw that there was a Tiny Chat on federal pass-through funding.

And so that Tiny Chat was with Danielle Hirsch and Zach Zarnow, who are the hosts. And they were speaking with Karen Lash, who just presented to you all about

these federal pass-through funds. I watched that Tiny Chat. And I was thinking, oh, my goodness. This might be something that could fund our Foreclosure Settlement Program. And so attached to that, I suggest watching that. I also suggest reviewing attached to the email for the Tiny Chat was a Tiny Chat Companion. It was like this list of things to consider when you're thinking about federal pass-through funding opportunities.

And there was also a grants matrix, which was attached to that. And those were really helpful in seeing what was out there in, you know, in combination with watching the Tiny Chat. It was very helpful to just get the initial information. I also signed up for one of the 30-minute, "The Doctor is In" sessions, which is a consultation with the Tiny Chat Staff. And that's how I really started thinking about the CDBG Grant, which is the Community Development Block Grant that Karen was speaking about through HUD. So we started, I started getting more in-depth information at that point about the CDBG Grant.

And I also was sent a sheet from the National Legal Aid and Defender Association about their COVID-19 updates on Non-LSC Federal Funding. So that was also really helpful to review.

We ultimately decided to pursue the CDBG Grant because we thought it was the most in line with our program's goals, which is for closure prevention and mitigation. And so we decided to look into the CDBG Grant. And my last suggestion is just to be creative. You know, we kind of knew out the gate that we were going to need to do our research and really think about some creative ways to apply for this funding. So next slide.

The next piece of advice I have is to communicate with your court. So I used to work for New Mexico Legal Aid, and I see that we have another New Mexican in the audience. Yay, Janice Kauer. I appreciate you, your support in watching this webinar. But, you know, I used to work for Legal Aid, and so there was a completely different process. Now I work for the court. And there's a lot of communication that has to happen at the court.

You really need to figure out what your court's process is for applying for grants and who the stakeholders, court stakeholders are that need to be involved to, and who you need to meet with to move forward in the application process. So, you know, whose permission do you need to move forward, just with any grant that you're going to be pursuing through the court, right? At our court, the Second Judicial District Court, is in Albuquerque, and we are the busiest district court in New Mexico.

We have so many different divisions and departments, and so it's important to find out who do you need to speak with? Do you need to speak with your fiscal department? Do you need to speak with your chief judge, your presiding judges, your CEO, your general counsel? You know, I, in our experience, I spoke with our presiding civil judge, who was actually the head of our Foreclosure Settlement Program. And I spoke with our program coordinator of our, we call it the FSP, but it's the Foreclosure Settlement Program, so my apologies if I just use that acronym.

But I approached them right off the bat because I knew that I needed to get their outlook on if this was going to be something that we could pursue. I spoke with them, our presiding civil judge used to work for the City of Albuquerque, and so she already had a little background information on CDBG Grants. And she said, well, let's look into

it, and then you can report back on what you find. I was very encouraged at that point. And, you know, you also want to find out if your court has pursued federal funding before. If so, I would say, make friends with those court personnel who pursued that funding because they're going to know hopefully the second thing, which is the court's procedure for applying for federal funding.

But someone at your court has probably applied for a federal grant before or even just a grant through some organization. I would contact those people and try and find out what the process is. And this is a step that sometimes is overlooked, but you also have to determine who's going to apply, right? That's kind of one that you think, oh, that's known right out of the gate.

But it's really important to think about these things because, you know, I, and Karen talks about this in the Tiny Chat, you just got to be truthful about who's going to be applying for it. Do you have staff to apply for it? The last thing you want to do, and also, who's going to monitor it, and who's going to report? Because those are things that are probably going to happen on down the line. So just be, make sure you're taking that into consideration before you move forward. We don't have any staff to, like administrative staff for FSP. Our program manager and I were going to be the ones who would have been applying for the funding. Okay, next slide.

The next, oops, sorry, the one right before that. All right, yes, that one. So my next suggestion is to make contact with the funding decision makers. Once you have received the green light from your court stakeholders, you're going to need more specific information on what the grant looks like in your state. So I just did some basic things, and I just googled it. And it took me to our New Mexico Department of Finance website, which actually had a contact name and number. I was really excited when I found that. I emailed and called that person, so I have email and call as well. And I would do both.

And they actually responded back to me, and they notified me. And some people might know this, but this was my first foray into federal funding. So I knew nothing. They said that the Department of Finance actually administers HUD CDBG Grants in rural areas in New Mexico, so anything outside of Albuquerque, Farmington, and Santa Fe, I believe, and maybe Las Cruces. And that the City of Albuquerque is an entitlement city. And so the City of Albuquerque actually distributes the funding for programs outside of Albuquerque.

I received the City of Albuquerque contact person's information from the Department of Finance, and I emailed and called her. And she was a huge resource. She gave me all of the information that I have listed here. I say be ready to obtain as much detailed information as you can when you find that contact person.

She described to me about the pass-through entity and how the City of Albuquerque was involved, how much money was available. She let me know that it was \$2.6 million that was available in CARES Act CDBG funding for Albuquerque, that there's normally a 15% cap on public services, which is what our FSP would've been. But that was removed for the CARES Act. So really, the \$2.6 million was open to everyone.

Are there any requirements or restrictions? Here in New Mexico, and I think this is just for CARES Act CDBG Grants in general, it has to be used to prevent and/or respond to COVID-19. I was trying to figure out if our program, which had been around

before the pandemic, was going to be able to make that nexus, which I thought it did. Also, typical grant amounts, this is really important. I think that this is, does not bar you or shouldn't inhibit you. But definitely ask about it because here in New Mexico, the ask for programs ranges from \$17,000 to \$200,000. And she said the \$200,000 grant is really rare. She said that \$80,000 is more average for a grant amount.

Prior grantees, the court had never received any money before from one of these grants. And she did urge some partnerships. She said, partnerships with legal service organizations was a really good idea, mostly in looking at the organizations that they were going to fund and also just knowing the deadlines and the application information. The application had not been released, but they were hoping that it was going to be a quicker process because CARES Act was supposed to be like emergency funding, and that they were going to award it by the end of the year.

Also, keep your options open. I just threw that in because I found out a lot about traditional CDBG Grants in the, while I was looking into these CARES Act funding. And so that was actually another option that I was like, hmm, maybe we should actually apply for the traditional funding. All right, next slide. Sorry, I'm going through this really quickly.

Your last step is going to be to evaluate and then to execute. The evaluation stage is pretty important. I think you just have to decide whether you're going to apply for the grant. And in that process, you need to make sure that you're still speaking with your court stakeholders. I reported back to our presiding judge and our program coordinator. And ultimately, unfortunately, we decided not to apply for the CDBG CARES Act Grant just because we did compare our court needs with the funding requirements. And after we kind of did that balancing act, we decided that it wouldn't really make sense to move forward. Those were for some very specific reasons.

The money was only going to apply to people living in the city limits. And our program actually serves people outside of the city limits as well. The HUD tracking, if you know anything about the reporting and tracking process, it's very rigorous. We don't verify income for our program, and so we were going to have to start doing that if we accepted the funding. And like I said, we don't really have an administrative person with our program, so we didn't really have the staff to do that. Also, a lot of people are on forbearance during the pandemic.

So that means they're, the programs have said that they don't have to pay for a certain amount of time, their mortgages. And the money could not be used to help folks in forbearance. The amount of money that we were looking for also was pretty significant. And in looking at the typical grant amount, it was far in excess of what they were giving to people. I think in our situation, we decided not to move forward. But that doesn't mean that you won't.

If you decide to move forward, make sure to report back to your larger court stakeholders as well so your chief judge, your CEO, your general counsel, all of those folks, maybe even your administrative office of the courts if they have a hand in these things. The big thing that I found out was to think about partners. Think about partnering with legal aid organizations or legal service organizations. We heard that over and over and over again.

You don't want it to seem like the courts are taking money from, that would traditionally go to legal service organizations. I think the, and courts normally partner

with legal aid organizations and programs anyway. It might be a way to get some funding to your legal aid organization. Also, just make sure that you know, you assemble your team, and you know who's responsible for different parts of the application. And so they know when to submit and when, by when. And then just apply.

We didn't apply, so I'm not going to talk about that piece. But I know we have Jackie, and so she's going to fill in some of those gaps. But that was what I learned in applying for federal funding. And it was really a learning experience. I appreciate Karen, and I appreciate the Tiny Chat folks for letting me know about this opportunity.

WATERS: . . . on mute. Okay, there we go. Well, thank you, Karen. Thank you, Aja, I appreciate that very, very much. I was, as I'm listening to your story in New Mexico, I'm thinking, here we have New Hampshire in one corner of the country and New Mexico in the, practically the opposite. And our stories are so similar, it's really remarkable to me. I feel like what that tells me is that we're on the right track. We never spoke before this, so we didn't collaborate on this, but it's eerily how similar how we did things in such a similar manner.

Again, my name is Jackie Waters, and my job before COVID was the New Hampshire e-Court Program Director. And even though that is still my title, I do very many different things, one of them being pursue grants. This was just my first one, and so it was a huge learning opportunity for me. I just wanted to also tell you very quickly, New Hampshire is a very small state. If you didn't know that, 1.3 million people live in New Hampshire. And we are also a unified court system. And I think our compact size and the fact that we have a unified court system makes this process very different than it might for larger jurisdictions or non-unified courts.

So in mid-March, we never really shut down the courts, but we switched into emergency pandemic response operations in a model that we might consider what we call the virtual and not-so-virtual courthouse because as I said, much of our operations moved off site. But a great deal continued on premises. Our pursuit of the Coronavirus Relief Fund money was to support our Coronavirus Emergency Response Plan. So next slide please.

Okay. So we did the very same thing. I reached out to the National Center [for State Courts]. I stayed on top of everything the response, the Rapid Response Team was doing. And Danielle and Zach's work with the Tiny Chats, that's where I saw Karen's presentation. I highly recommend you watch and look at the materials as well. So these knowledge aggregators, as I think if them, really shortened my learning curve on how to approach this grant opportunity. I had never done it before in my life, and there was no one else available to do it. So I raised my hand and volunteered myself.

So the first thing we did was, as Karen had suggested in her Tiny Chat presentation, find your state resources who are managing these federal funds and talk to them. And so that's what we did. We started out with FEMA. Our New Hampshire Homeland Security and Emergency Management organization oversees the FEMA Grant. Byrne JAG is the New Hampshire Department of Justice, and then finally the CARES Act/Coronavirus Relief Fund was through what is the governor calls the Office for Emergency Relief and Recovery, otherwise known as GOFERR.

But we worked directly with the governor's budget director because our fiscal manager had a professional working relationship with that gentleman. So that was a

real help. So lesson number one, use your network of contacts to quickly locate the information that you need and find the right funding source for the needs. Next slide please.

Okay. All right, so next, how to anticipate what the qualifying expenses would be for our organization to support our emergency response plan, we gathered our court administrators, information technology, operations, human resources, basically the entire administrative of the office of the Court's Management Team to come up and compile our list of expenses related to the coronavirus pandemic. Now keep in mind, I think Karen already mentioned, you know, there's all kinds of qualifications that they can't be for current budget, has to be for new expenses, only expenses from March until December. So there was a lot of qualifiers to identify the qualifying expenses.

But what we came up with was a budget that provided a, us to equip a remote workforce, conduct on-premise jury trials, which we just started about two weeks ago, transitioning to tele- and video- conferencing, helping clerks, court staff, judges, and others to hold virtual hearings. We had to address some needs in our drug court, things that were created, issues created by the pandemic to assist our drug court. And then, of course, what probably most contract cleaning services that took it up several notches to the sanitation, sanitizing the court, and then finally any contracted support staff.

Money can't be used for salaries. But we were thinking about support staff as we expanded our IT footprint, for example. We drafted our preliminary budget request. And then the next thing that we did was we worked with our governor's budget director to go through this budget list and identify things that would cause our request to be denied, the non-qualifying expenses. This was a very, very important step. Our first shot at it, we didn't get it quite right. We had to go back, didn't get it quite right. Went back, and the third time is the charm. So that worked.

But we had this extreme sense of urgency because the expenses were mounting. Things were moving very rapidly, and we really felt like we needed to get the money as soon as we could. But we couldn't let that sense of urgency allow us to take any shortcuts, and that was a really great decision. Next slide please.

So I, just never having really done any grant applications before, I understand that often, there's some level of detailed preplanning, which is very difficult to do. It was very difficult to do under these circumstances. We did have our accounting systems and practices in place to ensure that our expenditures would receive full reimbursement. I think Aja mentioned some of these things that you have to adhere to, to comply with the grant. Fortunately, we had those systems in place. They needed to be adapted for this particular funding source, but they were in place.

While we were waiting for our funding approval, we were very positive, thinking that we were going to be successful. That's when we started our detailed implementation plan for the projects that we would think of as our soon to be funded projects. So we didn't want to wait until the notification to begin the planning. Advanced planning helped us pursue faster implementations of our projects, knowing that there is a December 30th deadline for these funds. Next slide please.

So establishing an approval process for incurring expenses, the coronavirus pandemic required us to do things we've never done before. And, for example, face shields and masks and hire consultants to understand, you know, this COVID disease and how it transmits, and how you prevent people from getting COVID if you invite them

into the courthouses, the jurists. So all those kinds of things we have never done before. But we needed to make sure we had the proper counting procedures.

So that was what, when we were understanding what funds we would receive, would receive, we gathered our internal stakeholders together and determined how we would make sure that the expenses that we were going to use these funds for were, in fact, aligning with the procedures and protocols for the grant. So next slide, yes.

Okay. So mistakes happen. This was very quick. I think we started in mid-May and had a couple of back and forth communications with the GOFERR Committee, and then received funds in, I believe it was late June. So it was, it seemed pretty fast to me. We did realize, once we received our funds, that we overlooked a major potential expense. And that is when a court facility experiences a COVID positive case, there is an intensive facility sanitation process that has to be budgeted for. We completely forgot about that. But fortunately, those have been very few and far between in New Hampshire.

But we also understood how we could reallocate funds once the grant had been awarded by transferring from what I call bucket, from one bucket to another bucket. But as long as we didn't add new buckets, and we followed the proper procedures, then we were able to shift money a little bit. Because as the process, as time goes by, you get smarter and smarter about these things. And you know more, and you're able to use the funds in the most productive way possible. So the recommendation is, continue your planning. Identify any additional qualifying expenses that may have been overlooked.

And then submit a follow-on grant toward the end of the grant period so that we would be first in line, the New Hampshire Judicial branch, first in line if there were any funds remaining to receive some additional funding. And then finally, to manage the overlooked expenses, our fiscal manager did some negotiation with our vendors. Expenses that had been a few hundred dollars a month, suddenly went to a few thousand dollars a month. And we were able to negotiate lower costs for those. So rather than just try to get reimbursement, we actually tried to reduce our expense.

So again, this is an iterative, continuous learning process, factoring new information as it becomes known to you. And then resubmit a final request towards the end of the grant period to see if you can acquire additional funds. Next slide please.

There we go. So I'm going to sum it up for us now. I think we're pretty much on schedule. Three takeaways. Use your networks. Identify subject matter experts, whether that's in your jurisdiction, your state, and through resources like the National Center for State Courts. Help the, have those resources help you understand the right grants and the qualifying expenses in those grants. Work quickly, but do not take shortcuts. They will only lead to future heartache, and nobody needs that. So develop your plans iteratively and understand where you have some flexibility to sort of give you some wiggle room.

As things become more, better known and understood, you can have some wiggle room to meet your goals and objectives. And then submit one follow-up request for any overlooked items. And Aja mentioned this as well, avoiding audit snags, understand those requirements. We've had some experience in funds and grant management in the judicial grants, so our fiscal manager in particular and her assistant knew these processes. So we really made sure that we did not overlook this important

aspect of the process. And that's it for New Hampshire. I guess I'm turning it back to Casey or to Erika.

CHIAPPETTA: Karen, I believe it is you . . .

WATERS: Oh, Karen, sorry.

LASH: Terrific. So, Aja and Jackie, that was fantastic advice to everybody listening. Just do what they said, and be brave, and be fearless in reaching out, right? They did it. They gave great advice. I especially loved Aja's advice about making friends, keeping options open. These conversations will lead to more conversations. I also like Jackie's admonition that mistakes will be made. That's inevitable. It's part of the learning process. And though you do, as she said, need to be ready for the inevitable audit.

Okay, so I'm going to super quickly run through these resources. So the Tiny Chat that they mentioned, here is the link. Danielle and Zach actually just a plug for their Tiny Chats because they're all awesome. But the one that they particularly were talking about on the federal funding has the link, and that companion grants matrix, which has a high-level overview of those block grants that allow courts to be grantees. It's more than the ones that we've talked about. States get hundreds of these federal pass-through funding streams.

But the matrix curates them based on four factors. That your state's administrator is either required, or the funds allow the state to fund courts. We had some examples where courts and/or their court partners have received these funds. Super important during COVID is that which of the funds can be used for technology needs. That's popped out in the grants matrix. And funds that can be used for non-lawyer court navigators, which is also an interest of Pew's, as you heard from Erika at the beginning. That has popped out in the grants matrix as well.

So really important, you can Google like Aja did, but the grants matrix also helps you find the administrator of the particular funds because it can be quite the search. So we tried to simplify that in the grants matrix. The National Center for State Courts website also has helpful resources, and that's linked from this page. Next slide.

If you are a glutton for federal pass-through funding punishment, there's a much more extensive grants matrix that includes all of the ones that are in the court's version, but also a bunch of others that are available for legal aid programs. And as the point was made several times, which I love to hear, the legal aid programs, given many shared goals, can be great partners, and they speak fluent grant management. And they might be the applicant and the grantee with the courts just as a partner and benefitting or as a sub-recipient partner.

On the next slide, if we had another hour, I would talk about these five in particular for courts. But instead, I'll just note these are fan favorites for courts to check out. And they're in the grants, they're in the grants matrix. Next slide, right, we, in this webinar, we only talked about these state-administered federal funds. But there is a whole other universe of federal funds that come directly from the federal agencies to the grantee. They are competitive. They're sometimes called, there's direct or discretionary grants. They get applicants from all over the country. These federal grants are usually

pre-prescribed about what's required. And you apply to the federal agency, not someplace in your state.

So, for example, this community might be familiar with DOJ's Drug and Veteran's Treatment Courts' grants. Those are competitive. They're direct grants, examples. Now there are two really awesome resources for federal discretionary grants. The State Justice Institute has a new awesome Federal Funding tool kit. Everybody needs a tool kit for this stuff. And they currently have an open invitation for courts to apply to participate in this free three-month intensive federal grant application development series and so, and I think the applications are due October 2nd.

And NLADA has a go-to website for these kinds of federal grants, and they're, again, it's targeted at legal aid, but may be super relevant to courts as your partner. So in sum, we all hope that this inspires you to think that the burden of grant seeking and management is going to be worth it in order to meet the challenge certainly during COVID, but also beyond, and that the need for technology innovations in particular, more services information, court functions going online is not optional.

And the need is not going to go away even after COVID. And then the last summary point is when you heard as a thread going through that you have natural allies in your state's legal aid programs. So I think that's it. And I just want to thank everybody listening for all you do to advance justice. Thanks.

CHIAPPETTA: Great. And thank you to Karen, Jackie, and Aja for fantastic presentations. The questions are rolling in. I will begin to ask them of our star lineup as I like to call you all. So first question is, with a deadline of December 30th, isn't it too late to apply for CARES Act authorized funds?

LASH: I'm happy to take that. So it depends on your, two things, two ways to respond. It depends on your state. There are a number of states that are still figuring out how to spend their \$1.25 billion or mostly more than that. So it is potentially in many states, there is still what's called unobligated CRF funds.

The other thing is that what often happens with government grantmaking is that grants are allocated with the best of intentions, and then coming close to the end of the grant period, the grantee discovers they're actually not going to spend all of the funding that they thought they were going to spend. And your state, I'll go back to your state. And so you can be ready with your wish list of especially technology needs because those are expenses that you can just go with that are absolutely necessary expenditures to respond to COVID and, of course, will benefit you and the courts and your court customers beyond December 30th.

That's allowed as long as the expenditures were made. So some of you are in states where there is still money unobligated. Most of you will be in states where some grantee money is returned to the state, and no state should be sending money back to the Department of Treasury unspent. That is a terrible message to send to the federal government, that they don't really need it. So help them.

CHIAPPETTA: Great. And we have another question from the audience for Aja or Jackie. How have your courts tracked COVID-specific expenses? Was this something that you built into your financial management system?

BROOKS: This is Aja. I'm just going to answer on behalf of our court because we didn't actually end up pursuing the funding, so we didn't have to set that up. But I do know, and I don't know the details of this, but I know that our court did pursue the funding that Jackie's court pursued as well and received that funding. I know that they do have those, those systems set up to report and to track and all of that. And I'll turn it over to her because I don't know the specifics of that for our specific program since we didn't pursue it.

WATERS: Thank you. Yes, New Hampshire, early on, our fiscal manager, Donna Raymond, knew that we were going to have COVID-related expenses, and she set up our accounting systems as a configuration process to make sure at least all of the expenses that were incurred could be tracked appropriately and separately and so forth. So, yes, all of that was done in anticipation of having costs and expenses and eventual reimbursement. But we just leveraged our existing financial management system to do that. There was nothing special needed to be done.

CHIAPPETTA: Great, and this is for all of you. We don't have grant management staffing. What are our options? Jackie, this sounds like it happened in New Hampshire. If you want to tackle this first, and we can pass the question around.

WATERS: Sure. Yes, we don't have that in New Hampshire, and it is a challenge. And because of this experience, I've kind of raised my hand and said that I would like to take on those responsibilities in a more informal way. I think it would be better if we had dedicated resources for this. We'll see where this takes us. I did, Karen mentioned the State Justice Institute is offering a training program in October time frame, and I did submit my application for that.

But in the meantime, I think it was expressed by, you know, make friends. It just, you, reach out. People will help and do the best you can do. And don't let, what is the expression, don't let the perfect be the enemy of the good. Just try and do your best. And I feel pretty, I think that it was an accomplishment to receive \$1.5 million when you were just sort of figuring out as you go. And so I would recommend that everyone give it a try, and don't let that stop you, just my advice.

LASH: This is Karen. That's great advice, and it really, it has, it needs a Jackie. The function must be staffed. Applying for public funds and managing them is, has a, really a heightened level of responsibility even over private foundations. These are, in most instances, taxpayer dollars, and so it's, you know, really, it requires rigor. And among the things we learned in the last financial meltdown with ARRA and the large amount of federal funds that went to the states then is that there will be audits of these funds. And so that just means you need somebody to staff the work who is going to stay on top of it.

BROOKS: And this is Aja. I would just also say, make sure that you do the very detailed research of knowing what you have to report and eligibility requirements. And so I learned a lot about HUD tracking requirements. I did not know that they were so

rigorous and so detailed. But I, you know, I did work at New Mexico Legal Aid, and so I know eligibility requirements through the legal services corporation are very rigorous as well. And so I had a little bit of background knowledge about those, you know, income restrictions and eligibility restrictions and all of that.

And HUD has some very interesting tracking requirements. So just making sure that you research that, and I'm sure it's different for whichever CARES Act funding you decide to apply for. They're going to have different eligibility and different tracking requirements. So just make sure, when you find that contact person that you ask them what the tracking requirements are.

LASH: I would just add that CDBG is on the high end as compared to some other funding streams. But they're all different.

CHIAPPETTA: Great. And thank you all for a fantastic Q&A session. And thank you again for speaking about your experience exploring this federal funding, receiving it, Karen for your expertise as always on federal pass-through and federal funding in general. On this slide, you have both Erika and my contact information. Please feel free to reach out with any additional questions.

Like I said previously, this webinar is being recorded and will be followed up with an article that will be posted on the Civil Legal System Modernization page's website on the larger Pew's website. So that will be coming out within the next few weeks. So stay tuned for that. And, Erika, I don't know if you have any last remarks that you want to make.

RICKARD: Yeah, thank you all very much for joining us and participating. I'm going to put in the chat the quick way to get to our site, which is pewtrusts.org/modernlegal, and look forward to folks getting a chance to see the future publications that we're going to put out about this.

CHIAPPETTA: Excellent. So I hope you all have a wonderful rest of your Wednesday, and thank you for attending this webinar. We have been glad to have you.