

## Agenda

### Utah Working Interdisciplinary Network of Guardianship Stakeholders (WINGS)

February 22, 2017

12:00 to 2:00 p.m.

Administrative Office of the Courts

Scott M. Matheson Courthouse

450 South State Street

Judicial Council Room, Suite N31

12:00 p.m.	Welcome, minutes, meeting agenda		David Connors
12:10 p.m.	Judicial Response Subcommittee: <ul style="list-style-type: none"> <li>• New members sign up</li> <li>• Response protocol in cases of abuse and neglect and appointments of limited guardianship</li> </ul>		David Connors Karolina Abuzyarova
12:20 p.m.	Increase the number of limited guardianship appointments: <ul style="list-style-type: none"> <li>• Tracking limited guardianship and restoration of capacity cases in Court database Coris: Rhett Dutson, Civil Issues Chair, Coris Rewrite</li> <li>• Judicial education</li> <li>• Medical input: capacity evaluation</li> </ul>		Judge Connors Rhett Dutson
12:40 p.m.	Implementation of standards of practice for guardians: <ul style="list-style-type: none"> <li>• Criminal and credit background checks for guardians – chart by state</li> <li>• Utilizing Utah’s White Collar Crime Offender Registry: <a href="http://www.utwhitecollarcrimeregistry.com">http://www.utwhitecollarcrimeregistry.com</a></li> </ul>	Tab 1	David Connors Nancy Sylvester
1:00 p.m.	Elder Justice Innovation Grant Application	Tab 2	Karolina Abuzyarova

Committee webpage: <http://www.utcourts.gov/utc/wings>

Meeting schedule: April 26, June 28, August 23, October 25, December 27

Tab 1

**Criminal and Credit Background Checks for Guardians**

State	Who is not Eligible to be Appointed	Criminal Background	Credit Check	Notes
Alaska		<p>§§ 08.26.020 &amp; 08.26.030                      Department shall issue an individual private professional guardian/conservator license if ... criminal history record shows has not been convicted of a crime within 10 years of the application that would affect ability to provide services competently and safely</p> <p>§ 08.26.070(a)                      Department shall request Dept. Public Safety to submit the fingerprints to the Federal Bureau of Investigation for a national criminal history record information check; perform a state criminal history record information check</p>		
Arkansas	<p>§ 28-65-203(a)                      Convicted or unpardoned felon</p>			

**Criminal and Credit Background Checks for Guardians**

State	Who is not Eligible to be Appointed	Criminal Background	Credit Check	Notes
Arizona		<p>§ 14-5106 In petition, under oath, must disclose, whether proposed appointee has been convicted of a felony in any jurisdiction and, if so, the nature of the offense, the name and address of the sentencing court, the case number, the date of conviction, the terms of the sentence, the name and telephone number of any current probation or parole officer and the reasons why the conviction should not disqualify the proposed appointee.</p> <p>§ 14-5657(B) As condition of licensing, fiduciary must submit to full set of fingerprints to obtain state and federal criminal records check</p> <p>§ 14-5304(E) Court may require each person who seeks appointment as a guardian to furnish a full set of fingerprints to enable the court to conduct a criminal background investigation. The court shall submit the person's completed fingerprint card to the dep't of public safety. The person shall bear the cost Does not apply to a fiduciary who is licensed or an employee of a financial institution.</p>		
California	Busi. & Prof. § 6536 Convicted of crime substantially related to the qualifications, function or duties of the professional fiduciary	Busi. & Prof. § 6533.5 To obtain a license as professional fiduciary shall submit fingerprints to obtain criminal offender record of state and federal arrests and convictions. DOJ prepares report of fitness		Judicial discretion re criminal history and nature of crime, nature of petition, case dynamics, whether can be bonded, ties to conservatee, alternative to conservator

**Criminal and Credit Background Checks for Guardians**

State	Who is not Eligible to be Appointed	Criminal Background	Credit Check	Notes
<b>Colorado</b>	§ 15-14-310(4) Owner/operator where receiving long term care	<p>§ 15-14-110(1) Statement with acceptance of office as to whether been convicted of, pled nolo contendere to, or received deferred sentence for a felony or misdemeanor; whether temporary or permanent civil protection or restraining order in any state; whether civil judgment entered; relieved of any court-appointed responsibilities</p> <p>§ 15-14-1102(2) Attach name-based criminal history record check through CO Bureau of Investigation</p> <p>§ 15-14-11(4) Does not apply to public administrator; bank, trust company or other financial institution; state or county agency; parent residing with his or her child; and any other person or entity for whom the court, for good cause shown, determines requirements not apply</p>	§ 15-14-110(2) Attach credit report	
<b>District of Columbia</b>	§ 21-2043(a-1)(1) Provides substantial services; creditor of the incapacitated individual; or employed by any person or entity that provides services.	<p>§ 21-2043(d-1)(1) Court shall not appoint a guardian until the person has submitted signed and sworn statement whether has been convicted of, has pleaded nolo contendere to, is on probation before judgment or placement of a case upon a stet docket for, or has been found not guilty by reason of insanity of lifetime registration offense; registration offense, any offense set forth in Chapters 8, 8A, 9A, 10, 11, 14, 15, and 32 of Title 22, or its equivalent in any other state or territory, dangerous crime, or crime of violence.</p> <p>Shall submit results of a criminal-history check from the Metropolitan Police Department and FBI. Emergency guardians, health-care guardians, and provisional guardians are exempt.</p> <p>§ 21-2043(d-2(1) Presumed not to be in best interest of individual subject to guardianship to appoint a guardian who has been convicted of listed offenses.</p>		

## Criminal and Credit Background Checks for Guardians

State	Who is not Eligible to be Appointed	Criminal Background	Credit Check	Notes
<b>Florida</b>	<p>§ 744.309(3) Convicted of a felony, or from any incapacity or illness, is incapable of discharging the duties of a guardian, or is otherwise unsuitable to perform the duties of a guardian</p>	<p>§ 744.3135(1) Court shall require a guardian and all employees of a professional guardian who have a fiduciary responsibility to a ward, to submit, at their own expense, to undergo level 2 background screening. Court must consider the results of any investigation before appointing a guardian.</p> <p>§ 744.3135(2) Nonprofessional undergoes state and national criminal history record check using fingerprints. Results filed by clerk.</p>	<p>§ 744.3135(5a) A professional guardian, and each employee of a professional guardian who has a fiduciary responsibility to a ward, must complete, at his or her own expense, an investigation of his or her credit history before and at least once every 2 years after the date of the guardian's registration with the Statewide Public Guardianship Office.</p>	<p>§ 744.3135 (7) Requirements not apply to a professional guardian, or to the employees of a professional guardian, that is a trust company, state banking corporation or state savings association authorized and qualified to exercise fiduciary powers in this state, or national banking association or federal savings and loan association.</p>
<b>Georgia</b>	<p>§ 29-4-2(b) Is a minor, a ward, or a protected person; have a conflict of interest; or owner, operator, or employee of a long-term care or other caregiving institution or facility at which the adult is receiving care, unless related to the adult by blood, marriage, or adoption.</p>	<p>§ 29-10-3(a)(2) Public guardian must submit to a criminal background check with satisfactory results as prescribed by the Division of Aging Services of the Department of Human Resources; submit to an investigation of the individual's credit history as prescribed by Aging Services, Dep't Human Resources</p>	<p>§ 29-10-3(a)(3) Public guardian must submit to an investigation of the individual's credit history as prescribed by Aging Services, Dep't of Human Resources</p>	
<b>Idaho</b>	<p>§ 15-5-311(4) No convicted felon, or person whose residence is the incapacitated person's proposed residence or will be frequented by the incapacitated person and is frequented by a convicted felon, shall be appointed as a guardian of an incapacitated person unless the court finds by clear and convincing evidence that such appointment is in the best interests of the incapacitated person.</p>	<p>§ 15-5-311(5) Proposed guardian must submit to and paid for criminal history and background check; If ordered by the court, any individual who resides in the incapacitated person's proposed residence has submitted, at the proposed guardian's expense, to a criminal history and background check conducted. The findings of criminal history and background checks are made available to the visitor and guardian ad litem.</p>	<p>§ 15-5-311(5) The proposed guardian provides report of his or her civil judgments and bankruptcies to the visitor, the guardian ad litem and all others entitled to notice.</p>	

**Criminal and Credit Background Checks for Guardians**

State	Who is not Eligible to be Appointed	Criminal Background	Credit Check	Notes
<b>Illinois</b>	755/5/11a-5(5) Convicted of a felony, unless the court finds appointment to be in the disabled person's best interests; as part of the best interest determination, the court has considered the nature of the offense, the date of offense, and the evidence of the proposed guardian's rehabilitation. No person shall be appointed who has been convicted of a felony involving harm or threat to a minor or an elderly or disabled person, including a felony sexual offense.			
<b>Kentucky</b>		§ 387.025(4) Verified application for appointment must state whether ever been convicted of a crime		
<b>Louisiana</b>	Art. 4561(B)(2) Except for good cause shown, convicted felon; person in debt to adult; adverse party in pending law suit			
<b>Minnesota</b>	§ 524.5-309(c) Individual or agency providing residence, custodial, medical, employment training, other care or services	§ 524.5-118(1) Background study once every 2 years; criminal history data from Bureau of Criminal Apprehension,; from National Criminal Records Repository if not been resident of MN for 10 years or info from BCA indicates a multistate offender or multistate offender status undetermined; state licensing agency if ever been licensed as professional in related field; perpetrators of substantiated maltreatment of vulnerable adult or minor. Professional guardian must pay fees; if in forma pauperis by county; if estate, by estate; or court may order fee paid by G, by C or by court; not apply to state agency or county; parent or guardian of person with developmental disability if raised in family home; background study must be done on all employees responsible for exercising guardian powers and duties; may make appointment pending results of study		

**Criminal and Credit Background Checks for Guardians**

State	Who is not Eligible to be Appointed	Criminal Background	Credit Check	Notes
<b>Nebraska</b>	§§ 30-2627; 30-2639 Agency, owner providing residential care	§ 30-2602.02 A person, except for a financial institution nominated for appointment as a guardian or conservator shall obtain a national criminal history record check and file such report with the court at least ten days prior to the appointment hearing date, unless waived or modified by the court. No report or national criminal history record check required for an emergency temporary guardianship or conservatorship. Court may waive for good cause.		
<b>Nevada</b>	§ 159.059 Incompetent; minor; convicted of felony unless court determines conviction not disqualify; suspended for misconduct or disbarred from law, accounting, other provision involving money, investment, securities, real property; nonresident without registered agent and not petitioner; judicially determined by clear and convincing evidence to have committed abuse, neglect, exploitation of child, spouse, parent, adult, unless court finds best interest	§ 159,0595(3) Private professional guardian shall, at his or her own cost and expense, undergo a background investigation which requires the submission of complete set of fingerprints to the Central Repository for Nevada Records of Criminal History and to the FBI; present to court upon request.	§ 159.044(t) Petition must state whether proposed guardian has filed for or received protection in bankruptcy court.	§159.1852 After appointment, a guardian must immediately inform the court of: convictions of a gross misdemeanor or felony; a bankruptcy filing; suspension, revocation or cancelling of a driver's license for nonpayment of child support; a disbarment from the practice of law, accounting, or other profession requiring a license and involving financial management; or a judgment for misappropriation of funds. The court may remove the guardian and appoint a successor unless the court finds it is in the person's best interest to allow the guardian to continue serving.



### Criminal and Credit Background Checks for Guardians

State	Who is not Eligible to be Appointed	Criminal Background	Credit Check	Notes
<b>New Hampshire</b>	§ 464-A:10(III) An institution or agency providing care and custody of the incapacitated person, unless no one else can be found to serve	§ 464-A:4(v) Court shall review the proposed guardian’s record of criminal convictions maintained by the New Hampshire division of state police. Court may, in its discretion, request a search of the abuse and neglect registry maintained by the dep’t of health and human services. Court Rule 16 requires professional guardians to undergo criminal background check without fingerprints		
<b>New Jersey</b>	§ 52:27G-34(3)(a) Has criminal conviction or found to be civilly liable for any matter involving moral turpitude, abuse, neglect, fraud, misappropriation, misrepresentation, theft, conversion; lacks financial responsibility; committed abuse, neglect or exploitation; engages in persistent or repeated violations of court order or any impropriety involving dishonesty, fraud, deceit, misrepresentation	§ 52:27G-33(2)(d)(4) Professional guardian satisfactory criminal history record background, child abuse registry, domestic violence central registry; not subject to outstanding arrest warrants	§ 52:27G-33(2)(d)(4) Professional guardian submit credit check to OPGEA from one national credit reporting agency issued within 1 month of application	
<b>New Mexico</b>		§ 45-5-303(A)(4) Petition shall state G qualification, including whether convicted of felony		
<b>New York</b>		§ 81.19(g)(1) Allows but not requires court to obtain and consider, and court evaluator to review, proposed guardian’s criminal history, sex offender registry, statewide central register of child abuse, statewide registry of orders of protection. Upon considering the information, court may appoint, refuse to appoint or revoke the appointment		

### Criminal and Credit Background Checks for Guardians

State	Who is not Eligible to be Appointed	Criminal Background	Credit Check	Notes
<b>Ohio</b>		<p>§ 2111.03(A) Petition must state whether applicant ever been charged with or convicted of any crime involving theft, physical violence, sexual, alcohol or substance abuse.</p> <p>Ohio Sup. R. 66.05(A). Requires criminal background check for all guardians, including family guardians. For an attorney, court may accept a Supreme Court certificate of good standing.</p>		No instruction to court on what if proposed guardian has criminal record. Some courts are fingerprinting
<b>Oklahoma</b>	§ 3-104(A) Owner operator employee of facility where residing	§ 3-101(c) Court may receive investigation and report on background and home of prospective G. When required, include petitioner and each adult member of household to establish no record of criminal conviction, protective order, pending criminal charge. Include OK Bureau of Investigation name-based check.	§ 3-101(c) Petitioner disclose case name and status of any civil or criminal matter in state or federal court, including bankruptcy involving petitioner or any adult household member	
<b>Oregon</b>	§ 125.205 Incapacitated, financially incapable, minor, health care provider	<p>§ 125.210(1) Person nominated must inform court of circumstances before appointed or provide in petition if convicted of crime, filed for bankruptcy, had required professional license revoked or cancelled. After appointment must immediately inform the court. Court may decline to appoint or may remove if fails to comply.</p> <p>§ 125.240 Professional fiduciary must have criminal background check paid for by fiduciary</p>		Courts require credit check on periodic basis along with updated criminal background check for professional fiduciaries
<b>Rhode Island</b>	§ 33-15-6(a) Agency, public or private, or representative of, that financially benefits from providing housing, medical, social services	§ 33-15-6(b) Shall find that individual or agency has no criminal background which bears on suitability to serve as guardian, has capacity to manage the financial resources involved; has ability to meet unique needs of adult; has ability to meet requirements of law		
<b>South Dakota</b>	§ 29A-5-110 Employee of public agency, entity, or facility providing substantial services or financial assistance; creditor	§ 29A-5-504(3) Reason to remove is conviction of crime that reflects on fitness to serve		

**Criminal and Credit Background Checks for Guardians**

State	Who is not Eligible to be Appointed	Criminal Background	Credit Check	Notes
Tennessee		<p>§ 34-3-104(3) Requires petition to include a statement of any felony or misdemeanor convictions of petitioner and proposed guardian/conservator</p>		
Texas	<p>§ 1104.351 Minor or other incapacitated person; or because of inexperience, lack of education, or other good reason, is incapable of properly and prudently managing and controlling the ward's person or estate.</p> <p>§ 1104.353(a-b) Conduct is notoriously bad; convicted of any sexual offense, aggravated assault; injury to a child, elderly individual, or disabled individual; abandoning or endangering a child; terroristic threat; or continuous violence against the family of the ward or incapacitated person.</p> <p>§ 1104.358 Found to have committed family violence who is subject to a protective order</p>	<p>§ 698 County clerk obtains criminal history record information maintained by Dep't of Public Safety or FBI for private professional guardian; employee who has personal contact, exercise control or any duties over estate; volunteer in guardianship program; proposed guardian; including family member. May submit own information 10 days before hearing; Guardianship Certification Board conducts criminal history check before issuing or renewing certificate Court use information to determine whether to appoint, remove, or continue appointment; GCB use to determine whether to certify</p>		
Vermont	<p>14 § 3072(a)(2) Operates care facility where resides or receiving care</p> <p>14 § 3072(a)(2) Served as guardian ad litem in same proceeding</p>	<p>14 § 3067(d) Proposed guardian provide information and consent for complete background checks with available state registries, including adult abuse, child abuse, crime information center, sex offender. Court shall consider information received in determining if suitable. May waive reports, may remove based on information in report later received. If lived in VT less than 5 years or nonresident may order background from other state agencies where lives or has lived in past 5 years.</p>		

**Criminal and Credit Background Checks for Guardians**

State	Who is not Eligible to be Appointed	Criminal Background	Credit Check	Notes
<b>Washington</b>	§ 11.88.020 Under 18; of unsound mind; convicted of felony or misdemeanor involving moral turpitude; court finds unsuitable			
<b>West Virginia</b>	§ 44A-1-8(a) Individual employed by or affiliated with any public agency, entity or facility providing substantial services or financial assistance; creditor	§ 44A-1-8(c) Any person being considered shall provide information if convicted of any crime, other than traffic offenses, court or mental hygiene commissioner may order a background check conducted by state police or county sheriff. Shall consider in determining fitness to be appointed		
<b>Wisconsin</b>		§ 54.15(8) Sworn and notarized statement 76 hours before hearing if charged with or convicted of crime;	§ 54.15(8) Sworn and notarized statement 76 hours before hearing if filed for and received bankruptcy protection, had professional license revoked.	

**Criminal and Credit Background Checks for Guardians**

<b>State</b>	<b>Who is not Eligible to be Appointed</b>	<b>Criminal Background</b>	<b>Credit Check</b>	<b>Notes</b>
<b>Center for Guardianship Certification</b>	<p>Rules and Regulations II.A.6                      Not been convicted or pled guilty or no contest to a felony, or admit to having a felony on record; comply with the NGA Model Code of Ethics and the NGA Standards of Practice; not civilly liable in an action that involved fraud, misrepresentation, material omission, misappropriation, moral turpitude, theft, or conversion; not been relieved of responsibilities as a guardian by a court, employer, or client for actions involving fraud, misrepresentation, material omission, misappropriation, theft, or conversion; is bonded or will obtain appropriate bonding insurance in accordance with state statutes and local practice; not been found liable in a subrogation action by an insurance or bonding agent; not been disciplined by a state or national certification or licensing organization in any profession.</p>	<p>Rules and Regulations II.A.7                      Submit to a criminal background check</p>		

# Tab 2

Dear Chief Justice:

**RE: Request for Proposals for Working Interdisciplinary Networks of Guardianship Stakeholders (WINGS)**

The American Bar Association Commission on Law and Aging (ABA Commission), in collaboration with the National Center for State Courts (NCSC), is conducting a demonstration grant program to establish, enhance, or expand state Working Interdisciplinary Networks of Guardianship Stakeholders (WINGS). We invite your court to submit a proposal in partnership with state aging, disability, legal and other key stakeholders by February 28, 2017.

This funding opportunity offers state courts up to \$20,000 to establish, enhance, or expand WINGS (with special provision for up to \$30,000 for selected states with an intensive focus). In addition to funding, successful applicants will receive extensive expert technical assistance and opportunities for information-sharing with other state WINGS.

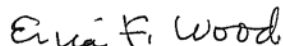
As terminology differs by state, in this Request for Proposals package, we use the term “guardianship” to refer to guardians of the person and to guardians of property, often called “conservators,” for adults, unless otherwise indicated.

This project is supported by the U.S. Administration for Community Living Elder Justice Innovation Grant Program. The project will support establishment, expansion, and enhancement of state WINGS to improve state guardianship systems, avoid unnecessary guardianship, and prevent and address abuse. It also will identify and evaluate measurable outcomes, facilitating and guiding replication of additional WINGS. These activities are consistent with CCJ/COSCA resolutions supporting development of WINGS and recognizing the need for adult guardianship reform and less restrictive options.

WINGS groups currently exist in 17 states, and have produced valuable resources, enhanced court oversight, and promoted less restrictive options. Equally important, WINGS have forged communication paths among stakeholders, reducing silos among entities serving the same populations.

We encourage your court to submit a WINGS application to advance CCJ and COSCA policy, receive valuable technical assistance, be at the forefront of reform, and increase public trust and confidence in the role of the courts for at-risk individuals who may need support in decision-making.

Sincerely,



Erica Wood, JD  
Project Director  
ABA Commission on Law and Aging



Brenda Uekert, PhD  
Principal Court Research Consultant  
National Center for State Courts

## Background Information on Working Interdisciplinary Networks Of Guardianship Stakeholders and Their Role in Adult Guardianship Reform

Terminology. As terminology differs by state, in this Request for Proposals package:

- “Guardianship” is used generically to describe a relationship created by state law in which a court gives one person or entity the duty and power to make personal and/or property decisions for an adult whom the court finds lacks ability to make decisions for him or herself (NOTE: this project is not addressing guardianships of minors).
- “Guardianship” refers to guardians of the person and to guardians of property, often called “conservators,” of adults, unless otherwise indicated. Guardians are often family members, but may be willing friends, private or public agencies, professional guardians, attorneys, or financial institutions.

Guiding Principle. Adult guardianship aims to protect at-risk individuals, yet at the same time removes fundamental rights. Thus longstanding recommendations by courts and others, as well as state statutory provisions, generally require that it be a last resort after less restrictive decision-making options have been considered, be limited if possible, and be monitored for accountability.

Need for Reform. “Adult guardianship reform” generally includes the following components: initial consideration of less restrictive options prior to imposition of a guardianship; procedural due process safeguards; a functional determination of an adult’s abilities and need for support; use of limited orders; solid court oversight; collection and maintenance of data; and good guardian standards and training.

Each of these reform components has benefits to the courts, as well as to the at-risk adults and the guardians that are part of the guardianship system. In the past 30 years, states have markedly strengthened their adult guardianship statutes, but implementation in practice has been uneven. Despite efforts to minimize unnecessary use of guardianship, the Conference of Chief Justices and Conference of State Court Administrators have confirmed the [growing demands for guardianship](#) with the rising population of older people with dementia and individuals with disabilities—and the increasing strains on courts.

While many guardians are dedicated—and while courts have begun to develop training and monitoring resources—accounts of inappropriate or abusive guardianships still surface. The prevalence of malfeasance is unknown, as there is very little data. On November 30, 2016, the Government Accountability Office (GAO), which had previously highlighted [cases of financial exploitation, neglect, and abuse by guardians](#), issued a [new report](#) that discussed the lack of data tracking abusive guardianships, the reasons for the inadequate data, and efforts to resolve the problem. On December 1, 2016, the CCJ/COSCA Joint Committee on Elders and the Courts adopted the [Adult Guardianship Initiative](#) as a blueprint to guide court reform in this area.

Reform Efforts. A groundbreaking 1987 *Associated Press* (AP) series triggered modern guardianship reform, contending that “overworked and understaffed court systems frequently break down, abandoning those incapable of caring for themselves.” Following the AP report, three landmark multidisciplinary consensus conferences (“Wingspread” in 1988, “Wingspan” in 2001, and the Third [National Guardianship Summit](#) in 2011,) served as an engine driving needed reform.



At the same time, other substantial efforts sought to enhance individual autonomy and improve guardian performance—a 1997 revision of the Uniform Guardianship and Protective Proceedings Act, with another currently underway; a 2013 revision of the National Guardianship Association *Standards of Practice*; a 2013 update to the *National Probate Court Standards*; and creation by the National Center for State Courts (NCSC) of a Center for Elders and the Courts.

Effecting permanent guardianship reform is an uphill battle because: (1) practices differ significantly by state and by court; (2) cases are complex—often fraught with issues of mental illness, medication, family discord, undue influence, abuse and exploitation, service provider fragmentation, and lack of resources; (3) guardians constantly walk a fine line negotiating risks, protections, and self-determination, generally with little guidance; and (4) funds, data, and research are scarce.

State Court/Stakeholder Action. A central tenet of the broad-based 2011 Summit convened by the National Guardianship Network (NGN)—as well as earlier recommendations dating back to 1988—was that guardianship reform can best be accomplished by ongoing state court-stakeholder partnerships for problem-solving and action. The Summit urged that states develop collaborative Working Interdisciplinary Networks of Guardianship Stakeholders (WINGS) to advance adult guardianship reform and promote less restrictive options.

Existing WINGS Collaborations. To pilot WINGS, NGN—with coordination by the American Bar Association Commission on Law and Aging (ABA Commission), and support from the State Justice Institute and other sources—named four states to receive WINGS start-up funds and technical assistance in 2013, and five states in 2015. In addition, eight other states have created similar collaborative entities. Each of the 17 [WINGS](#) has convened cross-disciplinary meetings and formed ongoing workgroups engaged in specific reform objectives.

While still in the early stages, WINGS have produced valuable resources, enhanced court oversight, and promoted less restrictive options. But just as important, WINGS have forged communication paths among stakeholders, reducing silos among entities serving the same populations. An initial assessment by NCSC in 2015 found WINGS to be “a feasible and effective means for addressing the current shortcomings of the guardianship system. . . .” [WINGS resources](#) include the following:

- WINGS Tips: State Replication Guide for Working Interdisciplinary Networks of Guardianship Stakeholders, National Guardianship Network (2014)
- *Video Introduction to WINGS Replication Guide*, featuring Hon. Eric Washington, Chief Judge for the District of Columbia Court of Appeals and Past-President of the Conference of Chief Justices (2015)
- Assessment of the Impact and Efficacy of Working Interdisciplinary Networks of Guardianship Stakeholders, Van Duizend, R. & Uekert, B., National Center for State Courts (2015)

Finally, to lay groundwork for communication between state courts and the federal Social Security representative payee program, the Social Security Administration (SSA) has designated regional representatives for each of the WINGS states, has convened periodic calls, and developed a judicial training guide on the representative payee system. The U.S. Department of Veterans Affairs (VA) also has designated regional WINGS contacts.

New Support for WINGS. Supported by the U.S. Administration for Community Living Elder Justice Innovation Grant Program, the ABA Commission, in collaboration with the NCSC, is conducting a demonstration grant program to establish, enhance, or expand state WINGS. This project moves to a new level efforts to address comprehensive adult guardianship reform and target less restrictive options

through WINGS. It provides significant funding and expert technical assistance to states that will establish, enhance, or expand WINGS to benefit both the aging and disability populations. See the attached Request for Proposals for specific information about purpose, eligibility, funding options, grant conditions including budget and reporting requirements, the technical assistance and resources that will be provided to recipients, the selection process, and the application process.

In the child welfare system, the [Court Improvement Program](#) (CIP) provides a permanent structure for federal funding to states to convene stakeholders, formulate priorities and strategic plans, and coordinate improvements with outcome measures. The CIP could offer a viable long-term model for adult guardianship/decision-making reform, and WINGS must be positioned with rigorous outcome measurement and data collection to move toward that model.

# Request for Proposals to Establish, Enhance or Expand Working Interdisciplinary Networks of Guardianship Stakeholders

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# Request for Proposals to Establish, Enhance or Expand Working Interdisciplinary Networks of Guardianship Stakeholders

Application Due Date: February 28, 2017

## I. GRANT INFORMATION

### A. Funding Opportunity Description.

Although existing Working Interdisciplinary Networks of Guardianship Stakeholders (WINGS) have considerable momentum, there is a need for more consistent strategic planning, outcome measures, ongoing technical assistance, better cross-state exchanges, and evaluation. There is also a need for WINGS in additional states.

The Administration for Community Living (ACL), through its Elder Justice Innovation Grant Program, has funded the American Bar Association Commission on Law and Aging (ABA Commission), in partnership with the National Center for State Courts (NCSC), to promote and assist state WINGS. As terminology differs by state, in this Request for Proposals “guardianship” refers to guardians of the person and to guardians of property, often called “conservators,” of adults.

### B. Purpose.

The purpose of this funding opportunity is to establish, expand, and enhance multidisciplinary efforts to improve a state’s guardianship system, avoid unnecessary guardianship, and prevent and address abuse through state WINGS. As a result of this demonstration funding, we expect the grantee to develop and implement WINGS as a replicable model and test it through empirical outcome measurement.

### C. Eligible Applicants.

Eligible applicants are the highest court of each state, in partnership with a broad range of key state stakeholders. (See below for more details.)

### D. Grant Options.

From the ACL project funds designated for WINGS grants to state courts, we will determine the number of states and specific funding amounts allocated for each of the following grant options. Courts can apply under for only one option.

- New WINGS. State courts that have not yet convened stakeholders in a WINGS or similar ongoing court-stakeholder partnership for guardianship reform. Each state may apply for up to \$20,000, plus project technical assistance, for establishing a new WINGS over a 12-month period.
- Existing WINGS. State courts that already have established a WINGS partnership, either through NGN start-up funding or at their own initiative, and wish to enhance or expand it. Each state may apply for up to \$20,000, plus project technical assistance, for enhancing or expanding an existing WINGS over a 12-month period.
- Focus WINGS on Less Restrictive Options and on Court Oversight. State courts that already have established a WINGS partnership, either through NGN start-up funding or at their own initiative,

and wish to enhance and expand it, and in addition aim to develop an intensive, targeted effort in either of two areas: (1) promotion of less restrictive options to avoid the need for guardianship, including supported decision-making; or (2) court oversight practices. Courts applying under the Focus WINGS option must explain how the proposed activities in the Focus area will go above and beyond the envisioned accomplishments for existing WINGS, such that they justify the need for the extra funds. A state with an existing WINGS may apply for up to \$30,000, plus project technical assistance, as a Focus WINGS over a 12-month period.

For each of the grant options, the 12-month award will be divided into two phases. The first phase of funding will be from June 1, 2017 through September 29, 2017. The second phase, beginning on September 30, 2017 through May 31, 2018, is contingent on satisfactory progress of the grantee and subject to continued support by ACL.

#### **E. Application Length and Format.**

Applications may not exceed seven (7) pages, excluding the Work Plan Form, Budget Form, Organizational Information Form, and Letters of Commitment. Line spacing may not be less than 1.5, margins may not be less than 1", and applicants must use a standard font size of not less than 11, preferably Times New Roman or Arial.

Letters of commitment from mandated stakeholders (see below) are required. The letters must be on the letterhead of the committing agency, and must specify the agreement to serve in a stakeholder capacity and indicate any particular resources it will provide in support of the WINGS initiative. Letters of commitment or support from additional stakeholders are encouraged.

#### **F. Grant Conditions.**

State court WINGS applications must demonstrate how the courts and community partners plan to make measurable progress beyond their current status and reinforce their efforts to date. Additionally, the applications must indicate how the court will meet each of the following conditions:

1. Court Support and Role. The state's highest court will demonstrate that the chief justice supports the project and that the court will have the primary role and responsibility for administration of the project.
2. Inclusive Approach. Demonstrate that the WINGS strategic plan will cover the spectrum of reform, balancing objectives to address abuse with objectives to promote less restrictive options including supported decision-making; and will target both aging and disability populations. (Proposals for Focus WINGS must include additional objectives above and beyond the objectives for existing WINGS.)
3. Stakeholders. Mandatory partners include the state unit on aging, state protection and advocacy agency or state developmental disabilities council, state adult protective services agency, and representatives that the Social Security Administration and the Veterans Administration already have designated (for existing WINGS) or have agreed to designate (for new WINGS). A broader range of stakeholders is encouraged but is not mandatory.
4. Target Disadvantaged Populations. Demonstrate how the strategic plan will target non-English speaking populations, as well as other socially or economically disadvantaged populations.
5. Staffing and Coordination. Designate a paid staff coordinator and a working steering committee for planning meetings and moving the group forward.

6. Timely Launch and Regular Meetings. Convene the WINGS group within two months of award to begin developing a strategic plan for a new WINGS or to refine a strategic plan for an existing WINGS. The proposal may anticipate elements of the strategic plan, but the actual priorities and tasks will result from the group's discussion. A new WINGS may wish to assess statewide priorities prior to the meeting through a stakeholder survey. WINGS groups should aim to meet at least quarterly.
7. Outcome Measures; Evaluation. Work with NCSC on formulation of the strategic plan, the development of outcome measures, and data collection.
8. Public Participation. Identify a means for public input into the WINGS process.
9. Project Communication. Accept project technical assistance from the ABA Commission and NCSC, participate in project calls and any site visits, report your state's activities on the WINGS electronic discussion list; and submit required reports outlining barriers, outcomes, and lessons learned.
10. WINGS Forum Participation. Agree that the coordinator will participate in a WINGS coordinator forum during the project's second-year (do not include travel costs in budget as the ABA Commission WINGS project will cover that expense).
11. Sustainability. Agree to develop a plan for sustaining the WINGS group beyond the project period.
12. Project Match. Agree to track stakeholder time and account for other in-kind resources or for cash resources as required project match, and to report the results to the ABA Commission on the form that the ABA Commission will provide.
13. Acknowledgment. Agree to acknowledge the support of the U.S. Administration on Community Living, the ABA Commission, and NCSC in any publications or materials developed under the project, using the verbiage that the ABA Commission will provide.
14. Contract and Budget Requirements. Agree to enter into a subgrant agreement with the ABA and abide by all federal guidelines and budget requirements. The award will be subject to DHHS Administrative Requirements, which can be found in 45 CFR Part 75, and are implemented through the [HHS Grants Policy Statement](#).

#### **G. Project Technical Assistance and Resources for WINGS.**

The project will create an infrastructure to support state WINGS through key tools and technical assistance including the following components:

- Kick-off WINGS call and structured calls for WINGS coordinators every other month;
- Coordinator/steering committee launch call for each grantee;
- ABA Commission site visits to new and Focus WINGS states, and NCSC site visits to Focus WINGS states;
- WINGS strategic planning and outcome measurement tools;
- Guidance for WINGS in collaborative, structured review of guardianship abuse cases and distilling lessons learned;

- Ongoing communication with the Social Security Administration and VA on the roles of their WINGS contacts;
- Succinct guardianship resources in key reform areas such as the right to and role of counsel, court-APS interactions, and assessment of abilities and supports; and
- Updated WINGS assessment and replication guide.

The Focus WINGS will receive additional, individualized attention. The project will assist the Focus WINGS to develop preliminary performance measures, to be refined over the course of the project period; and will conduct individual quarterly technical assistance calls with the Focus WINGS coordinator and steering committee.

In conjunction with the tools and technical assistance, the project will facilitate structured opportunities for all WINGS (regardless of whether they are funded under this project) to communicate with each other through the following actions:

- Conduct structured calls for WINGS coordinators every other month;
- Develop and maintain a WINGS website;
- Develop and maintain a WINGS electronic discussion list;
- Convene a WINGS coordinators forum in the second year to address lessons learned, target measurement of outcome-based practices, and showcase WINGS innovations (travel reimbursement only available for WINGS funded under this project).

## **H. Chart of WINGS Project Responsibilities.**

Appendix A offers a chart that lists the responsibilities of the ABA Commission and of NCSC to provide the tools and technical assistance described above. The chart also indicates the responsibilities that the state WINGS have, consistent with the Grant Conditions listed above and described in more detail below, to participate in technical assistance and evaluation activities and to submit required narrative and financial reports, including match information.

## **I. Project Evaluation.**

A requirement of the proposed project is that the court must agree to work with NCSC in: (1) creating a strategic plan; (2) identifying measurable outcomes; and (3) collecting data for outcome measurement. NCSC will train WINGS coordinators on strategic planning and outcome measurement.

In addition, Focus WINGS must work with NCSC on the development of preliminary performance measures for the specified focus area.

Finally, NCSC will conduct two surveys of WINGS stakeholders for an assessment of the capacity of WINGS to accomplish reform objectives and continue as a problem-solving judicial entity.

Your application constitutes an acknowledgement that you understand these requirements and agree to comply. (As participation in the evaluation activities is required, it will not be awarded rating points.)

## **J. Budget Requirements.**

The project period for all WINGS awards will be 12 months. Funding will be made in each phase, contingent on satisfactory progress of the grantee and subject to continued support by ACL. States

seeking support for new or existing WINGS may request up to \$20,000. States seeking support for either Focus WINGS category may request up to \$30,000.

Applications must include a brief budget on the included Budget Form detailing how the funds will be used. Allowable costs include staffing, commissioning research, conducting an initial needs assessment, conducting outreach, developing websites, convening meetings, convening conference calls, and producing publications. The budget must indicate any other resources that will be devoted to supporting WINGS.

#### **K. Match Requirements.**

Match is required by ACL. The court must agree to track the time of participating stakeholders and other contributed in-kind or cash resources. For every three (3) dollars received in Federal funding, the applicant must contribute at least one (1) dollar in non-Federal resources toward the project's total cost. The non-Federal resources that can be used as match include, for example, time of participating stakeholders or contributions of cash or services.

The ABA Commission will provide technical assistance about and a reporting form for the match requirement.

#### **L. Reporting Requirements.**

The court must submit a progress report, including a narrative and financial report, as well as the required match information, within 30 days after the end of the first phase; and a final report, including a narrative and financial report, with the required match information, within 30 days after the end of the second phase. The ABA Commission will provide forms for the narrative and financial reports.

#### **M. Application Review and Rating.**

Applications will be screened by the ABA Commission on Law and Aging for compliance with requirements. Members of the project Advisory Committee—drawn from organizations participating in the [National Guardianship Network](#) as well as additional judicial and other relevant entities—will rate the applications according to the evaluation guidelines set out in the application form below, and the ABA Commission will make the final selections using the ratings as a basis.

#### **N. Submission and Deadline.**

Submit the application with supporting letters to the ABA Commission on Law and Aging by email to Erica Wood, [Erica.wood@americanbar.org](mailto:Erica.wood@americanbar.org), by February 28, 2017. We anticipate notifying successful applicants on or before May 1, 2017, with an expected project start date of June 1, 2017.

The ABA Commission will acknowledge receipt of the application by email within 24 hours of submission. If you do not receive an acknowledgment of receipt, or for any questions about your application, contact [Erica.wood@americanbar.org](mailto:Erica.wood@americanbar.org).



## II. APPLICATION COMPONENTS

### A. New WINGS

#### 1. Applicant Information

State:

**Court Official Submitting Application** (Name, title, address, phone, email):

**Indicate Whether Letters of Commitment from Mandated Stakeholders are Attached:**

1. State unit on aging: \_\_\_\_\_
2. State protection & advocacy agency and/or developmental disabilities council: \_\_\_\_\_
3. State adult protective services: \_\_\_\_\_

[Although the Grant Conditions listed above include representatives of the SSA and the VA as mandated stakeholders, letters of commitment from those agencies are not required for the grant application. Those agencies have either named or committed to name WINGS representatives.]

#### 2. Statement of Need Questions for New WINGS States

**(20 of 100 rating points)**

1. What are the key problems in your state's adult guardianship system?
2. What have been the efforts to promote guardianship reform and less restrictive options?
3. What collaborations currently exist between the courts and state aging/disability partners?

#### 3. Project Approach Questions for New WINGS States

**(40 of 100 rating points)**

1. Describe the support, role, and responsibilities of the court in administering the project and implementing the grant conditions set out above.
2. Describe roles and responsibilities of the coordinator and the steering committee that will launch your WINGS effort. Who will comprise the steering committee and how will it function in the proposed project?
3. Describe how WINGS will take the inclusive approach and target disadvantaged populations as required in the grant conditions.
4. How will the steering committee prioritize issues for discussion? What do you anticipate as key issues?
5. What stakeholders will participate in your WINGS?
6. When are you targeting your initial WINGS meeting?
7. How will WINGS function through committees between meetings?

8. How will you engage the public?
9. How will you address turnover in WINGS leadership?
10. How will WINGS garner political/governmental leadership support and buy-in?
11. How and when will WINGS develop a sustainability plan?

## **B. Existing WINGS**

### **1. Applicant Information**

**State:**

**Court Official Submitting Application** (Name, title, address, phone, email):

**Indicate Whether Letters of Commitment from Mandated Stakeholders are Attached**

1. State unit on aging: \_\_\_\_\_
2. State protection & advocacy agency and/or developmental disabilities council: \_\_\_\_\_
3. State adult protective services: \_\_\_\_\_

[Although the Grant Conditions listed above include representatives of the SSA and the VA as mandated stakeholders, letters of commitment from those agencies are not required for the grant application. Those agencies have either named or committed to name WINGS representatives.]

### **2. Statement of Need Questions for Existing WINGS States**

**(20 of 100 ratings points)**

1. Describe the origin and composition of your state WINGS group, and the frequency with which it has met.
2. What key guardianship problems has WINGS addressed and what have been the accomplishments?
3. What objectives is WINGS currently targeting?
4. What have been the primary challenges for WINGS and lessons learned?
5. What financial and staffing resources have helped to sustain WINGS?
6. How has WINGS sought to garner political/governmental leadership support and buy-in?

### **3. Project Approach Questions for Existing WINGS States**

**(40 of 100 rating points)**

1. Describe the support, role, and responsibilities of the court in administering the project and implementing the grant conditions set out above.

2. Describe the ongoing planning process for WINGS. What have been the roles and responsibilities of the coordinator and the steering committee? Who will comprise the steering committee and how will it function in the proposed project?
3. How frequently has WINGS met, and what is the plan for future meetings?
4. What stakeholders regularly have participated in WINGS, and what, if any, additional stakeholders will be sought?
5. What workgroups has WINGS created; how often have they met, and how often do they plan to meet?
6. What have been the key accomplishments of WINGS?
7. What have been the key obstacles and lessons learned?
8. What are the anticipated key objectives for the proposed project and how will they be met? How does WINGS plan to make measurable progress beyond its current status and reinforce its efforts to date?
9. Describe how WINGS will take the inclusive approach and target disadvantaged populations as required in the grant conditions.
10. How has WINGS engaged the public and how will it do so in the proposed project?
11. How have you addressed or will you address turnover in WINGS leadership?
12. How will WINGS continue to garner political/governmental leadership support and buy-in?
13. How will WINGS use the funding under this project to ensure or support its sustainability once the funding ends?

### **C. Focus WINGS on Less Restrictive Options**

#### **1. Applicant Information**

**State:**

**Court Official Submitting Application** (Name, title, address, phone, email):

**Indicate Whether Letters of Commitment from Mandated Stakeholders are Attached**

1. State unit on aging: \_\_\_\_\_
2. State protection & advocacy agency and/or developmental disabilities council: \_\_\_\_\_
3. State adult protective services: \_\_\_\_\_

[Although the Grant Conditions listed above include representatives of the SSA and the VA as mandated stakeholders, letters of commitment from those agencies are not required for the grant application. Those agencies have either named or committed to name WINGS representatives.]

**2. Statement of Need Questions for Focus WINGS on Less Restrictive Options**

**(20 of 100 rating points)**

1. Describe the origin and composition of your state WINGS group, and the frequency with which it has met.
2. What key guardianship problems has WINGS addressed and what have been the accomplishments?
3. In particular, give a brief overview on use of less restrictive options in the state, and what efforts have promoted them.
4. Explain any existing groundwork to address supported decision-making.
5. What objectives is WINGS currently targeting?
6. What have been the primary challenges for WINGS and lessons learned?
7. What financial and staffing resources have helped to sustain WINGS?
8. How has WINGS sought to garner political/governmental leadership support and buy-in?

**3. Project Approach Questions for Focus WINGS on Less Restrictive Options**

**(40 of 100 rating points)**

1. Describe the support, role, and responsibilities of the court in administering the project and implementing the grant conditions set out above.
2. Describe the ongoing planning process for WINGS. What are the roles and responsibilities of the coordinator and the steering committee? Which members comprise the steering committee and how will it function in the proposed project?
3. How frequently has WINGS met, and what is the plan for future meetings?
4. What stakeholders regularly have participated in WINGS, and what, if any, additional stakeholders will be sought?
5. What workgroups has WINGS created; how often have they met, and how often do they plan to meet?
6. What have been the key accomplishments of WINGS?
7. What have been the key obstacles and lessons learned?
8. What are the anticipated key objectives for the proposed project and how will they be met? How does WINGS plan to make measurable progress beyond its current status and reinforce its efforts to date?
9. Describe how WINGS will take the inclusive approach and target disadvantaged populations as required in the grant conditions.
10. What are the primary activities you envision will drive your WINGS in the focus on less restrictive options including supported decision-making?
  - a. How will these activities be accomplished?

- b. How do these activities go above and beyond the envisioned accomplishments for existing WINGS, such that they justify the need for the extra funds?
- 11. How has WINGS engaged the public and how will it do so in the proposed project?
- 12. How have you addressed or will you address turnover in WINGS leadership?
- 13. How will WINGS continue to garner political/governmental leadership support and buy-in?
- 14. How will WINGS use the funding under this project to ensure or support its sustainability once the funding ends?

**D. Focus WINGS on Court Oversight**

**1. Applicant Information**

**State:**

**Court Official Submitting Application** (Name, title, address, phone, email):

**Indicate Whether Letters of Commitment from Mandated Stakeholders are Attached**

- 1. State unit on aging: \_\_\_\_\_
- 2. State protection & advocacy agency and/or developmental disabilities council: \_\_\_\_\_
- 3. State adult protective services: \_\_\_\_\_

[Although the Grant Conditions listed above include representatives of the SSA and the VA as mandated stakeholders, letters of commitment from those agencies are not required for the grant application. Those agencies have either named or committed to name WINGS representatives.]

**2. Statement of Need Questions for Focus WINGS on Court Oversight**

**(20 of 100 rating points)**

- 1. Describe the origin and composition of your state WINGS group, and the frequency with which it has met.
- 2. What key guardianship problems has WINGS addressed and what have been the accomplishments?
- 3. In particular, give a brief overview of existing court procedures for oversight of guardians.
- 4. Explain the gaps in oversight and the reasons for the gaps.
- 5. What have been the primary challenges for WINGS and lessons learned?
- 6. What objectives is WINGS currently targeting?
- 7. What financial and staffing resources have helped to sustain WINGS?
- 8. How has WINGS sought to garner political/governmental leadership support and buy-in?

### 3. Project Approach Questions for Focus WINGS on Court Oversight

(40 of 100 rating points)

1. Describe the support, role, and responsibilities of the court in administering the project and implementing the grant conditions set out above.
2. Describe the ongoing planning process for WINGS. What are the roles and responsibilities of the coordinator and the steering committee? Which members comprise the steering committee and how will it function in the proposed project?
3. How frequently has WINGS met, and what is the plan for future meetings?
4. What stakeholders regularly have participated in WINGS, and what, if any, additional stakeholders will be sought?
5. What workgroups has WINGS created; how often have they met, and how often do they plan to meet?
6. What have been the key accomplishments of WINGS?
7. What have been the key obstacles and lessons learned?
8. What are the anticipated key objectives for the proposed project and how will they be met? How does WINGS plan to make measurable progress beyond its current status and reinforce its efforts to date?
9. Describe how WINGS will take the inclusive approach and target disadvantaged populations as required in the grant conditions.
10. What are the primary activities you envision will drive your WINGS in the focus on court oversight?
  - a. How will these activities be accomplished?
  - b. How do these activities go above and beyond the envisioned accomplishments for existing WINGS, such that they justify the need for the extra funds?
11. How has WINGS engaged the public and how will it do so in the proposed project?
12. How have you addressed or will you address turnover in WINGS leadership?
13. How will WINGS continue to garner political/governmental leadership support and buy-in?
14. How will WINGS use the funding under this project to ensure or support its sustainability once the funding ends?

**E. Work Plan Information and Form for All Applicants  
(20 of 100 rating points)**

A Work Plan must be submitted using the Work Plan Form provided below. It should reflect and be consistent with the Approach, and should cover both phases in the twelve-month project period. It should list the major tasks/action steps, identify the timeframe for each by month, and who will take the lead. (The Work Plan is excluded from the 7-page limit.)

<b>Goal:</b>
<b>Objectives:</b>

Key Tasks/Action Steps	Lead Person	June '17	July '17	Aug. '17	Sept. '17	Nov. '17	Dec. '17	Jan. '18	Feb. '18	Mar. '18	Apr. '18	May '18	June '18

## **F. Budget Information and Form for All Applicants**

### **(20 of 100 rating points)**

Courts applying to establish new WINGS or enhance and expand existing WINGS may request up to \$20,000. Courts applying for a Focus WINGS grant may request up to \$30,000. The Budget Form provided below must be used; it does not count toward the seven page limit.

On the form, list the line items and budget allocations for the 12-month project period. Ensure the budget is consistent with the Approach and the Work Plan, and includes coordinator staff time.

ABA requires that all budgets be divided into the following major categories of expenditure:

#### **1. PERSONNEL**

These are costs associated with compensation of the applicant's staff such as the direct salaries, taxes, and fringe benefits.

#### **2. TRAVEL**

These are costs for project staff and stakeholders for necessary travel, such as transportation to attend meetings. NOTE: Do not include travel for project coordinator to attend the Forum in the budget as the ABA Commission WINGS project will cover that expense.

#### **3. EQUIPMENT**

Enter zero (0) or N/A as equipment costs are not allowed for this project.

#### **4. SUPPLIES**

These costs include supply items necessary for the implementation of the project which have a per-unit cost under \$5,000.

#### **5. CONTRACTUAL**

These costs include costs undertaken on a contractual basis by an outside party. Examples include: contracts with a publisher to print manuals, contracts signed with expert consultants from outside of the organization, etc.

#### **6. OTHER DIRECT COSTS**

These costs include all those not falling into one of the above categories, such as general office space rental costs, utility costs, postage, and telephone. Also included in this category are reasonable costs associated with stakeholder meetings.

#### **7. INDIRECT COSTS**

These costs include any administrative overhead costs that cannot be attributed to one particular activity or project. If you choose to include indirect costs you can use either of the following options:

**Indirect Cost Rate Agreement:** If the applicant has a Negotiated Indirect Cost Rate Agreement (NICRA) with a US government entity they must utilize this rate and attach a copy of the NICRA. If the applicant has an otherwise established indirect cost rate they can apply this rate only if the document establishing that cost rate is attached. Please note that if indirect costs are included that the same costs cannot be included as direct costs elsewhere in the budget.

Courts are not required to devote to the WINGS project additional amounts beyond what is requested from the ABA Commission. However, a commitment of additional funds could help to show support and buy-in for WINGS, and therefore could result in a higher rating.



CATEGORY	FEDERAL GRANT PROJECT FUNDS REQUESTED	JUSTIFICATION (SHOW CALCULATIONS)
PERSONNEL		
FRINGE BENEFITS		
TRAVEL		
EQUIPMENT		
SUPPLIES		
CONTRACTUAL		
OTHER		
INDIRECT CHARGES		
<b>TOTAL</b>		

**Required Match Information.** Match is required by ACL, the court must agree to track the time of participating stakeholders and other contributed in-kind or cash resources. For every three (3) dollars received in Federal funding, the applicant must contribute at least one (1) dollar in non-Federal resources toward the project’s total cost. The non-Federal resources that can be used as match include, for example, time of participating stakeholders or contributions of cash or services. The ABA Commission will provide technical assistance about and a reporting form for the match requirement.

**By submitting this proposal, the applicant acknowledges that federal in-kind or cash match is required and agrees to provide match of at least: \$ \_\_\_\_\_.**

If your match exceed the minimum requirement, please briefly explain the sources: \_\_\_\_\_

## G. Organizational Information Form for All Applicants

To ensure that the American Bar Association (ABA) complies with federal law and regulations governing this grant project, we must obtain your answers to the following questions. Successful applicants may need to provide additional information.

### 1. Proposal Information

Proposed Project Amount: \_\_\_\_\_

Proposed Project Start Date (mm/dd/yyyy): \_\_\_\_\_

Proposed Project End Date (mm/dd/yyyy): \_\_\_\_\_

### 2. Organizational Information

Official Operating Name, DBA (doing business as): \_\_\_\_\_

Address: \_\_\_\_\_

Address Line 2: \_\_\_\_\_

City, State, & Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

### 3. Funding Information

*Select one (1) of the following:*

We do not receive or anticipate receiving \$25M in US federal funding.

We receive \$25M or more in US federal funding but the federal funding is less than 80% of our gross revenue.

We receive or anticipate receiving more than \$25M in US federal funds and the federal funding is 80% or more of our gross revenue.

### 4. DUNS number: \_\_\_\_\_

All Organizations seeking subaward funding from the ABA, under a US Government prime award, are required to provide a Data Universal Numbering System (DUNS) number in the Subaward Application. If your organization does not already have a DUNS number, you must obtain one from Dun & Bradstreet by telephone (866-705-5711) or the [Internet](#). The process shouldn't take more than 20 minutes. The number could be issued immediately or within 1 to 3 business days.

### 5. Current ABA Funding

Is your organization currently receiving funding from the ABA, either by subaward or any other method of funding?

No, our organization is not currently receiving funding from the ABA.

\_\_\_ Yes, our organization is currently receiving funding from the ABA. Provide information about the current funding below.

ABA entity providing this funding: \_\_\_\_\_

Current Project Title: \_\_\_\_\_

\_\_\_ Subaward \_\_\_ Contract \_\_\_ Other Funding Method

Current Project Amount: \$ \_\_\_\_\_

Project Timeframe: \_\_\_\_\_

## 6. Past ABA Funding

Has your organization received funding from the ABA in the past?

\_\_\_ No, our organization has never received funding from the ABA.

\_\_\_ Yes, our organization has received funding from the ABA in the past. Provide information about the last three (3) most recently funded ABA projects below.

a. Project Title: \_\_\_\_\_

\_\_\_ Subaward \_\_\_ Contract \_\_\_ Other Funding Method

ABA entity from which funding was received: \_\_\_\_\_

Project Amount: \$ \_\_\_\_\_

Project Timeframe: \_\_\_\_\_

b. Project Title: \_\_\_\_\_

\_\_\_ Subaward \_\_\_ Contract \_\_\_ Other Funding Method

ABA entity from which funding was received: \_\_\_\_\_

Project Amount: \$ \_\_\_\_\_

Project Timeframe: \_\_\_\_\_

c. Project Title: \_\_\_\_\_

\_\_\_ Subaward \_\_\_ Contract \_\_\_ Other Funding Method

ABA entity from which funding was received: \_\_\_\_\_

Project Amount: \$ \_\_\_\_\_

Project Timeframe: \_\_\_\_\_

## 7. Other Funding

Is your organization currently receiving funding from sources other than state government or the ABA, either by subaward or any other method of funding?

\_\_\_ No, our organization is not receiving outside funding.

Yes, our organization is receiving outside funding from sources other than state government or the ABA. Provide information about the three (3) sources for which you receive the most funding (if applicable). *The ABA retains the right to contact the other funding sources listed below.*

a. Organization/Company Name, Address, Telephone, E-mail: \_\_\_\_\_

Subaward  Contract  Other Funding Method

b. Organization/Company Name, Address, Telephone, E-mail: \_\_\_\_\_

Subaward  Contract  Other Funding Method

c. Organization/Company Name, Address, Telephone, E-mail: \_\_\_\_\_

Subaward  Contract  Other Funding Method

### **8. Direct Federal Funding**

a. Does your organization receive funds directly from the US government or any of its agencies?

Yes, our organization receives funds directly from the US government.

If you answered yes, please provide a copy of your negotiated indirect cost rate agreement (NICRA), as an Attachment.

No, our organization does not receive funds directly from the US government.

If you answered no, will you be electing to use your organization's established indirect cost rate?  Yes  No

You can apply this rate only if a copy of the document establishing that cost rate is attached, as an Attachment.

b. If you answered yes to question a. above, does your organization expend \$750,000 or more during your fiscal year in US government federal funding?

No, our organization does not expend \$750,000 or more in US government funding per fiscal year.

Yes, our organization expends \$750,000 or more in US government federal funding per fiscal year.

### **9. Federal Exclusion**

Has your organization ever been debarred, suspended or otherwise excluded from participation in US government federal programs or activities?

No, our organization has never been debarred, suspended or excluded.

Yes, please provide details:

**10. Financial Policies**

Does your organization have written financial policies (financial policy manuals, accounting policies, grant administration policies and procedures, and/or other written policies governing the handling of organizational funds)?

No, our organization does not have such policies in writing.

Yes, a copy of those policies are provided as an Attachment.

### III. APPENDIX A - CHART OF WINGS PROJECT RESPONSIBILITIES

<b>OBLIGATIONS (A = Administrative, TA = Technical Assistance, E = Evaluation)</b>	<b>ABA</b>	<b>NCSC</b>	<b>NEW WINGS</b>	<b>EXISTING WINGS</b>	<b>FOCUS WINGS</b>	<b>WHEN (1 = Yr. 1, 2 = Yr. 2)</b>
Enter into subcontracts for funding and support (A)	X		X	X	X	1
Provide and review budget reporting forms (including match) and interim and final progress reporting forms to WINGS (A)	X					1 + 2
Submit budget reporting forms (including match) and interim and final progress reporting forms to ABA (A)			X	X	X	1 + 2
Comply with Federal grant requirements (A)	X	X	X	X	X	1 + 2
Participate in group kick-off call for WINGS grantees (A)	X	X	X	X	X	1
Participate in individual kick-off call with WINGS coordinator/steering committee (A)(TA)	X	X	X	X	X	1
Create, maintain, and update a WINGS website and discussion list for information sharing (TA)	X					1 + 2
Participate in technical assistance site visits (TA)	X		X		X	1
Participate in general information-sharing/technical assistance calls every other month for WINGS Coordinators (TA)	X		X	X	X	1 + 2
Participate in special technical assistance calls (TA)	X				X	1 + 2
Provide technical assistance to <u>all</u> WINGS upon request (TA)	X	X				1 + 2

<b>OBLIGATIONS (A = Administrative, TA = Technical Assistance, E = Evaluation)</b>	<b>ABA</b>	<b>NCSC</b>	<b>NEW WINGS</b>	<b>EXISTING WINGS</b>	<b>FOCUS WINGS</b>	<b>WHEN (1 = Yr. 1, 2 = Yr. 2)</b>
Participate in a mandatory in-person day-long Forum for WINGS Coordinators (TA)(E)	X	X	X	X	X	2
Participate in training of WINGS coordinators on strategic planning and outcome measurement (TA)(E)		X	X	X	X	1
Provide technical assistance in planning and outcome measurement to all WINGS upon request (TA)(E)		X				1 + 2
Provide technical assistance concerning performance measures (TA)(E)		X			X	1 + 2
Participate in site visits to assist in development of performance measures (TA)(E)		X			X	2
Participate in an initial online survey of all WINGS stakeholders to evaluate WINGS activities related to this project (E)		X	X	X	X	2
Participate in a second online survey of all WINGS stakeholders to evaluate WINGS activities related to this project (E)		X	X	X	X	2
Participate in mandatory telephone interviews with WINGS coordinators to evaluate WINGS activities related to this project (E)		X	X	X	X	2