

# 2009 ABA Enterprise Fund Emeritus Attorney Pro Bono Indigent Guardianship Project

**Revised Request &  
Extended Deadline for Proposals: February 27, 2009**

## **New Grant Announcement and Request for Proposals**

### **Emeritus Attorney Pro Bono Indigent Guardianship Project**

The American Bar Association Commission on Law and Aging and the Section of Real Property, Trust and Estate Law are pleased to announce the 2009 ABA Enterprise Fund Emeritus Attorney Pro Bono Indigent Guardianship Project. The project is awarding up to five mini-grants of \$5,000 each to states with emeritus attorney pro bono practice rules to develop model approaches specifically to *recruit emeritus pro bono attorneys* to handle indigent adult guardianship cases for low-income families and other petitioners.

### **Project Overview and Objectives**

Doctors, hospitals, social services staff and long-term care facilities face a serious and persistent problem of deciding what to do on behalf of patients who lack the capacity to make health care and other personal decisions. While no hard data exists, a substantial number of individuals who are incapacitated have a compelling need for a surrogate decision-maker, and where there are no less restrictive alternative, a guardian must be appointed. For a small group of these individuals, a family member or friend may be willing and available to serve as guardian, but neither the individual who is incapacitated nor the family member or friend has the financial resources to hire a lawyer to represent them in petitioning for the guardianship.

The Emeritus Attorney Pro Bono Indigent Guardianship Project is designed to assist states that have emeritus attorney pro bono rules develop a specialized program to recruit emeritus pro bono attorneys with experience handling guardianship cases to help meet the special legal needs of this underserved population.

The project is awarding up to five mini-grants of \$5,000 each to states with emeritus attorney pro bono practice rules to develop model approaches specifically to recruit emeritus pro bono attorneys to handle uncontested indigent guardianship cases. Grants will provide seed money to assist state emeritus attorney pro bono programs, along with bar sections or committees that focuses on elder law or probate and estate law, and bar-sponsored or non-profit programs through which the attorney would handle or be assigned such cases. The project should aim to develop specialized recruitment campaigns to engage emeritus pro bono attorneys in providing legal services to low-income clients seeking to establish a guardianship of an incapacitated person with a compelling need for a guardian.

## **Applicant Eligibility**

- Any state emeritus attorney pro bono program, along with a state or local bar association, bar section or committee, or bar-sponsored or non-profit program.
- Commitment to developing a model approach for conducting specialized recruitment campaigns to engage emeritus pro bono attorneys, under the state's emeritus attorney rule or program..
- Commitment to engage these emeritus pro bono attorneys in serving low-income clients seeking to establish a guardianship of an incapacitated individual with a compelling need for a guardian.
- Commitment to enhance the awareness of the state's emeritus attorney pro bono rule or program in the state's legal and pro bono communities .

## **Application Due Date **Extended****

**The deadline for submitting the email applications is Friday, February 27, at 5:00 pm EST.**

## **Proposal Review and Selection Process**

Proposals will be reviewed by the ABA Commission on Law and Aging and the ABA Section on Real Property, Trust and Estate Law. Awards will be announced in early March.

## **Grant Period**

The grant period runs from March 15, 2009 to December 31, 2009.

## **Reporting Requirements**

Grantees are required to participate in one teleconference mid-way through the grant period and submit a final narrative and budget report by December 15, 2009 including items such as project outcomes, challenges faced and how they were addressed, how funds were used, and how the project will be sustained beyond the grant period.

**Proposals should be no longer than 5 pages, line spacing of at least 1.5, typed in Times New Roman 12-point font (or equivalent), with 1-inch margins, consisting of:**

- Up to 3 pages of narrative, answering the questions on Page 4 of this RFP in the format presented. Please include the questions as part of the narrative.

- One page listing the organizations that will participate in the project and the collaborative activities that each will conduct.
- One page presenting a proposed budget reflecting how the \$5,000 will be spent.
- A cover letter of commitment or support from the state's emeritus attorney program or a bar official serving as point person for the state's emeritus attorney rule.

### **Method of Submission**

- Please send applications by email to [EFGuardianship@staff.abanet.org](mailto:EFGuardianship@staff.abanet.org) .
- If you have questions about this project or about the application process, please email to [EFGuardianship@staff.abanet.org](mailto:EFGuardianship@staff.abanet.org).

**Proposal Narrative Questions** – Attached at p. 4.

**2009 ABA Enterprise Fund  
Emeritus Attorney Pro Bono Indigent Guardianship Project  
Proposal Narrative**

Applicant Organization:

Contact Name:

Address:

Phone:

Fax:

Email Address:

1. What approaches will the project use specifically to recruit and provide oversight for emeritus pro bono attorneys to handle adult guardianship cases?
2. How will the participating organizations screen and refer cases to emeritus pro bono attorneys?
3. How will the participating organizations ensure that all alternatives to guardianship have been considered before initiating the case and that obtaining counsel for the respondent in the guardianship case has been considered?
4. What specific, quantifiable outcomes will result from your project and how will you measure them?
5. How will you sustain the recruitment effort beyond the grant period?