

**Administrative Office of the Courts
Mediation and Conflict Resolution (MACRO)
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FY2023 Special Grant Conditions for Community Mediation Performance Funding

In addition to the conditions specified in the Judiciary's General Grant Conditions, the following conditions apply to all MACRO Community Mediation Performance Grants (FO-2023-MACRO-016).

1. PURPOSE

Community mediation is an important resource for the court, providing vital conflict resolution services to the District and Circuit Courts and at the neighborhood level, preventing violence and addressing the underlying causes of conflict in a manner that cannot be achieved in a courtroom.

MACRO's goal in funding community mediation is to make mediation and conflict resolution services accessible and affordable to everyone in Maryland. MACRO's community mediation performance grant program is designed to ensure the achievement of that goal.

2. ELIGIBILITY

MACRO supports non-profit 501(c)3, higher education, and government-based community mediation centers in the state of Maryland that meet the Ten Point Model outlined below. MACRO views these Points as the definition of good community mediation and therefore requires centers to meet and continually improve their operations on each of the points to be eligible for funding under this program.

MACRO also supports community mediation centers that have diverse financial support. With the exception of Start-up centers and first-year Level 1 centers, centers must have raised a certain amount of funds to be eligible for funding under this grant program. (See Appendix B for specific amounts.)

Funding under this grant program is provided on an invitation only basis. MACRO distributes invitations to community mediation centers each winter for funding in the following fiscal year. **Entities wishing to establish a new center MUST contact MACRO first to receive an invitation.**

2.1 The Ten Point Model of Community Mediation in Maryland

1. Train community members - who reflect the community's diversity with regard to age, race, gender, ethnicity, income and education - to serve as volunteer mediators.
2. Provide mediation and conflict resolution services at no cost or on a sliding scale.
3. Hold mediations in neighborhoods/communities where disputes occur.
4. Schedule mediations at a time and place convenient to the participants.

5. Encourage early use of mediation to prevent violence or to reduce the need for court intervention, as well as provide mediation at any stage in a dispute.
6. Mediate community-based disputes that come from diverse referral sources, such as community organizations, police, faith-based institutions, courts, community members, government agencies, and the center's outreach activities.
7. Educate community members about mediation and conflict resolution.
8. Maintain high quality mediators by providing intensive, skills-based training, apprenticeships, continuing education and ongoing evaluation of volunteer mediators.
9. Work with the community in governing community mediation programs in a manner that is based on collaborative problem solving among staff, volunteers and community members.
10. Provide conflict resolution services to community members who reflect the community's diversity with regard to age, race, gender, ethnicity, income education, and geographic location.

3. OVERVIEW OF THE PERFORMANCE FUNDING MODEL

MACRO's funding model for community mediation contains three parts. Part I addresses how the center is meeting the 10-point model of community mediation. Part II contains seven performance levels with the aim of encouraging centers to work toward continually increasing the conflict resolution services provided to their communities. Part III requires centers to raise additional funds corresponding to their performance level to ensure that centers have a diverse funding base.

Funding under this grant program provides community mediation centers with general operating support to assist them in meeting the ten-point model of community mediation. While centers are asked to submit a statement of their current fiscal year revenue and expenditures and a projected budget for the forthcoming fiscal year, Community Mediation Performance Grant awards are not determined on a financial need basis. Applications are instead evaluated on a center's operations within the 10-point model, their direct service performance (intakes, mediations, or others conflict resolution sessions), and the amount of funds they have raised. The combined review of these factors will determine whether a center is 1) a community mediation center operating within the 10-point model and therefore eligible for funding under this grant program; and 2) what level of performance funding the center is eligible to receive.

4. DETERMINATION OF PERFORMANCE LEVEL

MACRO funds community mediation centers at eight performance levels - Start-up, and Levels 1 through 7. Each performance level is worth a pre-determined dollar amount. See appendix B for specific performance funding levels. A center's performance level is determined by the number of intakes and conflict resolution sessions conducted by the center during the immediate past 12-month performance cycle (January 1 to December 31). Only data from cases that closed during this period can be counted. Data from cases that remain open on January 1 will count toward the next year. A center's total performance point score, combined with the amount of fundraising it has completed (see Section 5 below), is what determines the center's final performance level.

4.1 Performance Definitions and Point Values

Intake – An intake contact is defined as each person in a conflict with which your center has a private conversation, with the specific intent of bringing the person into a mediation or conflict resolution session. Centers may not count intakes for Day-of-Trial sessions from either the District or Circuit Courts. Letters, conversations at outreach events, and general calls for information do not count as intakes.

- **Each intake counts as 1 point.**

Mediation or Multi-party Conflict Resolution Session – A mediation or multi-party conflict resolution session, such as a large group facilitation, is defined as a gathering of two or more individuals involved in a specific conflict, who meet with one or more neutrals, either in-person or through a remote platform, to address their conflict. Sessions may only be counted if participants appear, and the session begins.

- **Each mediation or multi-party conflict resolution session is worth 3 points.**

Conflict Coaching Session – A conflict coaching session is defined as a single participant meeting with one or more neutrals with the aim of assisting the participant with managing or resolving a specific conflict. Conflict Coaching sessions may only be counted if an agreement to participate is signed by the participant.

- **Each conflict coaching session is worth 2 points.**

[Important note: Beginning in FY2024, points for conflict coaching sessions will be capped at 20% of a center's total points earned for mediation or multi-party conflict resolution sessions.]

4.2 Special Performance Allowances for FY2023 Applications

In response to the ongoing impacts of the COVID-19 pandemic, MACRO has loosened the requirements for calculating the performance awards for FY2023. The application contains a Performance Summary section where centers are asked to report on all types of services they have been doing. MACRO wants to be sure that centers are working toward providing direct conflict resolution services to individuals and groups in need; and it recognizes that centers have had to be creative during the pandemic to serve people in new ways. When reviewing the Performance Summary section, MACRO will be looking at how much direct service have been provided, as well as how centers provided conflict resolution support their communities in these difficult times. FY2023 performance awards will not be based strictly on a calculation of points for intakes and sessions.

5. FUNDRAISING REQUIREMENT

All applicants, except for Start-Up grants and first-year Level 1 centers, **must** have raised outside funds in order to be eligible to receive funding under MACRO's Community Mediation Performance Grant program. Each performance level has a specified fundraising requirement that corresponds to that level. (See Appendix B for the specific amounts.) Centers must have raised the required amount within the immediate past 12- month performance year – January 1 to December 31. **Center's that have not raised the corresponding funding amount that is required for their performance level will be funded at the performance level that is consistent with the amount of funds they have raised.** For example, a center that has raised \$15,000 would be considered a Level 2 center, even if their performance score would place the center at Level 3 or higher. *In extraordinary circumstances, MACRO may wave this requirement.*

5.1 Sources for Fundraising

A center’s fundraising can come from grants, fund-raising efforts, fee-based services, contributions from government agencies, or other sources. In-kind contributions cannot be used to meet the requirement. **Additionally, no funds that originate from the Maryland Judiciary, directly or indirectly, may be counted toward the required fundraising level.** All reported funds raised must have been raised for the purpose of supporting the center’s community-based mediation and conflict resolution activities. Restricted grants and gifts can be counted, provided that the funds are consistent with this purpose. Funds raised for a parent organization or agency may not be counted unless those funds were/will be used to support community mediation activities.

6. RESTRICTIONS ON USE OF FUNDS

MACRO’s Community Mediation Performance grants are intended solely to provide general operating support to assist centers in providing community-based mediation and conflict resolution services according to the ten-point model of community mediation. Grant funds are unrestricted within that purpose, with the following exceptions: grant funds may not be used to purchase alcohol, or for any religious, political, or lobbying activities.

6.1 Budget Amendments

Since Community Mediation Performance Grants are general operating funds, grantees are approved to move funds between line items and categories without contacting MACRO. Centers may not use performance funds for activities that are not within the 10-point model, nor may they submit a change of purpose request to use the funds for another purpose.

7. APPLICATIONS FROM NEW/ START-UP CENTERS

MACRO generally will only fund one organization per designated geographic region. Entities wishing to establish a new community mediation center should contact MACRO to discuss the region they want to serve and review the 10-Point Model of Community Mediation. If appropriate, MACRO will provide new entities with an invitation to apply. Priority will be given to service areas that have no existing community mediation programs at the time of application.

8. REPORTING REQUIREMENTS

All MACRO grantees are required to report on progress toward their major goals, any challenges and accomplishments, and to provide statistical and financial information on a quarterly basis. For all MACRO Community Mediation Performance grants, these reports include:

- Achievements toward Performance Plan Goals
- Performance Summary
- Financial report
- Payment Request

All reports must be submitted to MACRO through the online grant system by the due dates listed below. MACRO will not release any grant disbursements to grantees if the required reporting elements have not been received or completed to MACRO’s satisfaction. Please note: The quarterly report must be submitted even if no funds have been spent in a quarter.

Reporting Due Dates:	<u>Reporting Period</u>	<u>Due Date</u>
	July - September	October 31, 2022
	October- December	January 31, 2023
	January - March	April 30, 2023
	April - June	July 30, 2023

9. GRANT PAYMENTS

Grant funds are disbursed on a quarterly reimbursement basis. MACRO will reimburse grantees for the exact amount that has been spent each quarter. To receive each payment grantees must submit a quarterly report (see above) as well as the appropriate quarterly invoice.

9.1 Alternate Disbursement Option

Nonprofit grantees for which straight reimbursement will incur a financial hardship may request to receive the first 25% of their grant award at the start of the grant period. To request this, grantees must submit an Alternate Disbursement Request Form. If approved, grantees may submit the first payment request through the online grant system on July 12 or any time after that within the first 60 days of the grant period. All remaining payments associated with the quarterly expenditures will be made on a reimbursement basis. MACRO will hold the final 10% of the grant amount until the final report is submitted.

Important Note: Grantees who use this option will not receive a full reimbursement in the 3rd or 4th quarter to offset the advance funds received at the start of the award period. This option is not available to government agencies or institutions of higher education.

9.2 Spending Funds During the Grant Period

All MACRO grant funds must be spent or obligated during the grant period. Grant funds may not be requested or spent on activities or expenses that occur prior to the start of the official grant period, nor may they be requested or spent on activities that occur after the end of the grant period. See section 9.2.1 for the limited exception to this rule. The official grant period dates can be found on the executed Grant Award and Acceptance Form. Grant funds are considered spent when payments for goods/services/salaries have been completed. Grant funds are considered obligated if the grantee has purchased goods/services/staff time on or before June 30 but have not yet paid the invoice/staff paycheck. **Grant period extensions will not be granted. Grantees will only be reimbursed for funds they have spent or obligated prior to the end of the grant period.**

Please be aware that MACRO will monitor your financial reports throughout the grant period and may delay grant payments or reduce the amount of your total grant award if expenditures are significantly delayed or below budgeted levels.

9.2.1 Expenses Related to Registering for Trainings or Events

For trainings or events that will take place during the first quarter after the close of the grant period, grantees may use current year grant funds to pay for registration and travel reservations for those trainings or events, provided that such expenses were approved as part of the program's grant budget. For example, grant funds from FY2023 may be used to register a staff member to attend a training that is scheduled to take place during the first quarter of FY2024.

9.3 Fourth Quarter Estimate

All grantees are required to submit a fourth quarter estimate of how much they anticipate spending by June 30, as well as any funds they anticipate will be remaining. This report is used by the Judiciary to accrue the final grant payment. **It is very important that grantees provide an accurate estimate, as any amount that is not included in the estimate may not be able to be reimbursed.**

10. DATA COLLECTION AND REPORTING

Grantees are required to collect demographic and case-related information.

- *Case Information:* Centers are required to use the case management software provided by MACRO. Starting in 2022, the case management software will be switching from MADtrac to Insightly. Centers will use Insightly to collect, manage, and report on their case and client-related data. MACRO will provide this software and any related updates to centers through Community Mediation Maryland. Centers are required to ensure that they have adequate computers and internet connections to operate the software. Centers must use Insightly to submit a summary report of their case data to MACRO on a quarterly basis. Any change to the requirement to use this software, we be provided in writing.
- *Demographic Data:* Centers are required to collect and report on demographic data for clients, mediators, staff, and board members – including age, gender, race, education level, and income. Centers may use either the Insightly case management system or some other program to collect and tabulate this data. Centers are required to report this data on an annual basis using the Excel demographics summary report provided by MACRO.

11. COURT REFERRED CASES

Since MACRO’s funding comes from the court system, any cases referred to a community mediation center from a court (circuit or district) must be mediated at no cost to the participants.

12. FUNDING AVAILABILITY/LACK OF PERFORMANCE/NON-COMPLIANCE WITH TERMS

MACRO is committed to supporting community mediation centers in Maryland, subject to funding availability. MACRO’s grant funds are state general funds approved by the legislature as part of the Judiciary’s budget to support conflict resolution in several areas. Availability of grant funding is dependent on the state budget process among other factors. MACRO reserves the right to withhold, reduce or cancel a grant award based on the availability of funding, lack of performance, or for non-compliance with the Judiciary’s General Grant Conditions or the Special Grant Conditions for Community Mediation Performance Funding.

13. ACKNOWLEDGMENT OF MACRO SUPPORT

Grantees should include the following acknowledgment on published materials or products (paper or electronic) paid for with MACRO grant funds: "Produced with support from the Maryland Judiciary Mediation and Conflict Resolution Office." This is not a requirement where MACRO funds are only one source of support among many, or where MACRO funds only indirectly support the materials or products.

14. CONTACT INFORMATION

If at any time before, during or after your grant period, you have questions about your grantor the terms contained in the General Grant Conditions or these Special Grant Conditions, please contact MACRO.

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Appendices

Appendix A: Calculating Performance Grant Awards

Performance Level	Point Range	Part I - Base Funding	Part II Performance Funds	Total Potential Grant	FY23 Fundraising Requirements
Start-Up Center	Not applicable	\$30,000	\$0	<u>\$30,000</u>	None (10% Recommended)
Level 1 Center	1 - 200	\$20,000	\$18,000	<u>\$38,000</u>	None for 1 st year; \$2,500 for 2 nd year; \$5,000 for 3 rd year+
Level 2 Center	201 - 600	\$20,000	\$25,000	<u>\$45,000</u>	\$9,000
Level 3 Center	601 - 1200	\$20,000	\$45,000	<u>\$65,000</u>	\$17,000
Level 4 Center	1201 - 2400	\$20,000	\$65,000	<u>\$85,000</u>	\$27,000
Level 5 Center	2401 - 3750	\$20,000	\$90,000	<u>\$110,000</u>	\$42,500
Level 6 Center	3751 - 5150	\$20,000	\$115,000	<u>\$135,000</u>	\$65,000
Level 7 Center	5151+	\$20,000	\$140,000	<u>\$160,000</u>	\$75,000
<i>MACRO reserves the right to modify the performance award amounts based on availability of funding.</i>					

Determination of Performance Level:

A center’s performance level is determined by their total point score.

- Intakes are weighted at 1 point each.
- Conflict coaching sessions are weighted at 2 points each.
- Mediation and other multiparty conflict resolution sessions are weighted at 3 points each.

Appendix B: Community Mediation Referral Categories

Circuit Court - Civil: Any referral made from circuit court civil personnel.

Circuit Court – Family: Any referral made from circuit court family personnel.

Circuit Court – Day of Court: Any referral made from a circuit court during a scheduling hearing or other event at the court.

Circuit Court – Pre-Filing: Any referral made by circuit court personnel before a case is filed.

Community Member: Referrals from anyone who may have informed the participant about mediation who does not fall into the other categories. This may include a friend, family member, co-worker, neighbor, etc.

Community Organization: Referrals from a geographically-based group such as a neighborhood association or home-owners' association, or from other community-based organizations, such as faith-based institutions.

Correctional Facility: Any referrals from a prison or detention facility.

Court Self-Help Center: Any referrals made by Self-Help Center staff or volunteers.

District Court Pre-Filing: Any referrals made by District Court personnel before a case is filed.

District Court Pre-Trial: Any referrals made by the District Court after a case has been filed, but before the trial.

District Court Day of Trial: Any mediations or ADR conducted for the District Court on the day of the trial. *{No intakes are counted for these cases.}*

District Court Post-Trial: Any referrals made by the District Court after a trial has been held.

Former Participant: Referrals from anyone who used the services in the past who is using them again, or if the participant calling was informed about the services by someone who used them in the past.

Government Agency: Any referrals from a governmental agency other than police, courts, schools. This would include Department of Social Services, Parks and Planning, Animal Control, etc.

MHIC: All referrals from the Maryland Home Improvement Commission.

Non-profit Organization: Any referrals from a nonprofit organization. These might include LegalAid, YWCA, a family center, etc.

Outreach/Publicity: Any referrals that resulted from an outreach activity.

Police: Any referral from the police.

Private Practitioner: Any referrals from a private practice mediator.

Schools: Any referral from school administration, teachers, etc.

Self (Phone Inquiry): Any referrals where the clients found the center through phone listing.

Self (Web Inquiry): Any referrals where the clients found the center through its website, or through an internet search.

State's Attorney's Office: Includes referrals from State's Attorneys made before the trial.