

Legal Services for Veterans: Provider Website - VA Homeless Programs

**Eligibility:**

- Who is eligible to be served under the LSV-H Grant?
  - Eligibility for the LSV-H grant is two-fold. First, the individual must be found to be a ‘Veteran’ pursuant to 38 U.S.C. 101(2). Second, the individual must be found to be homeless or at-risk for homelessness pursuant to 38 CFR § 79.15.
- Can you please clarify exactly what types of military discharges meet the LSV-H Grant eligibility?
  - LSV-H eligibility can be found in 38 CFR 79. The definition of “Veteran” found in 38 U.S.C. 101(2) is to be used (“A person who served in the active military, naval, air, or space service, and who was discharged or released therefrom under conditions other than dishonorable.”). For LSV-H, only a Dishonorable Discharge (Enlisted) or a Dismissal (Officer) are Dishonorable.
- Are we permitted to provide legal services, including discharge upgrades and character of service determinations for Veterans with OTH/BCD?
  - A Veteran must be discharged or released under conditions other than dishonorable.
- What is the income/asset threshold for the LSV-H Grant?
  - There is no income or asset limit or threshold for eligibility of LSV-H Grant.
- If someone was a previous client of our organization prior to August 1, 2023, and they are deemed eligible for the LSV-H grant, can we bill under the grant?
  - Yes, you’ll want to screen the Veteran and confirm they are eligible. You can’t bill for any services your organization provided to that Veteran prior to August 1, 2023.

**Reporting Requirements:**

- Will the SF-425s be filled out via PDF or direct link?
  - Grantees should email their SF-425 with supporting documentation to LSV425@va.gov. A Mid-Year SF-425 is due by March 1st, 2024. A Final SF 425 is due by November 28th, 2024.
- When are the LSV-H quarterly reports due?
  - LSV-H quarterly reports are due within 30 days of the end of each quarter. This information can also be found in the LSV-H Grantee Provider Guide and on the LSV Provider website. Grantees should make note of these due dates:
    - Quarter 1: August 1 – October 31, 2023, report due by November 30, 2023
    - Quarter 2: November 1 – January 31, 2024, report due by March 1, 2024
    - Quarter 3: February 1 – April 30, 2024, report due by May 30, 2024
    - Quarter 4: May 1 – July 31, 2024, report, due by August 30, 2024
- When is the LSV Caseload tool due?
  - The final caseload tracking tool is due within 30 days of the end of the Grant period OR when requested by the LSV Program office or the Office of Business Oversight (OBO). It must also be submitted with your quarterly report.
- Where can I find the LSV Caseload Tracking Tool?
  - It is located on the LSV Provider website:  
[https://www.va.gov/HOMELESS/LSV\\_Provider.asp#gm](https://www.va.gov/HOMELESS/LSV_Provider.asp#gm)
- If time extensions are needed, who do we reach out to for those?

- A grantee should email [LSVgrants@va.gov](mailto:LSVgrants@va.gov) to submit an extension request.

### **Fiscal/Billing/Payments:**

- Are payment drawdowns a two-step process - both eGMS and PMS?
  - Yes, this information is detailed in the LSV-H Grant Recipient Guide “Payment Guidance” Section.
- When submitting payment requests, should we do this on a quarterly or a semi-annual basis?
  - Grantees can submit quarterly payment requests, monthly is also an option if needed more frequently.
- If our expenses far exceed the amount awarded, does VA prefer we bill levelly throughout the year?
  - Refer to the LSV-H Grant Recipient Guide, “Grant and Financial Compliance” Section which details the expectation to use grant funds on a consistent basis throughout the award period.
- How do we document time towards the grant for training? Do we have to register each Veteran to ensure they qualify for training services?
  - Regarding Group Trainings, which may be used as client outreach, there is no need to register each Veteran or verify their eligibility for covered legal services under LSV-H. Should a Veteran request assistance with a covered legal service following the training, they would need to be screened by the grantee to ensure they are eligible for LSV-H.
- Would outreach events be considered group training events for the purpose of tracking time?
  - You can bill for training *staff* under your Administrative Costs.
  - You can bill for any outreach or training provided to Veterans as non-administrative services. Group trainings would consist of any training that grantees provided to a group of Veterans. The hours associated with a training should include preparation, travel (if applicable), and the actual training. While we’d always like as many Veterans to be at a training as possible, the number of veterans who show up won’t impact the cost (so if 20 Veterans register but only 8 show up, VA won’t deduct any payment).
- What about payment of bar membership dues to keep attorney license in good standing?
  - Per NOFO Section I. F., Grantees may use a maximum of 10% of legal services grant funds for administrative costs as identified in 38 CFR 79.90. Administrative costs consist of all costs, including all direct and indirect costs, associated with the management of the program. These costs may include professional training for attorneys, who provide legal services for Veterans or other activities that are not direct services. These costs also include the administrative costs of subcontractors.
- For intimate partner violence, is there a restriction related to the Veteran being the alleged victim as opposed to the alleged offender?
  - The intent of the LSV-H Grant is to award legal services grants to eligible entities that address the legal needs of eligible Veterans who are homeless or at risk for homelessness. Although the examples provided in 38 CFR 79.20(d) are not an exhaustive list, legal services related to criminal defense that intend to help the Veteran overcome barriers to housing or employment are an allowable legal service covered under the LSV-H Grant. Nothing in 38 CFR 79.20(f)(1) would prohibit legal assistance provided to defend against domestic violence accusations as part of “legal assistance with protective orders and other matters related to domestic or intimate partner violence.”
- Is travel for the purposes of providing legal services an allowable expense? For example, travel to court or client meetings

- Travel for the purposes of providing legal services (to include Veteran training and outreach) is an allowable expense and can be billed to the 90% Direct Legal Services portion of the grant. Travel for an activity that does not directly support Veterans, but is still required for the administration of the LSV-H Grant, should be billed to the 10% Administrative Costs portion of the grant. See 38 CFR 79.90 for more information about financial management and administrative costs.
- What happens if our organization is unable to meet the requirement to use at least 10% of our total LSV-H funding toward legal services for women Veterans?
  - If you are having challenges meeting this requirement, reach out to the LSV Program office as soon as possible. We want to be proactive because there are female Veterans in need.
- Would fringe benefits for direct service staff be considered part of the direct costs?
  - Yes, this would be billed as part of the 90% non-administrative expenses.
- Is it understood that the administrative costs exist such that the grantees don't need to provide backup documentation with payment requests?
  - No documentation is required upon payment submittal. Just a brief description of the field is provided. If questions arise during an audit, this is when backup/support documentation would be needed. As a reminder, approval of payments does not constitute approval of individual costs charged as part of the payment.
- The obstacle that I am finding with the grant is the restriction on paying fees and fines.
  - You are authorized under this grant to pay for a Veteran's court fees, you are not authorized to pay for fines.
- If we have a direct service staff member assigned to meet with Veterans to assess legal issues and assign to a contracted attorney as written in the grant proposal and budget, can you please confirm this is part of the 90% for direct services for the grant for the hours they spend related to this activity?
  - Yes, this would be part of the 90% non-administrative legal services.
- We administer a pro bono clinic, would providing training and mentorship to volunteers for eligible cases be an allowable activity under the grant? Would it be admin costs?
  - If it's a 'train the trainer' scenario or training practitioners, that would be an administrative cost. If it is a training for Veterans that would be part of the 90% non-administrative legal services.
- Regarding budget, in an earlier webinar it was suggested that organizations can bill for team members outside of who was listed on the budget, within reason (without getting a budget amendment approved). Is that right? What are the parameters?
  - Yes, that's correct. As long as they're providing allowable legal services to eligible Veterans.
- Are we allowed to provide assistance to any qualifying Veteran so long as they are within our counties covered or considered in rural areas?
  - You're allowed to provide assistance to any qualifying Veteran you are legally allowed to. We understand that some grantees plan on working within a set number of counties and that's fine. Regarding rural, we simply need to know if any of these Veterans reside/last resided in an area that is considered rural (which you'll determine using the Rurality Spreadsheet located on the LSV Provider website).
- Where can we find federal cost guidelines?
  - Refer to the LSV-H Grant Recipient Guide for links to federal regulations in [eCFR :: 38 CFR Part 79](#) and the cost principles set forth in [eCFR :: 2 CFR Part 200](#)
- What if a grantee has an indirect cost rate negotiated with the Federal Government?
  - 39 CFR 79.90 (d) prohibits costs for administration by a grantee from exceeding 10 percent of the total amount of the legal services grant. Administrative costs include all

costs associated with the management of the program and include the administrative costs of subcontractors.

- If cost or time extensions are needed for organizations, who do we reach out to for those?
  - Reach out to [LSVgrants@va.gov](mailto:LSVgrants@va.gov) for any extension requests.
- How would you like us to submit budget modification requests?
  - Grantees may make minor modifications to the approved budgets and move line items as long as the costs are allowable. If there is a significant change in the scope or objective of the program or change in key personnel, it would require approval from the LSV Program team.

#### **LSV-H Caseload Tracking Tool and eGMS Quarterly Report:**

- In the caseload tracking tool, how does a grantee track Veterans with multiple legal needs?
  - Each unique 'Presenting Legal Problem' will have its own row on the Caseload Tracking Tool, per Veteran. For instance, a Veteran with three different legal problems, would have three different rows on the caseload tracking tool.
- How does the LSV-H caseload tracking tool show the 10% attributed to services to women veterans?
  - When the grantee enters information on the caseload tracking tool, you'll be able to select gender. In addition, you will also certify a statement in the quarterly report, located in eGMS, indicating at least 10% of funds are projected to be used for women Veterans.
- Question about the Unique Client Identifier (UCI) for reporting on the caseload tracking tool – since ethically we can't give out client identifying information, how do funded legal services providers report the client/case info?
  - You'll only keep personally identifiable information in your client files and then redact this information and mark it with the UCI so we can tie it out. This will allow us to create a framework we're establishing for our audits.
- Does the LSV-H Grant require keeping track of our exact amount of time spent on work for each Veteran?
  - Grantees will document 'Hours Spent on Legal Problem' on each case on the caseload tracking tool.
- Regarding the "Housing Status at Exit" field on the Caseload Tracking Tool, what if the Veteran falls out of contact and we cannot determine it?
  - We would recommend using the 'Housing Status Upon Screening' status since the grantee doesn't if it has changed.
- On the group training tab of the caseload tracking tool, should we only report on training events that include Veterans in the audience? For example, if we provide a training to service providers working with Veterans, but no Veterans are in attendance, should we include that event on this tracker and put 0 for the number of Veterans in attendance?
  - Only include trainings where Veterans were in the audience in the Group Training Tab of the Caseload Tracking Tool. We encourage you to track trainings given to others in the event of an audit. However, the Caseload Tracking tool is tied to our Congressional Reporting Requirements, which asks about Veterans served.
- If a grantee screens a Veteran, and determines that they are eligible but does NOT serve the Veteran, does the grantee enter that information on the Caseload Tracking Tool?
  - No. If a *reasonable* amount of time was spent by the grantee verifying eligibility or following up with a potential Veteran client, it may be charged toward direct services.

When submitting a payment request, the Grantee would enter a note/comment in eGMS, providing a brief explanation.

- If a grantee screens a Veteran, and determines that they are NOT eligible and therefore does NOT serve the Veteran, does the grantee enter that information on the Caseload Tracking Tool?
  - No. If a *reasonable* amount of time was spent by the grantee verifying eligibility or following up with a potential Veteran client, it may be charged toward direct services. When submitting a payment request, the Grantee would enter a note/comment in eGMS, providing a brief explanation.
- Which cases and information should be documented in the Caseload Tracking Tool?
  - Grantees should only track the required data points of the eligible Veterans that they serve under the LSV-H Grant, in the Caseload Tracking Tool.
- On the Caseload Tracking Tool, what is considered the 'screening date'? Is it the date the legal services were first provided?
  - Screening date is the date a member of the grant organization screened the Veteran.
- What does the mandated quarterly reporting process entail for grantees?
  - Throughout the grant cycle, grantees are expected to maintain the LSV-H Caseload Tracking Tool, which tracks eligible Veterans who are served under LSV-H Grant. At the end of each quarter, the grantee is expected to upload the Caseload Tracking Tool and complete the aggregate quarterly data report in eGMS. LSV-H grantee reporting process & expectations are detailed in the LSV-H Grant Recipient Guide, "Data & Reporting" Section.
- Which cases should be reflected in eGMS for the quarterly report?
  - All cases (open & closed) should be reflected in eGMS for the corresponding quarter.
- Does the grantee need to enter every Veteran served under LSV-H into the quarterly report in eGMS?
  - The quarterly reporting in eGMS is an **aggregate** of the Caseload Tracking Tool.

**Miscellaneous:**

- If our case management system creates a Unique Client Identifier (UCI) for each case, do we also need to use the VA format UCI?
  - Yes, LSV-H grantees need to use the VA format UCI.
- If also receiving the SSVF grant we'll have to tag to LSV or SSVF but not both, correct?
  - All costs charged must be allowable and properly segregated within your financial system if you have multiple grants – you must appropriately segregate and allocate those costs by FAIN.