

CALL FOR EXPRESSIONS OF INTEREST AND PROPOSALS (CFP)

Primary project/program title:

Governance in Justice Programme Phase II (GOJUST II):

Funding Window 1: Support to Clinical Legal Education Programme (CLEP) of the Supreme Court of the Philippines

The GOJUST II Grants (GOJUST Grants) launches the First Call for Proposals for its Window 1 entitled "Support to the Clinical Legal Education Programme (CLEP) of the Supreme Court of the Philippines on October 13, 2021.

1. General instructions for proposal submission and other instructions

1.

What to Submit?

Step 1: **Prepare Expression of Interest Statement** (see Section 6 for details)

Step 2: **Application documents**

Required application documents that must be submitted are as follows:

- Grant application form, **Annex A**
- Project budget proposal, **Annex B**
- Copy of original registration (and re-registration if applicable) as evidence for legal credentials of the organization and latest registration certificate
- Copy of the enabling statute that created the law school or the university/ college of which the law school is a component thereof
- Audited organizational financial statements for the last fiscal year 2020. In the absence of audited statements, other official documents, signed by an authorized representative and demonstrating financial status
- Declaration of Truth and Accuracy of Application, **Annex C**
- All applications must be in English.

When and where to submit?

1. 11:59 PM of October 17 - deadline to Submit the Expression of Interest: Fill up and submit section 6 only to gojustgrants@unops.org with subject: CLEP EOI

2. 11:59 PM of November 3, 2021 - deadline to submit the Grant Application Documents. Email to gojustgrants@unops.org with subject: Application_CLEP_acronym or short name of applicant, e.g. Application_CLEP_UNOPS

2. Eligibility criteria as per project agreement

The following can apply:

- Public law schools or public universities that have law schools, which have the legal capacity to enter into contracts and receive grants
- Private law schools whether stock or non-stock corporations
- NGOs or Foundations affiliated with law schools that have the administrative capacity to handle the grants in behalf of the law school
- NGOs or Foundations that have an agreement with the law schools for the management of their CLEP programme

The law school or NGO may submit a single application or could also submit a consortium proposal (see Sec. 3.2 for details on a consortium arrangement under Description of Scope of Work). All applicants will be subjected to UNOPS' Due Diligence Assessment.

Minimum requirements/qualifications.

The organization filing the application must:

- Be registered under the Philippine law
- Have been in existence for 3 or more years
- Currently implementing or will implement activities for which it is submitting an application for
- Have a bank account in the Philippines and is authorized to receive grant funding directly from UNOPS.
- Be able to have a representative who can sign the grant service agreement with UNOPS, should the proposal be selected and is willing to open a separate corporate bank account solely for this project.
- Have absorptive capacity and can demonstrate the potential to acquire sufficient capacity to manage programs in a sustainable manner
- Show proof of having a robust and functional financial system.
- Demonstrate no conflict of interest in its relationships, associations, and activities, that could prevent full impartiality in the implementation of the grant activities.
- Will allow UNOPS to disclose to the Government of the Philippines information about their organization, when needed¹

Other critical considerations.

- **Mandatory Criteria:** The application should be able to demonstrate a strong access to justice component for the poor and vulnerable sectors, especially women. This is in line

¹ This requirement on the consent for disclosure to the government is based on the Note Verbale issued by the Department of Foreign Affairs, dated February 2021 and its accompanying rules and regulations. The note verbal and the rules and regulations can be found in the Annex to this manual.

with the focus area of GOJUST II on access to justice. These could take the form of a strong externship programme, selective criteria in the cases for support, partnership with local NGOs who have a public interest law focus and so on.

- **Preferential Criteria:**

1. **Donor Coordination.** Under the principle of donor coordination and the optimal use of public resources, Window One shall give preference to the applicants who have an existing arrangement with TAF and other partners that provide capacity building support. This hopes to ensure that the funding support to be provided by GOJUST II will be synergized with the funding support provided by other institutions or organizations.
2. **Sustainability Plan.** The funding of the CLEP could only cover support for only 2 years; hence, a demonstration of how the program could be sustained beyond the project is preferred.

3. Description of scope of work

Overall sector.

Justice Sector

1.0 GOJUST II Programme and the GOJUST Grants

The GOJUST II is a program of the Government of the Republic of the Philippines with support from the European Union. It builds on from its predecessor program and generally aims to contribute to inclusive and sustainable socio-economic development through improved access to justice for all. Specifically, it aims to develop more responsive and accountable justice services.

The justice system is composed of different actors. Reforms must be undertaken in a coordinated and cohesive manner to ensure efficiency and sustainability. The center of any justice sector reform program is the improvement of the lives of the people. In order to achieve this, GOJUST II employs a four-pronged approach: justice sector strengthening, effective justice institutions, access to justice and evidence-based research.

Justice sector coordination is undertaken by the JSCC co-chaired by the Chief Justice of the Supreme Court, the Secretary of Justice and the Secretary for the Department of Interior and Local Government. GOJUST II will support the strengthening and institutionalization of the JSCC as well as the strengthening of the individual justice sector institutions, to ensure complementarity and compatibility of reform measures. Local sectoral coordination mechanisms through the Justice Zones will allow GOJUST II to pilot reform measures at the local level. GOJUST II will also support CSOs and law schools to improve access to justice for the disadvantaged groups. Finally, GOJUST II will promote evidence-based research that could inform policy-making and future programming.

GOJUST II has a specific result area around access to justice which is articulated as: *Increased access to the justice system for vulnerable groups, including women.* To achieve this, GOJUST

It established a grant facility or the **GOJUST Grants** which UNOPS manages in collaboration with the British Council's Technical Assistance Team which provides technical assistance to the GOJUST II.

"The Action will seek to empower women, poor and people living in vulnerable situations to recognize their grievances and problems as legal issues and to seek effective remedies for disputes. For people to be able to seek redress, they must know their rights and understand the different pathways for seeking justice. To this end the Action will work with media, legal service NGOs, paralegals and other facilitators to create legal and rights awareness and provide direct legal services on issues involving land rights, rights of women, including victims of sexual and gender-based violence (GBV), rights of indigenous peoples, children, youth, prisoners, those with disabilities and LGBTI people. The Action will identify strategic collaborations with media, arts and culture platforms for popular engagement on these issues. Based on the British Council's comparative experience in the use of arts and culture for peacebuilding, interventions will be conflict sensitive and locally led, focusing on tangible outcomes such as confidence-building and self-expression as part of legal empowerment.

"The Action will seek to go beyond routine community awareness events and lectures/training to genuinely engage and mobilize communities on justice issues using creative, innovative and cross-sectoral approaches. Depending on the level of awareness and capacity of civil society organizations (CSO) and community groups, responses may include public interest litigation, direct legal services and advocacy of sectoral or community issues. Another variant of community legal awareness is the formation of a cadre of paralegals who could act as a facilitator between the community and the formal and informal legal systems. Based on the justice needs analysis and stakeholder consultations, the Action will build on existing knowledge by supporting limited high-impact research to document the varied plural justice mechanisms and processes in selected locations. The main modality for the engagement of Civil Society Organizations and community action groups will be via a grant facility, developed through a consultative process.

*"This Action will also work closely with the government legal aid system, legal aid lawyers, future lawyers and university law departments, paralegals and other community leaders who provide services to the poor and vulnerable people, and often also act as a bridge between people and other justice services/providers. Primarily through its pool of short and long-term technical advisors, the Action will assist the newly revived government Office for Alternative Dispute Resolution (OADR) of the DOJ in Justice Zones focus areas to strengthen their capacities to better serve the people. Part of the mandate of the OADR is to assist the barangay justice system in mediating community level disputes."*²

2.0 Window One: Support to the Clinical Legal Education Programme (CLEP) of the Supreme Court

The Salient Features of the Revised Law Student Practice Rule

² Annex 1 to the Financing Agreement – Description of Action for Governance In Justice II, page 17.

The CLEP program is found in the revised law student practice rule which was issued by the Supreme Court on June 25, 2019.³ The CLEP has a very focused access to justice component in the very definition:

“Clinical Legal Education Program is an experiential, interactive and reflective credit-earning teaching course with the objectives of providing law students with practical knowledge, skills and values necessary for the application of the law, delivery of legal services and promotion of social justice and public interest, especially to the marginalized, while inculcating in the students the values of ethical lawyering and public service. It consists of learning activities covered by this Rule undertaken in either a 1) law clinic or an 2) externship, which shall incorporate the teaching of legal theory and doctrines, practical skills, as well as legal ethics.” Sec. 2, A.M. No. 19-03-24-SC

A further reading of the guidelines of the Court would reveal that the externship program is designed particularly to assist the marginalized groups, which is the focus area of Result 3 of GOJUST II:

(b) Externship is part of the clinical legal educational program if: (a) it allows students to engage in legal work for the marginalized sectors or for the promotion of social justice and public interest, and b) it is undertaken with any of the following: i) the courts, the Integrated Bar of the Philippines (IBP), government offices; and (ii) law school-recognized non-governmental organizations (NGOs).

The State of the Implementation of the CLEP based on the joint survey of the Philippine Association of Law Schools (PALS) and GOJUST2

The survey undertaken by GOJUST and the PALS reveals that there still exists a lot of gaps in the implementation of the CLEP. For example, in the aspect of training on the substantial and procedural aspects of the CLEP program, only 20% of the 44 respondents have affirmed that they have completed the training, while 40% have reported little or no progress in this area. The top needs of the law schools are funding for personnel (supervising lawyers and staff, equipment, supplies, and connectivity.⁴ The general message that one gets from the survey is that some progress has been made, but a significant effort has to be exerted in order to reach full completion, in time for the compliance for the bar examinations in 2023.

The ongoing support for capacity building on CLEP being implemented by The Asia Foundation

The Asia Foundation (TAF) is now in its third year of implementation for its support to the CLEP programme. The support being provided by the TAF covers the area of capacity building, resources for the implementation of CLEP, coaching and mentoring and other similar initiatives to help the law schools establish their programme. GOJUST is closely coordinating with the TAF in order to ensure complementation and avoid duplication in the funding support for the law schools.

³ Amended Rule 138-A of the Rules of Court, Law Student Practice (A.M. No. 19-03-24-SC)

⁴ A full copy of the survey results could be requested from the GOJUST programme or the PALS.

3.0 Guidelines

The **GOJUST Grants** seek proposals that will meet the objective of the Call and the following criteria.

General Objective: to set up and implement the CLEP Programme of the law school. The grants shall cover the whole range of support that will enable the school to set up a robust CLEP. The request for funding will have to be tailor suited to the unique needs of each law school as they move along towards full compliance with the CLEP requirements for 2023.

3.1 Criteria

3.1.1 Mandatory Criteria: The application should be able to demonstrate a strong access to justice component for the poor and vulnerable sectors, especially women. This is in line with the focus area of GOJUST II on access to justice. These could take the form of a strong externship programme, selective criteria in the selection of cases for support, partnership with local NGOs who have a public interest law focus and so on.

3.1.2 Preferential Criteria: Existing MOA with the capacity building programme of The Asia Foundation (TAF) and other partner organizations. Under the principle of donor coordination and the optimal use of public resources, Window One shall give preference to the applicants who have an existing arrangement with TAF and other partners that provide capacity building support. This hopes to ensure that the funding support to be provided by GOJUST II will be synergized with the funding support provided by other institutions or organizations.

3.1.3 Preferential Criteria: Convincing sustainability plan for the CLEP. The funding of the CLEP will not be forever, and could only cover support for a limited period of time; hence a demonstration of how the program could be sustained over the long haul is clearly preferred.

3.2 Eligible and Ineligible Organizations

The following organizations (whether applying singly or in a consortium) are eligible to apply for Window 1:

- Public law schools or public universities that have law schools, which have the legal capacity to enter into contracts and receive grants
- Private law schools whether stock or non-stock corporations
- NGOs/ Foundations affiliated with law schools that could have the administrative capacity to handle the grants in behalf of the law school and subject to due diligence requirements
- NGOs/Foundations that have an agreement with the law schools for the management of their CLEP programme, for as long as the NGO passes the due diligence test and also has a sustainability plan to eventually empower the law school to take over the CLEP program
- All selected applicants will be subjected to UNOPS' Due Diligence Assessment

The grant mechanism shall also allow consortium arrangements where one law school which is fairly experienced in grant management could form a consortium of two or more law schools to jointly implement and strengthen their CLEP. The consortium lead has the primary responsibility of accountability (financial and performance) in the course of grant implementation. All the members of the consortium should be eligible based on the criteria set forth herein.

Ineligible Organizations:

Individuals, political parties, for-profit companies, international non-governmental organizations, foundations, organizations whose objectives are discriminatory and/or whose main objective is religious in nature, and informal alliances without legal status are not eligible to apply.

If an organization or its key personnel appear on any of the following lists (which is consolidated by UNOPS at <https://intra.unops.org/operations/oversight/risk-management/vendor-review-committee>, it is automatically ineligible to apply and receive a grant.

- The United Nations Ineligibility List (UNIL) which includes UNOPS' ineligibility list
- The World Bank Corporate Procurement Listing of Non-Responsible Vendors and The World Bank Listing of Ineligible Firms and Individuals
- The Consolidated United Nations Security Council Sanctions List
- Included in an ineligibility list of the client/partner, if such provision is included in the Engagement Agreement signed with UNOPS or currently suspended from doing business with UNOPS

3.3 Financial

GOJUST Grants intends to fund 10-15 projects. Submissions should be for activities of up to 24 months duration with a maximum total request of US\$40,000.00 for 2 years or USD\$20,000.00/year.

Nature of Costs

This programme can fund the following:

- Honorarium or salaries of the personnel for the law clinic, including supervising lawyers, and staff (Clinic Director shall be for the account of the school)
- Equipment for the set-up of the clinic, such as laptops, printers, copiers
- Office supplies, such as paper and ink
- Internet connectivity for a limited period of time
- Travel and transportation costs of the CLEP students, and CLEP staff related to CLEP implementation
- Costs of reproduction of important documents for records and filing purposes
- Legal and documentation fees, such as filing fees, certification fees in the pursuit of certified copies and the like
- Costs of paralegal extension activities, community seminars, training and advocacy
- Other similar cost items needed for CLEP implementation

What GOJUST2 will **not** fund under the CLEP Grant Support Programme

- Infrastructure and repair of rooms for the law clinic
- Costs of training and orientation of the staff on the set up and maintenance of the law clinic. These costs will have to be sourced from the TAF facility or other facility which can provide this service. (The inclusion of costs of training can be made an exception based on consultation with TAF)

This fund has been made possible with generous support from the European Union.

3.4 Language

All applications must be submitted in English.

4. Evaluation process

In line with UNOPS evaluation principles of fairness, transparency and integrity, an independent Grant Evaluation Team (GET) composed of at least 2 UNOPS and 1 British Council's Technical Assistance Team (BC-TAT) member will be responsible for the review of proposals. The GET may invite another subject expert to provide his/her expert opinion on the proposal.

A Grants Selection Committee (GSC) will finally approve the grantee based on GET's recommendations.

4.1 Eligibility assessment

All applications will be examined and evaluated by the Grants Management Support Team.

As a first step, the eligibility of the applications will be assessed as follows:

- Has the submission deadline been respected?
- Has the correct application form been duly filled?
- Are all requested documents attached to the application?
- Does the application meet all the eligibility criteria as mentioned in section 2 above?

If the first assessment of the application reveals that any of the above questions are negative, the application may be rejected solely on that basis and the application will not be evaluated further.

4.2 Technical assessment of full project proposals

The quality of the project proposals will be assessed in accordance with the evaluation criteria set out in the evaluation grid below. Each subsection will be given a score in accordance with the following guidelines: 0 = information not provided, 1 = poorly meets the criteria; 2 = adequately meets the criteria; 3= entirely meets the criteria.

Evaluation Criteria	Weighing (%)
1. Capacity of the Organization (including relevant organizational experience and the key officials and staff that will work on the project)	30

2. Quality of the Project Proposal (including adherence to the mandatory and preferential criteria, alignment with the goals of access to justice, methodology and gender/social inclusion plan)	50
3. Value for Money/ Cost effectiveness	20
Total	100

All applicants that pass the eligibility and technical evaluation will undergo a Due Diligence Assessment (DDA) to determine the capacity of the organization to manage the project including financial capacity assessment.

Potential grantees will be informed of the schedule of the DDA which may be conducted virtually or face to face.

5. UNOPS Grant Support Agreement

The UNOPS Standard Grant Support Agreement (GSA) containing UNOPS General Conditions for Grant Support Agreements, found in **attachment 4**. The GSA constitutes an integral part of this CFP as it is mandatory to accept this agreement with its conditions before submitting a proposal.

6. Interest/Grantee Application template

If your organization is interested in submitting a grant proposal in response to this CFP, please prepare a short 'Expression of Interest (EOI)' statement (copy and fill up below) and submit to gojustgrants@unops.org.

If your organization is interested in attending the orientation on proposal making, please include in the EOI Statement the names and email addresses of not more than 2 representatives of your organization that will attend.

My organization (**place name of organization**) is hereby formally interested in the advertised Call for Proposal and will submit all the application documents within the established timeframe.

We are also interested to attend the orientation on proposal making using the UNOPS template on October 20, 2021. Interested applicants may attend either one of these sessions:

- October 20 from 10-12 AM
- October 20 from 3-5 PM

The names and email address of our participants are as follows:

Name of Representatives/ attendees	Email Address	Contact Number	Preferred Time (AM or PM)
1.			

2.

If you are not attending the orientation on proposal making, pls. skip the table.

**Authorized
signature:**
Title:
Date:
Email address:
Contact number: