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| **OFFICE OF THE STATE COURT ADMINISTRATOR**  MINNESOTA JUDICIAL CENTER  25 REV. DR. MARTIN LUTHER KING JR. BLVD.  ST. PAUL, MINNESOTA 55155 | **OFFICE OF COLLABORATION AND DISPUTE RESOLUTION**  BUREAU OF MEDIATION SERVICES  1380 ENERGY LANE, SUITE 2  ST. PAUL, MN 55108 |
| **BRIDGET C. GERNANDER**  GRANT PROGRAM ADMINISTRATOR | **DAVE BARTHOLOMAY**  GRANT PROGRAM ADMINISTRATOR |
| Phone: 651-284-4379  Fax: 651-297-5636  Email: [bridget.gernander@courts.state.mn.us](mailto:bridget.gernander@courts.state.mn.us) | Phone: 651-539-1402  Fax: 651-643-3013  Email: [dave.bartholomay@state.mn.us](mailto:dave.bartholomay@state.mn.us) |

March 22, 2019

TO: Community Dispute Resolution Program Administrators

FROM: Bridget C. Gernander and Dave Bartholomay

RE: Community Dispute Resolution Program Grant Applications

Enclosed you will find information about and an application for the Community Dispute Resolution grant program. In order to ensure efficient use of state resources and to maximize effective outcomes for the grantee organizations, the State Court Administrator’s Office (the Court) and Minnesota Office of Collaboration and Dispute Resolution (OCDR) are jointly administering the FY20 and FY21 two-year grant program. The total amount of Community Dispute Resolution grant funds available in this grant round is expected to be $260,000 per year.

All applicants should be aware of the statutory program guidelines, which are attached for reference. If you know of other community dispute resolution programs that have not received funds in the past, please direct them to [www.mncourts.gov/cdr](http://www.mncourts.gov/cdr) for information on grant eligibility.

***The application deadline is May 8, 2019. By the deadline, one copy of the completed application and Appendix 1 and 2 must be submitted via email as a Microsoft Word Document and Appendix 3 thru 7 submitted as one Adobe pdf document to*** [***dave.bartholomay@state.mn.us***](mailto:dave.bartholomay@state.mn.us)

# Community Dispute Resolution Program – Statutory Guidelines

*Community Dispute Resolution Programs*

Minn. Stat. § Chapter 494 provides that the State Court Administrator may award grants to community dispute resolution programs, *i.e.*, a process voluntarily entered by parties in disagreement using mediation or arbitration to reconcile the parties’ differences. By statute, the following disputes are excluded from the mediation program:

1. any dispute involving violence against persons, including incidents arising out of situations that would support charges under §§ 609.221 to 609.2231, § 609.365, or any other felony charges;

2. any matter involving a person who has been adjudicated incompetent or relating to guardianship, conservatorship, or civil commitment;

3. any matter involving neglect or dependency, or involving termination of parental rights arising under §§ 260C.301 to 260C.328; and

4. any matter arising under § 626.557 or §§ 144.651 to 144.652, or any dispute subject to chapters 518 and 518B, whether or not an action is pending, except for post dissolution property distribution matters and post dissolution parenting time matters. This shall not restrict the present authority of the court or departments of the court from accepting for resolution a dispute arising under chapters 518 and 518B, or from referring disputes arising under chapters 518 and 518A to for-profit mediation.

*Program Eligibility*

Minn. Stat. § 494.05 establishes eligibility requirements that grantees must meet. A community dispute resolution program is eligible for a grant if it:

1. complies with Minn. Stat. § Chapter 494 and the guidelines and rules adopted under this chapter;

2. is certified by the State Court Administrator under § 494.015, subd. 2;

3. **for Court funds,** demonstrates that at least one-half of its annual budget will be derived from sources other than the state. This criterion **does not** apply to funds allocated by the OCDR;

4. documents evidence of support within its service area by community organizations, administrative agencies, and judicial and legal system representatives; and

5. is exempt or has applied for exemption from federal taxation under section 501(c)(3) of the Internal Revenue Code, or is administered and funded by a city, county, or court system as a distinct, identifiable unit that has a separate and distinguishable operating budget.

*Funding*

Grants under this section must be used for the costs of operating approved programs. For funds allocated by the Court, a program is eligible to receive a grant equal to one-half of its estimated annual budget, not more than $25,000 a year. This restriction does not apply to funds allocated by the OCDR.

**Community Dispute Resolution Program**

# *Grant Information and Criteria*

***1.0******Grant Information***

*1.1 Name of Project*

Community Dispute Resolution Program

*1.2 Purpose and Description*

To provide partial funding to qualified community dispute resolution programs.

*1.3 Scope of Grantee’s Role*

To create or expand a community dispute resolution program pursuant to guidelines established by the State Court Administrator.

*1.4 Issuing Office*

State Court Administrator’s Office and Office of Collaboration and Dispute Resolution.

*1.5 Project Funding*

This project is funded by appropriations from the Minnesota Legislature. There is expected to be $260,000 available per year in FY20 and FY21 grants to all programs. The amount of the award which is allocated by the Court must be no more than one-half of the estimated program budget up to $25,000 per year. This restriction does not apply to the portion of the funds that are allocated by the OCDR.

*1.6 Project Period*

Funding must be expended for services provided during each of the two state fiscal years; July 1, 2019, or the effective date of the appropriation, to June 30, 2020; and July 1, 2020 to June 30, 2021.

*1.7 Rejection of Proposals*

The State Court Administrator reserves the right to reject any or all grant proposals received which do not, in the office’s opinion, serve the best interest of the Minnesota Supreme Court or the intent of this project. This grant proposal is made for information or planning purposes only.

*1.8 Grantee Costs*

Neither the Supreme Court nor the State Court Administrator’s Office will be liable for any expenses incurred by any prospective grantee prior to the issuance of the grant.

*1.9 Inquiry*

Questions may be directed to either Ms. Bridget Gernander or Mr. Dave Bartholomay, at the address specified in the transmittal letter covering this grant application.

*1.10 Addenda to the Application*

Any changes made in the grant application will be brought to the attention of the parties that have received or requested this grant application.

*1.11 Copies of Proposal, Signature*

One copy of a grantee’s proposal will be required. An official who has authority to bind the organization to the proposed obligations should sign this copy.

*1.12 Rules for Grant Proposal Submission*

All grant proposals must be in delivered electronically via email in Adobe pdf format to [dave.bartholomay@state.mn.us](mailto:dave.bartholomay@state.mn.us) by 4:30 p.m. on Tuesday, May 8, 2019.

*1.13 Proposals Are Property of Supreme Court and the Office of Collaboration and Dispute Resolution*

Upon submission, all proposals become the property of the Supreme Court and the Office of Collaboration and Dispute Resolution, which has the right to use any or all ideas presented in any proposal submitted in response to this request for grant proposals, whether or not the proposal is accepted. All application materials are public data and may be made available to other interested organizations and individuals.

*1.14 Equal Employment Opportunity Statement*

Each prospective grantee shall certify their equal employment opportunity policies and practices.

*1.15 Contract Conditions*

The selected grantee agrees to the following conditions which shall be included as part of the final grant:

*a. Inspection and Audit*

The office and representatives of the Supreme Court, OCDR, and the Minnesota Legislative Auditor, or any of their duly authorized representatives, shall have access for purposes of audit and examination to any books, documents, papers, and records of the grantee.

*b. Certification of Non-profit Status*

The grantee must certify that it is exempt from federal taxation under section 501(c)(3) of the Internal Revenue Code or that the program is funded by a city, county, or court system as a distinct, identifiable unit that has a separate and distinguishable operating budget.

*1.16 Statistical Data*

The grantee must agree to collect and report statistical data as requested by the State Court Administrator and OCDR. The grantee must agree to make available to the State Court Administrator and OCDR, upon request, any other pertinent information required for research, evaluation, or other purposes.

*1.17 Evaluation and Notification*

Proposals shall be evaluated within six weeks of application deadline, on which date the successful grantee will be notified. Unsuccessful grantees shall also be notified.

*1.18 Contract Terms*

If, during the performance of the project, the grantee deviates from the grant application program description or budget, the grant may, at the discretion of the Supreme Court and OCDR, be terminated at any time. If a dispute arises in the performance of the grant which cannot be settled between the parties, the dispute shall be submitted to arbitration pursuant to Minn. Stat. § Chapter 572.

***2.0 Grant Program Objectives***

1. Provide general operating funding to support community dispute resolution programs in Minnesota.
2. Increase access to cost-effective, culturally appropriate dispute resolution for all Minnesota residents by expanding access to community mediation.
3. Enhance CDRP sustainability and quality through a combination of operating and performance based funding.
4. Increase the quality of dispute resolution services in Minnesota through partnership between funded centers, the Court and OCDR.
5. Deploy CDRP infrastructure to address matters of public interest.

***3.0 Criteria for Selection***

All applications received will be evaluated by a joint grant review committee of the Court and OCDR. The following factors will be considered in making this selection:

a. **Demonstrated success in providing services to clients - 10 points**

Success is indicated by number of clients served with available resources as reported on the statistical form and level of satisfaction as demonstrated on the evaluation forms. Points will also be awarded for **documented** quality assurance measures such as periodic observation of volunteers, apprenticeship that exceeds the minimum criteria outlined in the CDRP Operational Guidelines, use of client and co-mediator evaluation forms, amount of training provided, quality of trainers utilized (i.e., level of education, amount of practice and training experience), etc.

b. **Demonstrated community interest for such a program – 10 points**

Community interest is demonstrated by documenting requests for services from community members and partner organizations, conducting outreach to educate the community about your services and ensuring that your services are not duplicative with other organizations in your service area.

c. **Fiscal and organizational viability of entities delivering or proposing to deliver the service – 10 points**

Organizational viability can be demonstrated by compliance with Statute 494 and its Operating Procedures, as well as other measures of good governance including but not limited to quality and retention of staff, quality and retention of volunteer mediators, engagement of the Board of Directors, and audits. Fiscal viability can be demonstrated by diversity of funding sources, in-kind support, sustainable growth, and other factors. Diversity of funding is a key indicator because it leverages the grant funds to maximize mediation services.

d. **Provision of services to underserved locations or populations – 10 points**

One purpose of the legislative funding is to make affordable dispute resolution available to all Minnesotans. This may be accomplished by a CDRP expanding service to a county that has not previously been served or by a CDRP documenting the need to expand access in a currently served county through additional programming or to reach an underserved population within the organization’s service area.

e. **Responsiveness to application and grant requirements – 10 points**

The grant application narrative should be clearly written and the application should include all required elements. If the organization has been a previous grant recipient, the organization’s history of complying with grant reporting requirements should be summarized.

**4.0 *Reporting Requirements***

1. **Progress Reports** – Grant recipients shall submit joint narrative grant progress reports on the form provided twice per year to both the Court and OCDR staff via email. Narrative grant progress reports covering July 1 – December 31 of each year are due February 1 and the report covering January 1 to June 30 of each year is due August 1.
2. **Financial Reporting** – Grant recipients shall invoice at least quarterly to be reimbursed for expenses under the grant agreement. The invoice form will be included in the grant contract. For the Court and the OCDR, the invoice shall be accompanied by financial reports documenting the expenses for which reimbursement is requested.
3. **Statistical Reporting**– Grant recipients shall report statistics on the form provided once per year. The statistics will be due with the grant application in odd years and by March 15th in the even years.

**Community Dispute Resolution Program**

# FY20 & FY21 Grant Application

***July 1, 2019 - June 30, 2021***

Name of Organization:

Address:

Telephone: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Fax: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Web Site: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Director: Telephone:

Name and Title of Contact Person:

Telephone: Email:

Amount of Grant Requests Per Year

|  |  |
| --- | --- |
| Court Grant Request: $ | OCDR Grant Request: $ |

Please respond to the following statements:

1. The applicant is a 501(c) (3) tax-exempt organization: Yes No

2. The applicant is funded by a city, county or court system as a distinct, identifiable unit that has separate and distinguishable operating budget: Yes No

3. The applicant organization has an equal opportunity statement and conducts its employment practices in accord with the policy: Yes No Not Applicable

4. The applicant organization complies with all statutory eligibility criteria for community dispute resolution program grants: Yes No

5. The information provided by the applicant organization to the State Court Administrator’s Office for certification under Minn. Stat. § 494.015, subd. 2 is still accurate: Yes \_\_\_\_\_\_\_No

*I certify that all information in this grant application is true and correct to the best of my knowledge and that I have the authority to commit the Organization to the work proposed. This application is valid for a minimum of ninety days from the date of submission.*

Signature of Director: Date:

## Narrative

1. Describe your organization and its major services/activities, including but not limited to the types of disputes handled, the referral sources for disputes, the procedures used to process cases, the service area served by your program, a list of other known dispute resolution programs operating within the service area, and a description of any potential duplication of services.

2. How does your organization evaluate services to clients? What quality assurance measures are in place for program volunteers? Samples of any evaluations, protocols, or credentials should be attached as Appendix 7.

3. What is the demonstrated community interest for your program? How has your organization worked with community partners to serve clients? What kind of community outreach have you done in the past year? Do you have any plans for outreach in the upcoming year?

4. Describe the strengths of your organization, addressing fiscal and organizational viability including the engagement of the Board of Directors and their process for financial review. Reference compliance with Minn. Stat. § 494 and its Operating Procedures, as applicable. If your organization has experienced staff turnover in the past year please provide context for the turnover. Describe your organization’s experience with volunteer mediator retention.

5. Assuming your organization received the full amount requested from the Courts, describe how the grant would be spent and the goals for the grant cycle.

6. Assuming your organization received the full amount requested from the OCDR, describe how the grant would be spent and the goals for the grant cycle, including any expansion of service to new locations or populations as applicable.

## *Appendices Checklist*

* Appendix 1 - Complete the attached Statistical Form. (in this document – keep in Word with Narrative as one document)
* Appendix 2 - Complete the attached Operating Budget Form. (in this document – keep in Word with Narrative as one document)
* Appendix 3 - Attach a list of current board members with brief biographies including relevant experience and credentials and length of time with organization. (scan as one PDF with Appendix 3-7)
* Appendix 4 – Attach a list of current staff members with brief biographies including relevant experience and credentials and length of time with organization. (scan as one PDF with Appendix 3-7)
* Appendix 5 – Attach your organization’s Agreement to Mediate form. (scan as one PDF with Appendix 3-7)  
  CDRP Operational Guidelines section 2.08 requires the form to describe the dispute resolution process and its voluntary nature and include:

(1) a statement explaining that the neutral cannot be a witness in a subsequent judicial or

administrative proceeding and that communications during the dispute resolution

process cannot be used in judicial or administrative proceedings; and

(2) a statement explaining the binding or non-binding effect of the settlement agreement.

* Appendix 6 - Attach a list of trainings provided through your organization over the past year. Attach certification of trainings as applicable. Training curriculum content is governed by CDRP Operational Guidelines section 6.02, subsection 11. (scan as one PDF with Appendix 3-7)
* Appendix 7 – Attach samples of forms and tools used in the evaluation protocol described in Question 2 above. (scan as one PDF with Appendix 3-7)

**Appendix 1 – Statistical Form**

Information provided should be for 2018 calendar year. Please do not change the formatting of this statistical form as it is designed to have the data easily exported in to Excel for analysis. If you have questions about this statistical form please contact [susan.beaudet@courts.state.mn.us](mailto:susan.beaudet@courts.state.mn.us).

|  |  |
| --- | --- |
| 1. **Number of Active Volunteers** | Type number of active volunteers. |
| 1. **Number of Referrals – Information and Referral Only** | Type number of referrals. |

Breakdown of Referrals by Type

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Court** | **Number of Referrals** |  | **Community** | **Number of Referrals** |
| Conciliation | # of conciliation |  | Neighbor | # of neighbor. |
| Housing | # of housing. |  | Landlord | # of landlord. |
| Harassment | # of harassment. |  | Business | # of business. |
| Family (post-decree) | # of family. |  | Friends / Family | # of friends / family. |
| Juvenile | # of juvenile. |  | Organization | # of organization. |
| Other (specify) | # of other (specify). |  | School | # of school. |
|  | Other Government | # of other government. |
|  | Self-referral | # of self-referral. |
|  | Other (specify) | # of other (specify). |

1. **Direct Service Type Breakouts**
2. **Mediations**

|  |  |
| --- | --- |
| Number of Cases Mediated | Total number cases mediated. |
| Number of Mediation Sessions | Total number of mediation sessions. |
| Number of Parties Served\* | Total number of parties served. |
| Number of Remote Mediations | Total number of remote mediations. |

**\***breakdown by county in Section V

**Breakdown of Mediations by Type**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Court** | **Number of Mediations** |  | **Community** | **Number of Mediations** |
| Conciliation | # of conciliation. |  | Neighbor | # of neighbor. |
| Housing | # of housing. |  | Housing | # of housing. |
| Harassment | # of harassment. |  | Business | # of business. |
| Family (post-decree) | # of family. |  | Family | # of family. |
| Other (specify) | # of other (specify). |  | School | # of school. |
|  | Other (specify) | # of other (specify). |

**Disposition of Mediated Cases**

|  |  |
| --- | --- |
| Mediated / Agreement | # of mediated / agreement. |
| Mediated / No Agreement | # of mediated / no agreement. |
| Conciliation prior to mediation | # of conciliation prior to mediation. |
| Party refused to participate | # of party refused to participate. |
| Unable to contact crucial party | # of unable to contact crucial party. |
| Other (specify) | # of other (specify). |

1. **Other Dispute Resolution Services**

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  | Total # of cases |  | Total # of sessions |  | Total # of unduplicated individuals\* |  | Total # of hours of client service |  | Total # of remote other dispute resolutions |
| Circles |  | # |  | # |  | # |  | # |  | # |
| Conferences |  | # |  | # |  | # |  | # |  | # |
| Facilitation |  | # |  | # |  | # |  | # |  | # |
| Consulting / Coaching |  | # |  | # |  | # |  | # |  | # |
| Restorative Justice Victim Offender |  | # |  | # |  | # |  | # |  | # |
| Other (specify) |  | # |  | # |  | # |  | # |  | # |
| Total |  | # |  | # |  | # |  | # |  | # |

\*breakdown by county in Section V

1. **Prevention Services**

|  |  |
| --- | --- |
| Total Individuals Served Education and Training | # of total individuals served |

|  |  |
| --- | --- |
| Total Individuals Served Outreach for ADR Services | # of total individuals served |

1. **Individuals Served by County**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| County |  | # of parties served  through mediations |  | # of unduplicated individuals served in other dispute resolution services |
| Type in County. |  | # of parties served |  | # of unduplicated individuals served. |
| Type in County. |  | # of parties served |  | # of unduplicated individuals served. |
| Type in County. |  | # of parties served |  | # of unduplicated individuals served. |
| Type in County. |  | # of parties served |  | # of unduplicated individuals served. |
| Type in County. |  | # of parties served |  | # of unduplicated individuals served. |
| Type in County. |  | # of parties served |  | # of unduplicated individuals served. |
| Type in County. |  | # of parties served |  | # of unduplicated individuals served. |
| Type in County. |  | # of parties served |  | # of unduplicated individuals served. |
| Type in County. |  | # of parties served |  | # of unduplicated individuals served. |
| Type in County. |  | # of parties served |  | # of unduplicated individuals served. |
| **Totals** |  | **0** |  | **0** |

\* Totals should match the total # of mediation parties served in Section III and total # of unduplicated individuals served in other dispute resolution services in Section IV above.

# Appendix 2 – Financial Information

*When does your fiscal year begin and end? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*Use the end date of your fiscal year to complete the columns on this form.*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Expenses** | | **Actual Expenses for 2018** | **Budgeted Expenses for 2019** | **Anticipated Expenses for 2020** |
| List each employee | 2019 FTE |  |  |  |
|  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| Total Fringes for Above | |  |  |  |
| TOTAL Personnel | |  |  |  |
|  | |  |  |  |
| Rent/Building | |  |  |  |
| Utilities | |  |  |  |
| Phone | |  |  |  |
| Equipment | |  |  |  |
| Rental/Leasing | |  |  |  |
| Purchase | |  |  |  |
| Supplies | |  |  |  |
| Travel | |  |  |  |
| Professional Development & Training | |  |  |  |
| Audit | |  |  |  |
| Client Service Contracts, e.g. Interpreters | |  |  |  |
| Administrative Contracts, e.g. Maintenance, Accounting | |  |  |  |
| Technology Costs, e.g. IT Support, Software Licenses | |  |  |  |
| Insurance | |  |  |  |
| Other *(specify)* | |  |  |  |
| TOTAL Non-Personnel | |  |  |  |
|  | |  |  |  |
| TOTAL EXPENSES | |  |  |  |

***Appendix 2 (continued)***

*When does your fiscal year begin and end? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*Use the end date of your fiscal year to complete the columns on this form.*

|  |  |  |  |
| --- | --- | --- | --- |
| **Revenue Source** | **Actual Revenue for 2018** | **Budgeted Revenue for 2019** | **Anticipated Revenue for 2020** |
| Court CDR Grant |  |  |  |
| OCDR Grant |  |  |  |
| Foundations; Corporations |  |  |  |
| United Way |  |  |  |
| Individuals; Firms; Events |  |  |  |
| Other State Government |  |  |  |
| County Government |  |  |  |
| Other Local Government |  |  |  |
| Federal *(please specify)* |  |  |  |
| Client Fees; Administrative Fees |  |  |  |
| Training Fees |  |  |  |
| Other *(specify)* |  |  |  |
|  |  |  |  |
| TOTAL REVENUE |  |  |  |

1. List sources to which applications for future funding for this project have been made. Indicate in parentheses those sources from which commitments have been received for FY20, which were denied and which are pending.

2. Describe your organization’s plan for private fundraising.

3. Describe any major changes in revenues or expenses anticipated during the grant period.

4. Detail any parts of your budget where in-kind donations are used. Describe how the amount of the in-kind donation was calculated.