

**MICHIGAN STATE BAR FOUNDATION
APPLICANT ASSURANCES AND CONTRACT FOR 1993 P.A. 189 FUNDS**

Applicant Name: _____

Address: _____

Phone: _____ FAX: _____

ASSURANCES FOR 1993 P.A. 189 FUNDING

APPLICANT ASSURES AND AGREES THAT:

1. It will comply with the provisions of 1993 P.A. 189 Sections 1485(1) through 1485(16).
2. Any bar association, private attorney or group of private attorneys providing services, training or technical assistance for the Applicant or to indigent persons pursuant to 1993 P.A. 189 Section 1485(15) or Section 1485(9)(c) will be bound by these Assurances.
3. Actual funding provided may be of a greater or lesser amount and/or for greater or lesser periods of time than requested or approved per this application, depending on funds generated pursuant to 1993 P.A. 189. Applicant agrees to use the funds in accordance with any grant conditions or other requirements for receipt of the funds which the Michigan State Bar Foundation (Foundation) may require. The Foundation may also require a revised funding proposal from Applicant at any time in light of changed funding amounts available, changed funding projections or other matters which the Foundation determines may affect this contract, and may consequently revise the funding amount(s) provided. Should the Applicant receive less funding than the amount requested, estimated or approved, the Foundation shall not be liable for the funding shortfall or for any damages due to any such shortfall or related to the accuracy of any of the Foundation's estimates regarding projected 1993 P.A. 189 funding amounts.
4. Any funds awarded will be provided on the basis of the application and/or proposal required by and submitted to the Foundation, including all attachments and additions, upon relevant other information, and upon the continuing Assurances given by the Applicant in signing this document.
5. If funds are provided, a service area's share of total available funds will be proportional to the number of indigent persons residing in the Applicant's service area as a percentage of all indigent persons in the state according to the most recent federal decennial census, per the definition of indigent set forth at 1993 P.A. 189 Section 1485(16)(b), except that ten percent of total available funds will be provided on a statewide basis per 1993 P.A. 189 Section 1485 (8)(c). In the event of multiple recipients of funds for a given service area, the Foundation may award any division it deems appropriate of the total funds available for that service area between the multiple recipients.
6. It has a procedure for determining priorities among the civil legal services needed by the indigent population in its service area, which procedure includes obtaining regular input from those indigent persons; and the priorities so established include, at minimum, legal services related to residential housing and domestic violence, except for services provided on a statewide basis.
7. It includes the participation of private attorneys, on a pro bono basis, in its provision of civil legal services to the poor.
8. It will expend the funds provided only for the provision of civil legal services to indigent persons, according to the definition of indigent set forth at 1993 P.A. 189 Section 1485(16)(b), and it will use the funds only for the purposes and services permitted by 1993 P.A. 189.
9. It will provide to the Foundation annual and other reports in such form and by such date as shall be directed by the Foundation and will cooperate with all data collection and evaluation activities to enable the Foundation to ascertain, in whatever way it deems necessary, those services provided by the recipient, including but not limited to: the use of the funds; the number and types of cases handled and other information relevant to the services provided; and/or the amount and types of support, legal training and legal technical assistance for other providers. This includes cooperating with site visits by

Foundation representatives and/or giving any authorized representatives of the Foundation access to any copies of financial records, books, papers, or other documents, provided that the Foundation shall not have access to records subject to the attorney-client privilege.

10. The application, proposal, reports and any attachments/additions, once received, become the property of the Foundation, which may use any or all ideas contained in them and may make them available to the public.

11. Neither its governing Board nor any member or committee of the governing Board shall interfere with any attorneys funded in whole or in part by 1993 P.A. 189 Sections 1485(1) through 1485(16) in carrying out their professional responsibilities to their client as established by the Michigan Rules of Professional Responsibility.

12. It will provide quality legal service to eligible clients, preserve client confidentiality and operate in conformity with relevant standards, including the ABA Standards for the Provision of Civil Legal Aid.

13. It will not use the funds for purposes or services which are not permissible under 1993 P.A. 189, including:
- a. Providing legal services in relation to any criminal case.
 - b. Providing legal services in relation to any fee-generating case, as defined in 1993 P.A. 189 Section 1485(16)(a).
 - c. Providing legal services in relation to any lawsuit against the state of Michigan unless the claim against the state had been the subject of an administrative proceeding.
 - d. For cases that are not permissible under the Legal Services Corporation Act, Title X of the Economic Opportunity Act of 1964, Public Law 88-452, 42 U.S.C. 2996 to 2996l, and related regulations.

14. If it provides a portion of these funds to any Subrecipients to provide any of the services indicated, it will assure that each Subrecipient complies with all provisions herein (unless any of these requirements is waived in writing by the Foundation with respect to any Subrecipient), including that Subrecipients submit reports, complete forms or provide other information as requested by the Foundation either directly from the Subrecipient or through the Applicant named herein.

APPLICANT HEREBY REQUESTS 1993 P.A. 189 Funds for the time period of January 1, ____ to December 31, ____ to provide civil legal services to indigents.

APPLICANT CERTIFIES THAT to the best of its knowledge the information in its funding application is true and correct. Applicant has read the Assurances set forth above and understands that if this application is approved for funding, it will be subject to these Assurances; and Applicant agrees that the funding will be used in accordance with these Assurances and that it will comply with these Assurances.

Signature: Applicant Director	Date	Signature: Applicant Board Chairperson	Date
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CONTRACT FOR 1993 P.A. 189 FUNDING

CONSISTENT WITH THE APPLICATION AND THE ABOVE ASSURANCES, funding is awarded pursuant to the attached current award letter.

Signature: Michigan State Bar Foundation President	Date
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