

## **APPLICATION**

### **For An Opportunity Grant From the American Bar Endowment**

An Application must include complete and accurate responses to all of the following questions and be signed by an authorized officer of the Applicant. By submitting an Application, the Applicant represents and warrants that its executive officers and governing body members have read, agree with, and are binding the Applicant to the terms of the American Bar Endowment Opportunity Grant Agreement. The American Bar Endowment may request additional information and documentation from the Applicant in order to process and act upon the Application. The failure of the Applicant to provide that information or documentation timely may prevent the American Bar Endowment from acting on the Application. The Applicant may contact the American Bar Endowment at any time to ask questions about completing the Application and the Opportunity Grants. The Applicant may submit additional information that it believes will be helpful to the American Bar Endowment in making its decision on its Application.

1. Name of the Applicant (including any assumed business name(s) used) and name and email address of principal contact person for Applicant.
2. Principal Physical Address of the Applicant (and Mailing Address if different).
3. Describe in detail the program or project for which the Applicant intends to use the Opportunity Grant funds.
4. Is the Applicant affiliated by control or contractual arrangement (such as an intellectual property license agreement or affiliation agreement) with any other organization(s)? If so, please identify each and describe the relationship(s).
5. Is the Applicant classified by the Internal Revenue Service as an organization exempt from federal taxation under Code section 501(c)(3) and as a public charity or supporting organization under Code section 509(a)? Attach a copy of the organization's most recent IRS Determination letter and any additional correspondence received from the IRS related to tax-exempt status. If the Applicant is a Code Section 509(a)(3) supporting organization, provide information on the sub-classification category and detailed information about the supported organization(s).
6. Set forth the charitable purposes of the Applicant as they appear in its organization documents.

7. List each of the Applicant's governing board members, officers, and senior administration or management staff and a description about or biographical statement for each person and their addresses (business or home).
8. Describe the Applicant's current charitable activities and how long it has been engaged in each.
9. What are the significant accomplishments of the Applicant in the past five years (or since inception if less than five years of existence).
10. Describe the Applicant's financial resources and its principal sources of support. Attach the Applicant's budget for the current fiscal year, for the next fiscal year (if available), and the proposed budget in the future fiscal year(s) for the project for which the Opportunity Grant is sought.
11. Describe how the Applicant will measure the success of the project for which the Opportunity Grant is sought.

When the Application is completed, dated, and executed with the name, title and signature of the authorized representative of the Applicant, it and all Application materials are to be mailed or emailed in pdf format to:

American Bar Endowment  
321 N. Clark St.  
14<sup>th</sup> Floor  
Chicago IL 60654  
Attention: Opportunity Grant Application

[jmartin@abendowment.org](mailto:jmartin@abendowment.org)

## **American Bar Endowment**

### **Opportunity Grant Agreement**

**Grant applicants are advised that by submitting a grant application they are agreeing to comply with the following requirements if a grant is awarded:**

1. The Grantee, as a condition of accepting funds from the American Bar Endowment (the "ABE"), agrees that the entire amount of the grant proceeds will be used to implement the charitable purposes of the project for which the grant is made. The grant funds may not be used for any cost or expense other than those reflected in the budget submitted with the grant application, unless

approved beforehand by the ABE in writing. The Grantee affirms that no funds will be paid to any third party for services provided to obtain the grant.

2. If the Grantee (a) becomes aware that the purposes for (and/or implementation of) this grant have become impracticable, (b) wishes to terminate the charitable project funded, (c) wishes to redirect the purpose of the grant, or (d) makes a change in any Grantee personnel specified in the grant request, the Grantee must immediately notify the ABE in writing. The Grantee may also propose a new or revised use for the grant funds for consideration by the ABE. In that event, the ABE may, in its sole discretion, agree to a new or revised use, or among its other rights and remedies, terminate the grant and require the Grantee to immediately repay the ABE any funds that have been released by the ABE to the Grantee.
3. If the Grantee wants to make alterations in or additions to the budget for the project that was submitted to the ABE in the Opportunity Grant Application that total 25% or more of a budget category, prior approval from the ABE is required.
4. All funds granted by the ABE to the Grantee, until used by the Grantee for purposes of the grant, may not be used for any other purpose or invested in any manner that jeopardizes or impairs the ready availability of the grant funds for the purposes of the grant or for return to the ABE as required by paragraph 2 of this Grantee agreement.
5. A written report on the status of the purpose of the grant and a financial accounting on the expenditure of grant funds awarded must be made to the ABE within six (6) months of the first use of the grant funds. No future grant applications will be accepted or grants made to the Grantee by the ABE if this reporting and accounting is not made timely. The form of the Grantee's report and financial accounting must be reasonably acceptable to the ABE. The narrative report and the financial report must be submitted together. They may be sent by U.S. Mail or as a pdf attachment to an email addressed to the Executive Director of the ABE. Grantees also are expected to report on the status of project on the first anniversary of the date the funds were received by the Grantee and at the conclusion of the project if its timeline extends beyond 12 months. If a reporting due date falls on a weekend or national holiday, the deadline is extended to 4:30 p.m. on the next non-holiday weekday. Deadlines are based on Central Time.
6. Questions about whether an intended form of report will be acceptable to the ABE may be directed to the Executive Director of the ABE, Joanne Martin at 312-988-6408 or [jmartin@abenet.org](mailto:jmartin@abenet.org).

7. The Grantee must publish notification of the support provided by the ABE Opportunity Grant and such notification and any other related public announcements must be approved by the ABE in writing before being released in internally or externally produced communications/publications. The ABE reserves the right to publish all or any portion of the application and application related materials submitted with the application by the Grantee. In addition the ABE may include a link to the website of the recipient institution and/or grant project in ABE publications. No use of the ABE trademarks or reference to the American Bar Association may be made without the prior written approval of the ABE (which may be conditioned on approval by the American Bar Association).
8. If a grant is awarded that has a matching feature, the Grantee is required to obtain the matching funds necessary to fully implement the project before the Opportunity Grant funds will be released. Upon raising the match amount, the Grantee must provide the ABE with information about the sources of the matching gifts and evidence of receipt of those funds.
9. If an Opportunity Grant is awarded for funds to be contributed to an endowment, the principal must be maintained in perpetuity and earnings will be used solely to support the purpose for which the Opportunity Grant was made.
10. If any part of the Opportunity Grant funds is to be used for endowed fellowships, chairs and similar awards, the Grantee must provide the ABE with periodic reports on the selection process, the progress of the search and the names and backgrounds of those receiving the awards. However, the ABE will not influence the selection in any way.
11. An Opportunity Grant awarded by the ABE under this agreement is deemed to have been entered into in Cook County of Illinois and Illinois law will apply to the interpretation and enforcement of the grant provisions.

### **Payment Contingencies**

If payment of the Opportunity Grant award is contingent on the Grantee meeting certain condition(s) as stipulated in the ABE's grant award letter, the ABE requires that a letter informing the ABE of the status of satisfying the condition(s) be submitted every month following the date of the grant award until the condition(s) has been met. The ABE may withhold grant funds until the contingency is met. If the contingency has not been met within twelve (12) months of the award date, the grant is automatically terminated and the ABE has no obligation to release any funds to the grantee. If any grant funds were released prior to meeting the contingency and the contingency is not met within twelve (12) months of the award date, all unspent funds must be returned to the ABE as well.

**A contingency update must address the following points:**

- Progress on meeting the contingency
- Project timeline impact
- Revised project budget (if applicable)
- Status of the project

If the condition is met prior to the update due date, required documentation can be submitted at that time. Once the condition(s) has been met and payment has been received, the Grantee will be notified when the first interim progress report is due. On a case by case basis, the Grantee will be notified in writing if the ABE requires information and/or reports on a different schedule.

**If you are unable to submit any report by email, please send it to:**

American Bar Endowment  
Attention: Executive Director  
321 N. Clark Street  
14<sup>th</sup> Floor  
Chicago, IL 60654-7648

**Changes in Scope or Key Personnel Tied to a Grant Award**

Contact the ABE immediately if the Grantee:

- becomes aware that the purposes for (and/or implementation of) the grant have become impracticable;
- wishes to terminate the charitable project funded;
- wishes to redirect the purpose of the grant; or
- makes a change in lead personnel tied to the grant.

Executed by an Authorized Officer of the Grantee and the ABE to Witness Their Agreement With the Terms of this Opportunity Grant Agreement.

Grantee

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

ABE

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_