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The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Assistance](#) (BJA) is seeking applications to establish or enhance drug court services, coordination, management of drug court participants, and recovery support services. This program furthers the Department's mission by providing resources to state, local, and tribal governments and state, local, and tribal courts to enhance drug court programs and systems for nonviolent, criminally involved persons with substance-use disorders, including those related to opioid substance-use disorders.

## Adult Drug Court Discretionary Grant Program FY 2017 Competitive Grant Announcement

Applications Due: February 28, 2017

### Eligibility

Eligible applicants are those that meet the following criteria:

For **Category 1: Implementation** and **Category 2: Enhancement**, applications will be accepted to support states, state and local courts, counties, units of local government, and federally recognized Indian tribal governments (as determined by the Secretary of the Interior) on behalf of a single jurisdiction drug court.

For **Category 3: Statewide**, applicants are limited to state agencies. State agencies include the state court administrative offices, state criminal justice agencies, and other state agencies involved with the provision of substance use disorder, mental health, or related services to criminal substance misusers such as the State Administering Agency (SAA), the Administrative Office of the Courts, and the State Alcohol and Substance Abuse Agency.

**Note: Applicants must demonstrate that eligible drug court participants promptly enter the drug court program following a determination of their eligibility. BJA will not make awards to applicants whose drug courts require an initial period of incarceration unless the period of incarceration is mandated by statute for the offense in question. In such instances, the applicant must demonstrate that the person receives treatment services, if available, while incarcerated and begins drug court treatment services immediately upon release.**

**Applicants must also demonstrate that the drug court for which funds are being sought will not deny any eligible client access to the program because of their use of FDA-approved medications for the treatment of substance use disorders. Please see page 9 for additional information.**

BJA will prioritize making awards to those jurisdictions who do not have an active BJA drug court award. BJA may also elect to fund applications submitted under this FY 2017 solicitation in future fiscal years, dependent on, among other considerations, the merit of the applications and on the availability of appropriations.

## **Deadline**

Applicants must register with [Grants.gov](https://www.grants.gov) prior to submitting an application. All applications are due by 11:59 p.m. eastern time on February 28 2017.

To be considered timely, an application must be submitted by the application deadline using Grants.gov, and the applicant must have received a validation message from Grants.gov that indicates successful and timely submission. OJP urges applicants to submit applications at least 72 hours prior to the application due date, in order to allow time for the applicant to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification.

OJP encourages all applicants to read this [Important Notice: Applying for Grants in Grants.gov](#).

For additional information, see [How to Apply](#) in Section D. Application and Submission Information.

## **Contact Information**

For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800-518-4726 or 606-545-5035, or via email to [support@grants.gov](mailto:support@grants.gov). The [Grants.gov](https://www.grants.gov) Support Hotline hours of operation are 24 hours a day, 7 days a week, except federal holidays.

For assistance with any unforeseen Grants.gov technical issues beyond an applicant's control that prevent it from submitting its application by the deadline, or any other requirement of this solicitation, contact the National Criminal Justice Reference Service (NCJRS) Response Center: toll-free at 800-851-3420; via TTY at 301-240-6310 (hearing impaired only); email [grants@ncjrs.gov](mailto:grants@ncjrs.gov); fax to 301-240-5830; or web chat at <https://webcontact.ncjrs.gov/ncjchat/chat.jsp>. The NCJRS Response Center hours of operation are 10:00 a.m. to 6:00 p.m. eastern time, Monday through Friday, and 10:00 a.m. to 8:00 p.m. eastern time on the solicitation close date.

Additional information on reporting technical issues appears under "Experiencing Unforeseen Grants.gov Technical Issues" in the [How to Apply](#) section.

Grants.gov number assigned to this solicitation: BJA-2017-11320

Release date: December 20, 2016

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# Adult Drug Court Discretionary Grant Program (CFDA #16.585)

## A. Program Description

### Overview

The purpose of the Adult Drug Court Discretionary Grant Program (42 U.S.C. 3797u et seq.) is to provide financial and technical assistance to states, state courts, local courts, units of local government, and Indian tribal governments to develop and implement drug courts that effectively integrate evidence-based substance use disorder treatment, mandatory drug testing, sanctions and incentives, and transitional services in a judicially supervised court setting with jurisdiction over substance-misusers. BJA is accepting applications for FY 2017 grants to either establish new drug courts or enhance existing drug court programs using evidence-based principles and practices. BJA also supports courts that integrate the National Association of Drug Court Professionals (NADCP) adult drug court standards into existing drug court services. A detailed description of the NADCP standards can be found on pages 7-8.

**Statutory Authority:** 42 U.S.C. 3797u, et seq.; awards may also be funded under statutory authority provided by a full-year appropriations act for FY 2017. As of the writing of this solicitation, the Department of Justice is operating under a short-term "Continuing Resolution;" no full-year appropriation for the Department has been enacted for FY 2017.

### Program-Specific Information

As one type of problem-solving courts, drug courts have been demonstrated (where implemented in an evidence-based manner) to reduce recidivism and substance abuse among high-risk participants with substance use disorders and increase their likelihood of successful rehabilitation through:

- Early, continuous, and intense treatment;
- Close judicial supervision and involvement (including judicial interaction with participants and frequent status hearings);
- Mandatory and random drug testing;
- Community supervision;
- Appropriate incentives and sanctions; and,
- Community Reintegration and Recovery support services/continuing care.

BJA provides drug court applicants with the flexibility to identify the most appropriate court model (e.g., service/docket) on which to base the drug court in order to accommodate the needs and available resources of that jurisdiction, so long as the model conforms to the drug court 10 key components, which describe the basic elements that define drug courts. NADCP's drug court standards provide specific evidence-based practices, policies, and programs that, when implemented, ensure conformity with the 10 key components.

For the purposes of this solicitation, an "adult drug court" is a court program managed by a multidisciplinary team that responds to the offenses and treatment needs of participants who have a substance use disorder.

Drug courts funded through this grant solicitation may use federal funding and matched nonfederal funding to serve only nonviolent offenders.<sup>1</sup> An exception to this restriction is Veterans Treatment Courts (VTC), Type B, discussed below. Applications for VTCs, including the Type, should be clearly identified in the abstract. All adult drug courts must be operated based on BJA's and the National Association of Drug Court Professionals' publication: [\*Defining Drug Courts: The Key Components\*](#).

For the purposes of this solicitation, eligible drug court types are: Adult Drug Courts; Driving While Intoxicated (DWI)/Driving Under the Influence (DUI) Courts; Co-Occurring Courts where those participants possess both a substance use and mental health disorder diagnosis; Veterans Treatment Courts (Types A and B); and Tribal Healing to Wellness Courts. Court programs that combine or propose to combine the above-referenced drug court types (meeting the requirements of such) with other court programs or dockets are also eligible for funding, although the funding under this program must be used to address only those clients eligible for drug court services. Applicants should refer to their relevant local statutes to define the legal age of an "adult."

**Veterans Treatment Courts, Type A**, may serve only veterans who are not violent offenders, pursuant to the definition included in the Drug Court Program authorizing legislation, at footnote 1.

**Veterans Treatment Courts, Type B**, may serve veterans accused of violent or nonviolent offenses.

For [Tribal Healing to Wellness Courts](#), [Veterans Treatment Courts](#), and [DWI Courts](#), program designs must function in accordance with the corresponding court type key components linked here.

The National Drug Court Resource Center, available at [www.NDCRC.org](http://www.NDCRC.org), is a BJA-funded resource for the drug court field that serves as a clearinghouse for drug court training, technical assistance, publications, funding resources, and other practitioner-specific resources. Applicants are encouraged to visit this site for useful information regarding the solicitation priorities before submitting the application. In addition, grant solicitation resources can be found at: [www.ndcrc.org/content/grant-solicitation-references](http://www.ndcrc.org/content/grant-solicitation-references).

### **Goals, Objectives, and Deliverables**

The overall goal of the Adult Drug Court Discretionary Grant Program (ADCDGP) is to equip courts and community supervision systems with the necessary tools and resources utilizing the

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<sup>1</sup>Programs funded through this solicitation may not, with Adult Drug Court Discretionary Grant Program funding or matched funding, serve violent offenders. As defined in 42 U.S.C. 3797u-2, a "violent offender" means a person who—(1) is charged with or convicted of an offense that is punishable by a term of imprisonment exceeding one year, during the course of which offense or conduct— (A) the person carried, possessed, or used a firearm or dangerous weapon; (B) there occurred the death of or serious bodily injury to any person; or (C) there occurred the use of force against the person of another, without regard to whether any of the circumstances described in subparagraph (A) or (B) is an element of the offense or conduct of which or for which the person is charged or convicted; or (2) has 1 or more prior convictions for a felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm. A BJA Adult Drug Court Discretionary Grant Program-funded drug court may, at its own discretion and after taking a valid assessment of risk into consideration, choose to provide services to an offender that is otherwise excluded from this program if the grantee is using non-federal (including match) funding to provide the services to that offender. BJA strongly encourages the use of valid risk assessment instruments and consideration of public safety needs in this local decision making process.

most current evidence-based practices and principles to intervene with participants with substance use disorders while preparing them for success in the community. To accomplish this goal, ADCDGP grant funds will be awarded to build and/or expand drug court capacity at the state, local, and tribal levels to reduce crime and substance misuse among high-risk, high-need participants.

Program objectives include assisting courts that utilize evidence-based practices and principles, which are incorporated into the NADCP drug court standards; building and maximizing the capacity of jurisdictions to ensure that all potential participants are identified and assessed for risk and need; ensuring all participants receive targeted evidence-based services; enhancing the provision of recovery support services including transitional clean and sober housing assistance to reduce recidivism; and reducing obstacles to successful recovery, including the provision of civil legal assistance. For enhancement grants, objectives also include supporting strategies that ensure drug court practitioners have tools to effectively manage these interventions, including data collection and analysis to inform system improvement and implementation fidelity, training and technical assistance, and tracking and improving drug court performance.

The Goals, Objectives, and Deliverables are directly related to the performance measures set out in the table in [Section D. Application and Submission Information](#), under "Program Narrative."

### **Evidence-Based Programs or Practices**

OJP strongly emphasizes the use of data and evidence in policy making and program development in criminal justice, juvenile justice, and crime victim services. OJP is committed to:

- Improving the quantity and quality of evidence OJP generates.
- Integrating evidence into program, practice, and policy decisions within OJP and the field.
- Improving the translation of evidence into practice.

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations. Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based. OJP's [CrimeSolutions.gov](https://www.crimesolutions.gov) website is one resource that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

Applicants can also find information on evidence-based treatment practices in the Substance Abuse and Mental Health Services Administration's (SAMHSA) *Guide to Evidence-Based Practices* available at [www.samhsa.gov/ebpwebguide](https://www.samhsa.gov/ebpwebguide). The *Guide* provides a short description and a link to dozens of websites with relevant evidence-based practices information—either specific interventions or comprehensive reviews of research findings. Note that SAMHSA's *Guide to Evidence-Based Practices* also references the National Registry of Evidence-Based Programs and Practices (NREPP), a searchable database of interventions for the prevention

and treatment of mental and substance use disorders. NREPP is intended to serve as a decision support tool, not as an authoritative list of effective interventions. *Being included in NREPP, or in any other resource listed in the Guide, does not mean an intervention is “recommended” or that it has been demonstrated to achieve positive results in all circumstances.*

### **Drug Court Standards**

Over the past three decades, hundreds of evaluations of drug courts have been conducted that have demonstrated their effectiveness, as well as five meta-analyses of study findings, making drug courts one of the most rigorously tested and evaluated programs in the criminal justice field. Over the past several years, the NADCP identified 10 best practice standards<sup>2</sup> for adult drug courts. These standards are based on the expansive body of research spanning nearly 20 years that represents best practices in substance use disorder, pharmacology, behavioral health treatment, and criminal justice that, if integrated into practice, will optimize drug court operations. In support of this optimization of drug courts, BJA strongly encourages applicants, and particularly applications proposing to enhance existing drug courts, to design their proposed programs with the intention of moving toward the full incorporation of NADCP’S newly adopted standards, which represent the most current evidence-based principles and practices. The below information is adapted from the Adult Drug Court Best Practice Standards:

#### **Standard 1 Target Population**

Eligibility and exclusion criteria for the Drug Court are predicated on empirical evidence indicating which types of participants can be treated safely and effectively in Drug Courts. Candidates are evaluated for admission to the Drug Court using evidence-based assessment tools and procedures.

#### **Standard 2 Historically Disadvantaged Groups**

Citizens who have historically experienced sustained discrimination or reduced social opportunities because of their race, ethnicity, gender, sexual orientation, sexual identity, physical or mental disability, religion, or socioeconomic status receive the same opportunities as other citizens to participate and succeed in the Drug Court.

#### **Standard 3 Roles and Responsibility of the Judge**

The Drug Court judge stays abreast of current law and research on best practices in Drug Courts, participates regularly in team meetings, interacts frequently and respectfully with participants, and gives due consideration to the input of other team members.

#### **Standard 4 Incentives, Sanctions, and Therapeutic Adjustments**

Consequences for participants’ behavior are defined and predictable, fair, consistent, and administered in accordance with evidence-based principles of effective behavior modification.

#### **Standard 5 Substance Abuse Treatment**

Participants receive substance abuse treatment based on a standardized assessment of their treatment needs. Substance use disorder treatment is not provided to reward desired behaviors, punish infractions, or serve other non-clinically indicated goals. Treatment providers are trained

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<sup>2</sup> Adult Drug Court Best Practice Standards, Volume 1. National Association of Drug Court Professionals. Allrise.org. <http://www.allrise.org/sites/default/files/nadcp/AdultDrugCourtBestPracticeStandards.pdf> (accessed December 18, 2015).

Adult Drug Court Best Practice Standards, Volume 2. National Association of Drug Court Professionals. NDCRC.org. [http://www.ndcrc.org/sites/default/files/adult\\_drug\\_court\\_best\\_practice\\_standards\\_volume\\_ii.pdf](http://www.ndcrc.org/sites/default/files/adult_drug_court_best_practice_standards_volume_ii.pdf) (accessed December 18, 2015).



and supervised to deliver a continuum of evidence-based interventions that are documented in treatment manuals.

### **Standard 6 Complementary Treatment and Social Services**

Participants receive complementary treatment and social services for conditions that co-occur with substance abuse and are likely to interfere with their compliance in Drug Court, increase criminal recidivism, or diminish treatment gains.

### **Standard 7 Drug and Alcohol Testing**

Drug and alcohol testing provides an accurate, timely, and comprehensive assessment of unauthorized substance use throughout participants' enrollment in the Drug Court.

### **Standard 8 Multidisciplinary Team**

A dedicated multidisciplinary team of professionals manages the day-to-day operations of the Drug Court, including reviewing participant progress during pre-court staff meetings and status hearings, contributing observations and recommendations within team members' respective areas of expertise, and delivering or overseeing the delivery of legal, treatment and supervision services.

### **Standard 9 Census and Caseloads**

The Drug Court serves as many eligible individuals as practicable while maintaining continuous fidelity to best practice standards.

### **Standard 10 Monitoring and Evaluation**

The Drug Court routinely monitors its adherence to best practice standards and employs scientifically valid and reliable procedures to evaluate its effectiveness.

The standards represent the cumulative body of the most current evidence-based practices available to drug courts to effectively operationalize the drug court 10 key components listed below. A detailed video presentation of NADCP's drug court standards can be accessed at [www.nadcp.org/Standards](http://www.nadcp.org/Standards).

## **Adult Drug Court 10 Key Components**

**Key Component 1:** Drug courts integrate alcohol and other drug treatment services with justice system case processing.

**Key Component 2:** Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.

**Key Component 3:** Eligible participants are identified early and promptly placed in the drug court program.

**Key Component 4:** Drug courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.

**Key Component 5:** Abstinence is monitored by frequent alcohol and other drug testing.

**Key Component 6:** A coordinated strategy governs drug court responses to participants' compliance.



**Key Component 7:** Ongoing judicial interaction with each drug court participant is essential.

**Key Component 8:** Monitoring and evaluation to measure the achievement of program goals and gauge effectiveness.

**Key Component 9:** Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.

**Key Component 10:** Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court program effectiveness.

For additional information:

- [Tribal Healing to Wellness Courts: The Key Components](#)
- [Justice for Vets: The Ten Key Components of Veterans Treatment Court](#)
- [NCDC: National Center for DWI Courts](#)

**Note:** For additional information related to the drug court research supporting the evidence-based program principles and key components, visit the Evidence-Based Practice section of: [www.ndcrc.org/content/grant-solicitation-references](http://www.ndcrc.org/content/grant-solicitation-references). Here you can also find a cross walk of the historical 10 Key Components to the 10 Adult Drug Court Best Practice Standards.

### **Medication-Assisted Treatment**

Medication-Assisted Treatment (MAT) is an evidence-based substance use disorder treatment protocol, and BJA supports the right of individuals to have access to appropriate MAT under the care and prescription of a physician. BJA recognizes that not all communities may have access to MAT due to a lack of physicians who are able to prescribe and oversee clients using anti-alcohol and anti-opioid medications. This will not preclude the applicant from applying, but where and when available, BJA supports the client's right to access MAT. This right extends to participation as a client in a BJA-funded drug court.

Applicants must demonstrate that the drug court(s) for which funds are sought will not deny any eligible client for the drug court access to the program because of their use of FDA-approved medications for the treatment of substance use disorders (e.g., methadone, buprenorphine products including buprenorphine/naloxone combination formulations and buprenorphine mono-product formulations, naltrexone products including extended-release and oral formulations, disulfiram, and acamprosate calcium). Specifically, methadone treatment rendered in accordance with current federal and state methadone dispensing regulations from an Opioid Treatment Program and ordered by a physician who has evaluated the client and determined that methadone is an appropriate medication treatment for the individual's opioid use disorder must be permitted. Similarly, medications available by prescription must be permitted unless the judge determines the following conditions have not been met:

- The client is receiving those medications as part of treatment for a diagnosed substance use disorder.
- A licensed clinician, acting within their scope of practice, has examined the client and determined that the medication is an appropriate treatment for their substance use disorder.

- The medication was appropriately authorized through prescription by a licensed prescriber.

In all cases, MAT must be permitted to be continued for as long as the prescriber determines that the medication is clinically beneficial. Grantees must assure that a drug court client will not be compelled to no longer use MAT as part of the conditions of the drug court if such a mandate is inconsistent with a licensed prescriber's recommendation or valid prescription.

Under no circumstances may a drug court judge, other judicial official, correctional supervision officer, or any other staff connected to the identified drug court deny the use of these medications when made available to the client under the care of a properly authorized physician and pursuant to regulations within an Opioid Treatment Program or through a valid prescription and under the conditions described above. A judge, however, retains judicial discretion to mitigate/reduce the risk of abuse, misuse, or diversion of these medications.

### **Priority Consideration**

Category 1: BJA will give priority consideration to all Category 1 Implementation applicants who have completed the BJA Drug Court Planning Initiative (DCPI) training. For more information or to register for the training, visit [www.NDCRC.org](http://www.NDCRC.org).

Categories 1–3: BJA will give priority consideration to applicants who, in the Project Design section of the application, propose designs and strategies that are in adherence with the 10 key components AND identify which state-specific NADCP Best Practice Standards (see pages 7-8) the applicant is seeking to implement and how this implementation will occur.

## **B. Federal Award Information**

BJA expects to make up to 40 grant awards for varying amounts and time periods depending on the category under which the application is awarded (see below).

All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by law.

The FY 2017 solicitation offers three drug court grant categories: Category 1: Implementation, Category 2: Enhancement, and Category 3: Statewide. Jurisdictions that are in the planning stages should consider participation in BJA's DCPI. Upon completion of the DCPI, jurisdictions may receive priority consideration when applying for an implementation grant. DCPI provides training and technical assistance to jurisdictions in planning a new adult, tribal, or veterans treatment drug court program.

### **CATEGORY 1: IMPLEMENTATION. Grant maximum: \$400,000. Period of performance: 36 months. Competition ID: BJA-2017-11321**

Implementation grants are available to eligible jurisdictions that have completed a substantial amount of planning and are ready to implement an evidence-based adult drug court as described above (i.e., meeting the key components as well as the evidence-based program principles embodied in the NADCP drug court standards).

Applicants may propose to use funding for court operations and services; participant supervision, management, and services; provision and coordination of recovery support

services including education, civil legal assistance, job training and placement, housing placement assistance, primary and behavioral health care, and childcare and other supportive services.

**CATEGORY 2: ENHANCEMENT. Grant maximum: \$400,000. Period of performance: 36 months. Competition ID: BJA-2017-11322**

Enhancement grants are available to eligible jurisdictions with a fully operational adult drug court (to be eligible, the court must have been operating for at least 1 year as of September 30, 2017). Applicants are encouraged to include in their proposals funding to incorporate the evidence-based program principles included in the NADCP Adult Drug Court Best Practice Standards, and to specify which Standard(s) is/are addressed in the application and include in the program design details on how the Standard(s) will be implemented.

Allowable uses of funds include:

1. Scale up the drug court program capacity to better meet the actual number of eligible high-risk/high-need justice-involved persons in the jurisdiction. Applicants should provide data to support their request.
2. Enhance court operations including training programs for drug court practitioners, drug court program evaluations, performance management system implementation, and automated management information system implementation.
3. Expand or enhance court services in areas such as case management, including drug testing, case management, and community supervision.
4. Improve the quality and/or intensity of services based on needs assessments; for instance, funding may be used for enhancing treatment services (including cognitive behavioral therapy), enrollment in and access to health care coverage, education, vocational training, job training and placement, drug free or transitional housing assistance, and childcare or other family support services for each participant who requires such services.

**CATEGORY 3: STATEWIDE. Grant maximum per applicant for Subcategories A and B: \$1.5 million for state-based coordination of services. Of the \$1.5 million, a maximum of \$300,000 is available per applicant under subcategory A, and a maximum of \$1,200,000 is available per applicant under subcategory B. Period of performance: 36 months. Competition ID: BJA-2017-11323**

Applicants can apply for Subcategory A or Subcategory B separately; however, it is suggested that applicants apply for each and maximize funds available from both categories to assist with state-based coordination, services, evaluation, and training.

Statewide drug court grants are available for two purposes:

- 3a. Applicants may request up to \$300,000 to improve, enhance, or expand drug court services statewide by encouraging adherence to the evidence-based program principles included in the NADCP Adult Drug Court Best Practice Standards and through activities such as: training and/or technical assistance programs for drug court teams geared to improve drug court functioning and to increase drug court participation and participant outcomes; tracking, compiling, coordinating, and disseminating state drug court information and resources; increasing communication, coordination, and information sharing among drug court

programs; conducting a statewide drug court evaluation; or establishing a statewide automated drug court data collection and/or performance management system.

- 3b. Applicants may request up to \$1,200,000 to financially support drug courts in local or regional jurisdictions that do not currently operate with BJA Adult Drug Court Discretionary Grant Program funding. (A list of active BJA drug court grantees is available at: [www.bja.gov/ProgramDetails.aspx?Program\\_ID=58](http://www.bja.gov/ProgramDetails.aspx?Program_ID=58).) States applying for funding under this subcategory must demonstrate a statewide, data-driven strategy for reaching and expanding capacity of drug court options and services for nonviolent but high-risk/high-need justice-involved individuals, which may include implementing new drug courts, or scaling up existing drug courts to better meet the actual number of high-risk/high-need individuals who are eligible and ready to participate in a drug court program. States are encouraged to propose funding for local or regional courts in a manner that is consistent with implementing one or more of the evidence-based principles included above in the NADCP Adult Drug Court Best Practice Standards or similar State standards.

Statewide applicants must identify which drug courts and the type of court they propose to fund, at what amounts, for which periods of time, how the statewide applicant will assist the funded courts in achieving their goals and objectives, and how the applicant will track and monitor progress using an automated management information system. Applicants must clearly describe their rationale for drug court selection and connect this back to their statewide, data-driven goals and objectives of reducing recidivism among high-risk/high-need justice-involved individuals.

**All federal funds under category 3b must be passed through to drug courts within the state; no funds may be retained for administrative purposes.**

### **Type of Award**

BJA expects that any award under this solicitation will be made in the form of a grant. See [Administrative, National Policy, and Other Legal Requirements](#), under [Section F. Federal Award Administration Information](#), for a brief discussion of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants.

### **Financial Management and System of Internal Controls**

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities<sup>3</sup>) must, as described in the Part 200 Uniform Requirements<sup>4</sup> as set out at 2 C.F.R. 200.303:

- (a) Establish and maintain effective internal control over the Federal award that provides reasonable assurance that [the recipient (and any subrecipient)] is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. These internal controls should be in compliance with guidance in “Standards for Internal Control in the Federal Government” issued by the Comptroller General of the United States and

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<sup>3</sup> For purposes of this solicitation, the phrase “pass-through entity” includes any recipient or subrecipient that provides a subaward (“subgrant”) to a subrecipient (“subgrantee”) to carry out part of the funded award or program.

<sup>4</sup> The “Part 200 Uniform Requirements” means the DOJ regulation at 2 C.F.R. Part 2800, which adopts (with certain modifications) the provisions of 2 C.F.R. Part 200.

the “Internal Control Integrated Framework”, issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).

(b) Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.

(c) Evaluate and monitor [the recipient’s (and any subrecipient’s)] compliance with statutes, regulations, and the terms and conditions of Federal awards.

(d) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.

(e) Take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive or [the recipient (or any subrecipient)] considers sensitive consistent with applicable Federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

To help ensure that applicants understand applicable administrative requirements and cost principles, OJP encourages prospective applicants to enroll, at no charge, in the DOJ Grants Financial Management Online Training, available [here](#).

### **Budget Information**

The budget must explicitly describe how the proposed budget items directly apply to the project design and will assist the applicant in meeting the project goals and objectives.

### **Cost Sharing or Match Requirement**

#### **Match Requirement (cash or in-kind)**

Federal funds awarded under this program may not cover more than 75 percent of the total costs of the project being funded. The applicant must identify the source of the 25 percent non-federal portion<sup>5</sup> of the total project costs and how it will use match funds. **If a successful applicant’s proposed match exceeds the required match amount, and OJP approves the budget, the total match amount incorporated into the approved budget becomes mandatory and subject to audit.** (“Match” funds may be used only for purposes that would be allowable for the federal funds.) Recipients may satisfy this match requirement with either cash or in-kind services. See the [DOJ Grants Financial Guide](#) for examples of “in-kind” services. The formula for calculating the match is:

$$\frac{\text{Federal Award Amount}}{\text{Federal Share Percentage}} = \text{Adjusted (Total) Project Costs}$$

$$\text{Required Recipient’s Share Percentage} \times \text{Adjusted Project Cost} = \text{Required Match}$$

**Example:** 75%/25% match requirement: for a federal award amount of \$350,000, match would be calculated as follows:

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<sup>5</sup> Indian tribes and tribal organizations that otherwise are eligible for an award may be able to apply certain types of funds received from the federal government (for example, certain funds received under an Indian “self-determination contract”) to satisfy all or part of a required “non-federal” match.

$$\frac{\$350,000}{75\%} = \$466,667 \quad 25\% \times \$466,667 = \$116,667 \text{ match}$$

The Budget Detail Worksheet should distinguish cash from in-kind matched funds using an asterisk to show what percentage of the budget is cash. The Financial Guide can be accessed at: <http://ojp.gov/financialguide/doj/index.htm>.

For additional information on cost sharing and match requirement, see the [DOJ Grants Financial Guide](#).

### **Pre-Agreement Costs (also known as Pre-award Costs)**

Pre-agreement costs are costs incurred by the applicant prior to the start date of the period of performance of the grant award.

OJP does **not** typically approve pre-agreement costs; an applicant must request and obtain the prior written approval of OJP for all such costs. All such costs incurred prior to award and prior to approval of the costs are incurred at the sole risk of the applicant. (Generally, no applicant should incur project costs before submitting an application requesting federal funding for those costs.) Should there be extenuating circumstances that make it appropriate for OJP to consider approving pre-agreement costs, the applicant may contact the point of contact listed on the title page of this solicitation for the requirements concerning written requests for approval. If approved in advance by OJP, award funds may be used for pre-agreement costs, consistent with the recipient's approved budget and applicable cost principles. See the section on Costs Requiring Prior Approval in the [DOJ Grants Financial Guide](#) for more information.

### **Limitation on Use of Award Funds for Employee Compensation; Waiver**

With respect to any award of more than \$250,000 made under this solicitation, recipients may not use federal funds to pay total cash compensation (salary plus cash bonuses) to any employee of the award recipient at a rate that exceeds 110 percent of the maximum annual salary payable to a member of the Federal Government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year.<sup>6</sup> The salary table for SES employees is available on the Office of Personnel Management [website](#). Note: A recipient may compensate an employee at a greater rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Non-federal funds used for any such additional compensation will not be considered matching funds, where match requirements apply.) If only a portion of an employee's time is charged to an OJP award, the maximum allowable compensation is equal to the percentage of time worked times the maximum salary limitation.

The Assistant Attorney General for OJP may exercise discretion to waive, on an individual basis, the limitation on compensation rates allowable under an award. An applicant requesting a waiver should include a detailed justification in the Budget Narrative of the application. Unless the applicant submits a waiver request and justification with the application, the applicant should anticipate that OJP will request the applicant to adjust and resubmit the budget.

The justification should address—in the context of the work the individual would do under the award—the particular qualifications and expertise of the individual, the uniqueness of a service the individual will provide, the individual's specific knowledge of the proposed program or

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<sup>6</sup> OJP does not apply this limitation on the use of award funds to the nonprofit organizations listed at Appendix VIII to 2 C.F.R. Part 200.

project, and a statement that explains whether and how the individual's salary under the award would be commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work he/she would do under the award.

### **Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs**

OJP strongly encourages applicants that propose to use award funds for any conference-, meeting-, or training-related activity to review carefully – before submitting an application – the OJP policy and guidance on “conference” approval, planning, and reporting available at [ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm](http://ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm). OJP policy and guidance (1) encourage minimization of conference, meeting, and training costs; (2) require prior written approval (which may affect project timelines) of most conference, meeting, and training costs for cooperative agreement recipients and of some conference, meeting, and training costs for grant recipients; and (3) set cost limits, including a general prohibition of all food and beverage costs.

### **Costs Associated with Language Assistance (if applicable)**

If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services or benefits for individuals with limited English proficiency may be allowable. Reasonable steps to provide meaningful access to services or benefits may include interpretation or translation services where appropriate.

For additional information, see the "Civil Rights Compliance" section under “Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements” in the [OJP Funding Resource Center](#).

## **C. Eligibility Information**

For eligibility information, see title page.

For information on cost sharing or match requirements, see Section [B. Federal Award Information](#).

## **D. Application and Submission Information**

### **What an Application Should Include**

This section describes in detail what an application should include. An applicant should anticipate that if it fails to submit an application that contains all of the specified elements, it may negatively affect the review of its application; and, should a decision be made to make an award, it may result in the inclusion of award conditions that preclude the recipient from accessing or using award funds until the recipient satisfies the conditions and OJP makes the funds available.

Moreover, an applicant should anticipate that an application that OJP determines is nonresponsive to the scope of the solicitation, or that OJP determines does not include the application elements that BJA has designated to be critical, will neither proceed to peer review, nor receive further consideration. Under this solicitation, BJA has designated the following application elements as critical: Program Narrative, Budget Detail Worksheet, Budget Narrative,



and Time/Task Plan. An applicant must combine the Budget Narrative and the Budget Detail Worksheet in one document. However, if an applicant submits only one budget document, it must contain **both** narrative and detail information. Please review the “Note on File Names and File Types” under [How To Apply](#) to be sure applications are submitted in permitted formats.

*OJP strongly recommends that applicants use appropriately descriptive file names (e.g., “Program Narrative,” “Budget Detail Worksheet and Budget Narrative,” “Timelines,” “Memoranda of Understanding,” “Résumés”) for all attachments. Also, OJP recommends that applicants include résumés in a single file.*

## **1. Information to Complete the Application for Federal Assistance (SF-424)**

The SF-424 is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. Grants.gov and the OJP Grants Management System (GMS) take information from the applicant's profile to populate the fields on this form. When selecting "type of applicant," if the applicant is a for-profit entity, select "For-Profit Organization" or "Small Business" (as applicable).

To avoid processing delays, applicants must include an accurate legal name on their SF-424. Current OJP award recipients, when completing the field for “Legal Name,” should use the same legal name that appears on the prior year award document which is also the legal name stored in OJP’s financial system. On the SF-424, enter the Legal Name in box 5 and Employer Identification Number (EIN) in box 6 exactly as it appears on the prior year award document. Applicants with current awards must ensure that their GMS profile is current. If it isn't, they should submit a Grant Adjustment Notice updating the information on their GMS profile prior to applying under this solicitation.

New applicants should enter the Official Legal Name and address of the applicant entity in box 5 and the EIN in box 6 of the SF-424. Applicants must attach official legal documents to their applications (e.g., articles of incorporation, 501C3, etc.) to confirm the legal name, address, and EIN entered into the SF-424.

**Intergovernmental Review:** This solicitation (“funding opportunity”) **is not** subject to [Executive Order 12372](#). (In completing the SF-424, an applicant is to answer question 19 by selecting the response that the “Program is not covered by E.O. 12372.”)

## **2. Project Abstract**

Applications should include a high-quality “Project Abstract” that summarizes the proposed project. Project Abstracts should be—

- Written for a general public audience.
- Submitted as a separate attachment with “Project Abstract” as part of its file name.
- Single-spaced, using a standard 12-point font (Times New Roman) with 1-inch margins, and not exceeding one page.

For each Project Abstract:

- Describe court:
  - Category of funding requested: 1, Implementation; 2, Enhancement; or 3, Statewide A/B), jurisdiction size (state, regional, local, tribe);
  - Urbanicity (urban, suburban, rural);

- Whether the court is pre- or post-adjudication; and
- Specify the type of drug court(s) for which funds are being requested, e.g.:
  - Adult Drug Court;
  - Driving While Intoxicated (DWI)/Driving Under the Influence (DUI) Court;
  - Co-Occurring Substance Abuse and Mental Health Court;
  - Veterans Treatment Court Type A or Type B (see page xx for requirements associated with each Type);
  - Tribal Healing to Wellness Court.
- State the name, location, and address for the court where the proposed drug court program is or will be operating, and the name and contact information for the designated drug court judge. State the date that the drug court began operations if it is presently operating.
- State the total federal amount requested for the life of the grant. This total amount should be the same amount listed on the SF-424 form and required budget attachment. The budget items requested should support activities and investments that are consistent with the goals and objectives of the solicitation.
- State the current maximum participant capacity the applicant drug court can serve on any given day AND any potential increase in capacity that would result if a grant is awarded.
- State the total number of participants proposed to receive services with these grant funds (if awarded) over the life of the grant project period. Applicants can calculate this number by dividing the length of the grant project period (in months) by the average length of the drug court program (in months) and then multiplying that number by the number of additional people that can be served in the drug court program because of the grant funds. Identify the minimum, maximum, and average length of program participation. Applicants should also describe the drug court admission protocol to ensure the maximum number of clients available are admitted to the program.
- Briefly describe the target population and how this population will mirror the arrestee population, including the risk and need level of participants, how criminogenic risk and treatment need are screened and assessed, and the jurisdiction's access to MAT.
- Note which of the [NADCP Adult Drug Court Best Practice Standards](#) will be addressed in the application, noting the page numbers where each item is discussed in the application.
- Briefly describe, if awarded, the data collection mechanism that the applicant will use to collect and report in-program progress as well as post-program recidivism information. The data collected should be for all program graduates one year post program completion. Recidivism is defined as any criminal offense that results in a **formal charge** in any local, state, federal, or tribal court.
- Indicate whether the applicant is designated as an Empowerment Zone or Renewal Community by the U.S. Department of Housing and Urban Development. See

[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/comm\\_planning/economic\\_development/programs/rc/tour](http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/economic_development/programs/rc/tour).

- Indicate whether the jurisdiction is leveraging any other federal funding sources (e.g., Second Chance Act, Justice Reinvestment, or Justice Assistance Grant Program) to support the drug court.
- Indicate whether the applicant jurisdiction has ever received a Drug Court grant from OJP (include grant number) or ever participated in the [Drug Court Planning Initiative](#). If the jurisdiction received planning assistance, include the dates of the training.

As a separate attachment, the project abstract will **not** count against the page limit for the program narrative.

All project abstracts should follow the detailed template available at [ojp.gov/funding/Apply/Resources/ProjectAbstractTemplate.pdf](http://ojp.gov/funding/Apply/Resources/ProjectAbstractTemplate.pdf).

**Permission to Share Project Abstract with the Public:** It is unlikely that OJP will be able to fund all applications submitted under this solicitation, but it may have the opportunity to share information with the public regarding unfunded applications, for example, through a listing on a web page available to the public. The intent of this public posting would be to allow other possible funders to become aware of such applications.

In the project abstract template, each applicant is asked to indicate whether it gives OJP permission to share the applicant's project abstract (including contact information for individuals) with the public. Granting (or failing to grant) this permission will not affect OJP's funding decisions. Moreover, if the application is not funded, providing permission will not ensure that OJP will share the abstract information, nor will it assure funding from any other source.

**Note:** OJP may choose not to list a project that otherwise would have been included in a listing of unfunded applications, should the abstract fail to meet the format and content requirements noted above and outlined in the project abstract template.

### 3. Program Narrative

The program narrative must respond to the solicitation and the Selection Criteria (1-4) listed below in the order given. The program narrative should be double-spaced, using a standard 12-point font (Times New Roman is preferred) with 1-inch margins, and should not exceed 20 pages. Number pages "1 of 20," "2 of 20," etc.

If the program narrative fails to comply with these length-related restrictions, BJA may consider such noncompliance in peer review and in final award decisions.

The following sections should be included as part of the program narrative<sup>7</sup>:

- a. Statement of the Problem
- b. Project Design and Implementation

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<sup>7</sup> For information on subawards (including the details on proposed subawards that should be included in the application), see "Budget and Associated Documentation" under [Section D. Application and Submission Information](#).

c. Capabilities and Competencies

d. Plan for Collecting the Data Required for this Solicitation's Performance Measures

OJP will require each successful applicant to submit specific performance measures data as part of its reporting under the award (see "[General Information about Post-Federal Award Reporting Requirements](#)" in [Section F. Federal Award Administration Information](#)). The performance measures correlate to the goals, objectives, and deliverables identified under "Goals, Objective, and Deliverables" in [Section A. Program Description](#).

The application should describe the applicant's plan for collection of all of the performance measures data listed in the table below under "Data Grantees Provide," should it receive funding.

Award recipients will be required to provide the relevant data by submitting quarterly performance metrics through BJA's online Performance Measurement Tool (PMT) located at [www.bjaperformancetools.org](http://www.bjaperformancetools.org). Applicants should review the complete list of BJA Adult Drug Court Program performance measures:

1. [Category 1: Implementation](#)
2. [Category 2: Enhancement](#)
3. [Category 3: Statewide](#)

Objective	Catalog ID	Performance Measure	Data Grantees Provide
Improve, enhance, and/or expand drug court services to reduce substance use and recidivism of drug court participants.	431	Percentage of participants admitted to the program	During this reporting period: A. Number of drug court participants that were admitted B. Total number of eligible drug court participants
	239	Percentage of participants who successfully completed the program	A. Number of participants enrolled in the program B. Number of participants who successfully completed program requirements C. Total number of successful and unsuccessful completions
	501	Percentage of participants who tested positive for illegal substance	A. Number of drug court participants in the program for 90 days who tested positive for the presence of an illegal substance during this reporting period B. Number of drug court participants in the program for 90 days who were tested for the presence of illegal drugs during this reporting period

	276	Percentage of program participants who recidivate while enrolled in the program	A. Number of drug court participants
	17	Percentage of program participants who were arrested	B. Number of drug court participants who recidivate while enrolled in the program.
	277	Percentage of program participants who recidivate within one year after completion of the program	C. Number of drug court participants who were arrested for drug offenses
			D. Number of drug court participants who were arrested for non-drug offenses
			E. Number of drug court participants who were arrested for non-drug offense one year after program completions

### Note on Project Evaluations

An applicant that proposes to use award funds through this solicitation to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations designed to develop or contribute to generalizable knowledge) may constitute “research” for purposes of applicable DOJ human subjects protection regulations. However, project evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP’s performance measure data reporting requirements, likely do not constitute “research.” Each applicant should provide sufficient information for OJP to determine whether the particular project it proposes would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ definition of research that appears at 28 C.F.R. Part 46 (“Protection of Human Subjects”).

Research, for purposes of human subjects protection for OJP-funded programs, is defined as “a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge.” 28 C.F.R. 46.102(d).

For additional information on determining whether a proposed activity would constitute research for purposes of human subjects protection, applicants should consult the decision tree in the “Research and the protection of human subjects” section of the [“Requirements related to Research”](#) web page of the “Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements,” available through the [OJP Funding Resource Center](#). Every prospective applicant whose application may propose a research or statistical component also should review the “Data Privacy and Confidentiality Requirements” section on that web page.

## 4. Budget and Associated Documentation

### a. Budget Detail Worksheet

A sample Budget Detail Worksheet can be found at <http://ojp.gov/funding/Apply/Resources/BudgetDetailWorksheet.pdf>. An applicant that submits its budget in a different format should use the budget categories listed in the sample budget worksheet. The Budget Detail Worksheet should break out costs by year.

The Budget Detail Worksheet should distinguish cash from in-kind matched funds using an asterisk to show what percentage of the budget is cash. The Financial Guide can be accessed at: <http://ojp.gov/financialguide/DOJ/index.htm>.

For questions pertaining to budget and examples of allowable and unallowable costs, see the [DOJ Grants Financial Guide](#).

Applicants must show all computations. The Budget Detail Worksheet should provide itemized break downs of all costs. If the computations do not show sufficient amount of detail or are incorrect, the budgets will be returned for corrections.

The budget summary page must reflect the amounts in the budget categories as included in the Budget Detail Worksheet. These amounts should mirror the amounts in the Budget Narrative.

#### **Unallowable Uses for Award Funds**

In addition to the items identified in the Financial Guide, award funds may not be used for prizes, rewards, entertainment, trinkets (or any type of monetary incentive), client stipends, gift cards, vehicles, food and beverage, and/or any costs that do not support approved project activities. Bus passes may be allowable if the applicant can certify that they are non-redeemable, non-transferrable, and that their use by participants is auditable. The applicant must have written policies for determining eligibility, tracking distribution, and ensuring that passes are only used for transportation related to drug treatment programming.

#### **b. Budget Narrative**

The budget narrative should thoroughly and clearly describe every category of expense listed in the Budget Detail Worksheet. OJP expects proposed budgets to be complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities).

An applicant should demonstrate in its budget narrative how it will maximize cost effectiveness of award expenditures. Budget narratives should generally describe cost effectiveness in relation to potential alternatives and the goals of the project. For example, a budget narrative should detail why planned in-person meetings are necessary, or how technology and collaboration with outside organizations could be used to reduce costs, without compromising quality.

The budget narrative should be mathematically sound and correspond clearly with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how the applicant estimated and calculated all costs, and how those costs are necessary to the completion of the proposed project. The narrative may include tables for clarification purposes, but need not be in a spreadsheet format. As with the Budget Detail Worksheet, the budget narrative should describe costs by year.

The Budget should include costs for travel of three people for a BJA-approved training.

#### **c. Information on Proposed Subawards (if any), as well as on Proposed Procurement Contracts (if any)**

Applicants for OJP awards typically may propose to make "subawards." Applicants also may propose to enter into procurement "contracts" under the award.

Whether—for purposes of federal grants administrative requirements—a particular agreement between a recipient and a third party will be considered a "subaward" or instead considered a procurement "contract" under the award is determined by federal



rules and applicable OJP guidance. It is an important distinction, in part because the federal administrative rules and requirements that apply to "subawards" and to procurement "contracts" under awards differ markedly.

In general, the central question is the relationship between what the third-party will do under its agreement with the recipient and what the recipient has committed (to OJP) to do under its award to further a public purpose (e.g., services the recipient will provide, products it will develop or modify, research or evaluation it will conduct). If a third party will provide some of the services the recipient has committed (to OJP) to provide, will develop or modify all or part of a product the recipient has committed (to OJP) to develop or modify, or will conduct part of the research or evaluation the recipient has committed (to OJP) to conduct, OJP will consider the agreement with the third party a subaward for purposes of federal grants administrative requirements.

This will be true **even if** the recipient, for internal or other non-federal purposes, labels or treats its agreement as a procurement, a contract, or a procurement contract. Neither the title nor the structure of an agreement determines whether the agreement—for purposes of federal grants administrative requirements—is a "subaward" or is instead a procurement "contract" under an award.

Additional guidance on the circumstances under which (for purposes of federal grants administrative requirements) an agreement constitutes a subaward as opposed to a procurement contract under an award, is available (along with other resources) on the [OJP Part 200 Uniform Requirements](#) web page.

### **1. Information on proposed subawards**

A recipient of an OJP award may not make subawards ("subgrants") unless the recipient has specific federal authorization to do so. Unless an applicable statute or DOJ regulation specifically authorizes (or requires) subawards, a recipient must have authorization from OJP before it may make a subaward.

A particular subaward may be authorized by OJP because the recipient included a sufficiently-detailed description and justification of the proposed subaward in the application as approved by OJP. If, however, a particular subaward is not authorized by federal statute or regulation, and is not sufficiently described and justified in the application as approved by OJP, the recipient will be required, post-award, to request and obtain written authorization from OJP before it may make the subaward.

If an applicant proposes to make one or more subawards to carry out the federal award and program, the applicant should (1) identify (if known) the proposed subrecipient(s), (2) describe in detail what each subrecipient will do to carry out the federal award and federal program, and (3) provide a justification for the subaward(s), with details on pertinent matters such as special qualifications and areas of expertise. Pertinent information on subawards should appear not only in the Program Narrative, but also in the Budget Detail Worksheet and budget narrative.

### **2. Information on proposed procurement contracts (with specific justification for proposed noncompetitive contracts over \$150,000)**

Unlike a recipient contemplating a subaward, a recipient of an OJP award generally does not need specific prior federal authorization to enter into an agreement that—for purposes of federal grants administrative requirements—is considered a procurement



contract, **provided that** (1) the recipient uses its own documented procurement procedures and (2) those procedures conform to applicable federal law, including the Procurement Standards of the (DOJ) Part 200 Uniform Requirements (as set out at 2 C.F.R. 200.317 - 200.326). The Budget Detail Worksheet and budget narrative should identify proposed procurement contracts. (As discussed above, subawards must be identified and described separately from procurement contracts.)

The Procurement Standards in the Part 200 Uniform Requirements, however, reflect a general expectation that agreements that (for purposes of federal grants administrative requirements) constitute procurement “contracts” under awards will be entered into on the basis of full and open competition. If a proposed procurement contract would exceed the simplified acquisition threshold—currently, \$150,000—a recipient of an OJP award may not proceed without competition unless and until the recipient receives specific advance authorization from OJP to use a non-competitive approach for the procurement.

An applicant that (at the time of its application) intends—without competition—to enter into a procurement “contract” that would exceed \$150,000 should include a detailed justification that explains to OJP why, in the particular circumstances, it is appropriate to proceed without competition. Various considerations that may be pertinent to the justification are outlined in the [DOJ Grants Financial Guide](#).

#### **d. Pre-Agreement Costs**

For information on pre-agreement costs, see [Section B. Federal Award Information](#).

#### **5. Indirect Cost Rate Agreement (if applicable)**

Indirect costs may be charged to an award only if:

- (a) The recipient has a current (that is, unexpired), federally-approved indirect cost rate; or
- (b) The recipient is eligible to use, and elects to use, the “de minimis” indirect cost rate described in the Part 200 Uniform Requirements, as set out at 2 C.F.R. 200.414(f).

An applicant with a current (that is, unexpired) federally-approved indirect cost rate is to attach a copy of the indirect cost rate agreement to the application. An applicant that does not have a current federally-approved rate may request one through its cognizant federal agency, which will review all documentation and approve a rate for the applicant entity, or, if the applicant’s accounting system permits, applicants may propose to allocate costs in the direct cost categories.

For assistance with identifying the appropriate cognizant federal agency for indirect costs, please contact the OCFO Customer Service Center at 1-800-458-0786 or at [ask.ocfo@usdoj.gov](mailto:ask.ocfo@usdoj.gov). If DOJ is the cognizant federal agency, applicants may obtain information needed to submit an indirect cost rate proposal at <http://www.ojp.gov/funding/Apply/Resources/IndirectCosts.pdf>.

Certain OJP recipients have the option of electing to use the “de minimis” indirect cost rate. An applicant that is eligible to use the “de minimis” rate that wishes to use the “de minimis” rate should attach written documentation to the application that advises OJP of both-- (1) the applicant’s eligibility to use the “de minimis” rate, and (2) its election to do so. If an eligible applicant elects the “de minimis” rate, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. The “de

minimis" rate may no longer be used once an approved federally-negotiated indirect cost rate is in place. (No entity that ever has had a federally-approved negotiated indirect cost rate is eligible to use the "de minimis" rate.)

#### **6. Tribal Authorizing Resolution (if applicable)**

A tribe, tribal organization, or third party that proposes to provide direct services or assistance to residents on tribal lands should include in its application a resolution, letter, affidavit, or other documentation, as appropriate, that demonstrates (as a legal matter) that the applicant has the requisite authorization from the tribe(s) to implement the proposed project on tribal lands. In those instances when an organization or consortium of tribes applies for an award on behalf of a tribe or multiple specific tribes, the application should include appropriate legal documentation, as described above, from all tribes that would receive services or assistance under the award. A consortium of tribes for which existing consortium bylaws allow action without support from all tribes in the consortium (i.e., without an authorizing resolution or comparable legal documentation from each tribal governing body) may submit, instead, a copy of its consortium bylaws with the application.

An applicant unable to submit an application that includes a fully-executed (i.e., signed) copy of appropriate legal documentation, as described above, consistent with the applicable tribe's governance structure, should, at a minimum, submit an unsigned, draft version of such legal documentation as part of its application (except for cases in which, with respect to a tribal consortium applicant, consortium bylaws allow action without the support of all consortium member tribes). If selected for funding, BJA will make use of and access to funds contingent on receipt of the fully-executed legal documentation.

#### **7. Financial Management and System of Internal Controls Questionnaire (including applicant disclosure of high-risk status)**

**Every** applicant (other than an individual applying in his/her personal capacity) is to download, complete, and submit the [OJP Financial Management and System of Internal Controls Questionnaire](#), as part of its application.

Among other things, the form requires each applicant to disclose whether it currently is designated "high risk" by a federal grant-making agency outside of DOJ. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the applicant's past performance, or other programmatic or financial concerns with the applicant. If an applicant is designated high risk by another federal awarding agency, the applicant must provide the following information:

- The federal awarding agency that currently designates the applicant high risk
- The date the applicant was designated high risk
- The high-risk point of contact at that federal awarding agency (name, phone number, and email address)
- The reasons for the high-risk status, as set out by the federal awarding agency

OJP seeks this information to help ensure appropriate federal oversight of OJP awards. An applicant that is considered "high risk" by another federal awarding agency is not automatically disqualified from receiving an OJP award. OJP may, however, consider the information in award decisions, and may impose additional OJP oversight of any award under this solicitation (including through the conditions that accompany the award document).

## **8. Disclosure of Lobbying Activities**

Each applicant must complete and submit this information. An applicant that expends any funds for lobbying activities is to provide all of the information requested on the form [Disclosure of Lobbying Activities \(SF-LLL\)](#). An applicant that does not expend any funds for lobbying activities is to enter “N/A” in the text boxes for item 10 (“a. Name and Address of Lobbying Registrant” and “b. Individuals Performing Services”).

## **9. Additional Attachments**

### **a. Time Task Plan (Required)**

A Time Task Plan is required and should outline when goals and objectives will be met over the project period. The Time Task Plan will summarize the major activities, responsible agencies, and expected completion dates for the principal tasks required to implement and manage the drug court program. **Applicants must indicate the number of program participants to be served quarterly under the grant-funded project to demonstrate how the total number of anticipated participants will be served before the end of the grant period.**

### **b. Memorandum of Understanding (MOU) signed by all team members**

Attach an MOU signed by each key drug court team member, with general responsibilities and expectation of coordination agreed upon by each member. Key drug court team members include a judge, prosecutor, defense attorney, treatment provider, researcher/evaluator/management information specialist, community supervision representative, and drug court coordinator.

### **c. State Substance Abuse (SSA) Agency Director or Designee Letter (Recommended)**

Applicants are encouraged to include a letter from the SSA Director or designated representative in support of the application and include confirmation that the proposal conforms to the framework of the State Strategy of Substance Abuse Treatment. **A listing of the SSAs can be found on SAMHSA’s website at [www.samhsa.gov/sites/default/files/ssadirectory.pdf](http://www.samhsa.gov/sites/default/files/ssadirectory.pdf).** See #6 above for information about the Tribal Authorizing Resolution requirement.

### **d. Chief Justice, State Court Administrator, or Designee Letter (Recommended)**

Applicants are encouraged to include a letter from the Chief Justice of the state’s highest court, the State Court Administrator, or a designee (e.g., the state drug or problem-solving court coordinator) describing how the proposed application would enhance the statewide efforts related to problem-solving courts, and/or is part of the state’s problem-solving court strategy. The letter should be addressed to the BJA Director. A listing of the state drug and problem-solving court coordinators can be found at the [National Drug Court Resource Center](#).

### **e. Policies and Procedures Manual (if applicable)**

Policies and Procedures manuals must be reviewed and approved from all enhancement applicants. Applicants should attach their drug court manuals outlining the above referenced court operations as a separate attachment. If the policies and procedures manual is not attached to the current application, it must be submitted and approved by the program manager within the first year of grant award.

**f. Applicant Disclosure of Pending Applications**

Each applicant is to disclose whether it has (or is proposed as a subrecipient under) any pending applications for federally-funded grants or cooperative agreements that (1) include requests for funding to support the same project being proposed in the application under this solicitation, and (2) would cover any identical cost items outlined in the budget submitted to OJP as part of the application under this solicitation. The applicant is to disclose applications made directly to federal awarding agencies, and also applications for subawards of federal funds (e.g., applications to State agencies that will subaward ("subgrant") federal funds).

OJP seeks this information to help avoid any inappropriate duplication of funding. Leveraging multiple funding sources in a complementary manner to implement comprehensive programs or projects is encouraged and is not seen as inappropriate duplication.

Each applicant that has one or more pending applications as described above is to provide the following information about pending applications submitted within the last 12 months:

- The federal or State funding agency
- The solicitation name/project name
- The point of contact information at the applicable federal or State funding agency

Federal or State Funding Agency	Solicitation Name/Project Name	Name/Phone/Email for Point of Contact at Funding Agency
DOJ/Office of Community Oriented Policing Services (COPS)	COPS Hiring Program	Jane Doe, 202/000-0000; jane.doe@usdoj.gov
Health & Human Services/ Substance Abuse & Mental Health Services Administration	Drug-Free Communities Mentoring Program/ North County Youth Mentoring Program	John Doe, 202/000-0000; john.doe@hhs.gov

Each applicant should include the table as a separate attachment to its application. The file should be named "Disclosure of Pending Applications." The applicant Legal Name on the application must match the entity named on the disclosure of pending applications statement.

Any applicant that does not have any pending applications as described above is to submit, as a separate attachment, a statement to this effect: "[Applicant Name on SF-424] does not have (and is not proposed as a subrecipient under) any pending applications submitted within the last 12 months for federally-funded grants or cooperative agreements (or for subawards under federal grants or cooperative agreements) that request funding to support the same project being proposed in this application to OJP and that would cover any identical cost items outlined in the budget submitted as part of in this application."

**g. Research and Evaluation Independence and Integrity**

If an application proposes research (including research and development) and/or

evaluation, the applicant must demonstrate research/evaluation independence and integrity, including appropriate safeguards, before it may receive award funds. The applicant must demonstrate independence and integrity regarding both this proposed research and/or evaluation, and any current or prior related projects.

Each application should include an attachment that addresses **both** i. and ii. below.

- i. For purposes of this solicitation, each applicant is to document research and evaluation independence and integrity by including one of the following two items:
  - a. A specific assurance that the applicant has reviewed its application to identify any actual or potential apparent conflicts of interest (including through review of pertinent information on the principal investigator, any co-principal investigators, and any subrecipients), and that the applicant has identified no such conflicts of interest – whether personal or financial or organizational (including on the part of the applicant entity or on the part of staff, investigators, or subrecipients) – that could affect the independence or integrity of the research, including the design, conduct, and reporting of the research.

OR

- b. A specific description of actual or potential apparent conflicts of interest that the applicant has identified – including through review of pertinent information on the principal investigator, any co-principal investigators, and any subrecipients – that could affect the independence or integrity of the research, including the design, conduct, or reporting of the research. These conflicts may be personal (e.g., on the part of investigators or other staff), financial, or organizational (related to the applicant or any subrecipient entity). Some examples of potential investigator (or other personal) conflict situations are those in which an investigator would be in a position to evaluate a spouse's work product (actual conflict), or an investigator would be in a position to evaluate the work of a former or current colleague (potential apparent conflict). With regard to potential organizational conflicts of interest, as one example, generally an organization would not be given an award to evaluate a project, if that organization had itself provided substantial prior technical assistance to that specific project or a location implementing the project (whether funded by OJP or other sources), because the organization in such an instance might appear to be evaluating the effectiveness of its own prior work. The key is whether a reasonable person understanding all of the facts would be able to have confidence that the results of any research or evaluation project are objective and reliable. Any outside personal or financial interest that casts doubt on that objectivity and reliability of an evaluation or research product is a problem and must be disclosed.
- ii. In addition, for purposes of this solicitation, each applicant is to address possible mitigation of research integrity concerns by including, at a minimum, one of the following two items:
  - a. If an applicant reasonably believes that no actual or potential apparent conflicts of interest (personal, financial, or organizational) exist, then the

applicant should provide a brief narrative explanation of how and why it reached that conclusion. The applicant also is to include an explanation of the specific processes and procedures that the applicant has in place, or will put in place, to identify and prevent (or, at the very least, mitigate) any such conflicts of interest pertinent to the funded project during the period of performance. Documentation that may be helpful in this regard may include organizational codes of ethics/conduct and policies regarding organizational, personal, and financial conflicts of interest. There is no guarantee that the plan, if any, will be accepted as proposed.

OR

- b. If the applicant has identified actual or potential apparent conflicts of interest (personal, financial, or organizational) that could affect the independence and integrity of the research, including the design, conduct, or reporting of the research, the applicant must is to provide a specific and robust mitigation plan to address each of those conflicts. At a minimum, the applicant is expected to explain the specific processes and procedures that the applicant has in place, or will put in place, to identify and eliminate (or, at the very least, mitigate) any such conflicts of interest pertinent to the funded project during the period of performance. Documentation that may be helpful in this regard may include organizational codes of ethics/conduct and policies regarding organizational, personal, and financial conflicts of interest. There is no guarantee that the plan, if any, will be accepted as proposed.

OJP will assess research and evaluation independence and integrity based on considerations such as the adequacy of the applicant's efforts to identify factors that could affect the objectivity or integrity of the proposed staff and/or the applicant entity (and any subrecipients) in carrying out the research, development, or evaluation activity; and the adequacy of the applicant's existing or proposed remedies to control any such factors.

### How to Apply

Applicants must register in, and submit applications through Grants.gov, a primary source to find federal funding opportunities and apply for funding. Find complete instructions on how to register and submit an application at [www.Grants.gov](http://www.Grants.gov). Applicants that experience technical difficulties during this process should call the Grants.gov Customer Support Hotline at **800-518-4726** or **606-545-5035**, which operates 24 hours a day, 7 days a week, except on federal holidays.

Registering with Grants.gov is a one-time process; however, **processing delays may occur, and it can take several weeks** for first-time registrants to receive confirmation of registration and a user password. OJP encourages applicants to **register several weeks before** the application submission deadline. In addition, OJP urges applicants to submit applications at least 72 hours prior to the application due date, in order to allow time for the applicant to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification.

OJP strongly encourages all prospective applicants to sign up for Grants.gov email [notifications](#) regarding this solicitation. If this solicitation is cancelled or modified, individuals who sign up with Grants.gov for updates will be automatically notified.

**Browser Information:** Grants.gov was built to be compatible with Internet Explorer. For technical assistance with Google Chrome, or another browser, contact Grants.gov Customer Support.

**Note on Attachments:** Grants.gov has two categories of files for attachments: “mandatory” and “optional.” OJP receives all files attached in both categories. Please ensure that all required documents are attached in either Grants.gov category.

**Note on File Names and File Types:** Grants.gov only permits the use of certain specific characters in the file names of attachments. Valid file names may include only the characters shown in the table below. Grants.gov rejects any application that includes an attachment(s) with a file name that contains any characters not shown in the table below. Grants.gov forwards successfully-submitted applications to the OJP Grants Management System (GMS).

Characters	Special Characters		
Upper case (A – Z)	Parenthesis ( )	Curly braces { }	Square brackets [ ]
Lower case (a – z)	Ampersand (&)	Tilde (~)	Exclamation point (!)
Underscore ( _ )	Comma ( , )	Semicolon ( ; )	Apostrophe ( ' )
Hyphen ( - )	At sign ( @ )	Number sign ( # )	Dollar sign ( \$ )
Space	Percent sign ( % )	Plus sign ( + )	Equal sign ( = )
Period ( . )	<b>Applicants must use the “&amp;” format in place of the ampersand (&amp;) when using XML format for documents.</b>		

**GMS does not accept executable file types as application attachments.** These disallowed file types include, but are not limited to, the following extensions: “.com,” “.bat,” “.exe,” “.vbs,” “.cfg,” “.dat,” “.db,” “.dbf,” “.dll,” “.ini,” “.log,” “.ora,” “.sys,” and “.zip.” GMS may reject applications with files that use these extensions. It is important to allow time to change the type of file(s) if the application is rejected.

All applicants are required to complete the following steps:

Every applicant entity must comply with all applicable System for Award Management (SAM) and unique entity identifier (currently, a Data Universal Numbering System [DUNS] number) requirements. If an applicant entity has not fully complied with applicable SAM and unique identifier requirements by the time OJP makes award decisions, OJP may determine that the applicant is not qualified to receive an award and may use that determination as a basis for making the award to a different applicant.

An individual who wishes to apply in his/her personal capacity should search Grants.gov for funding opportunities for which individuals are eligible to apply. Use the Funding Opportunity Number (FON) to register. (An applicant applying as an individual must comply with all applicable Grants.gov individual registration requirements.)

Complete the registration form at <https://apply07.grants.gov/apply/IndCPRegister> to create a username and password for Grants.gov. (An applicant applying as an individual should complete all steps except 1, 2 and 4.)

**1. Acquire a unique entity identifier (currently, a DUNS number).** In general, the Office of Management and Budget requires every applicant for a federal award (other than an



individual) to include a "unique entity identifier" in each application, including an application for a supplemental award. Currently, a DUNS number is the required unique entity identifier.

A DUNS number is a unique nine-digit identification number provided by the commercial company Dun and Bradstreet. This unique entity identifier is used for tracking purposes, and to validate address and point of contact information for applicants, recipients, and subrecipients. It will be used throughout the life cycle of an OJP award. Obtaining a DUNS number is a free, one-time activity. Call Dun and Bradstreet at 866–705–5711 to obtain a DUNS number or apply online at [www.dnb.com](http://www.dnb.com). A DUNS number is usually received within 1-2 business days.

2. **Acquire registration with the System for Award Management (SAM).** SAM is the repository for certain standard information about federal financial assistance applicants, recipients, and subrecipients. All applicants for OJP awards (other than individuals) must maintain current registrations in the SAM database. An applicant must be registered in SAM to successfully register in Grants.gov. Each applicant must **update or renew its SAM registration at least annually** to maintain an active status. SAM registration and renewal can take as long as 10 business days to complete.

An application cannot be successfully submitted in Grants.gov until Grants.gov receives the SAM registration information. Once the SAM registration/renewal is complete, **the information transfer from SAM to Grants.gov can take as long as 48 hours.** OJP recommends that the applicant register or renew registration with SAM as early as possible.

Information about SAM registration procedures can be accessed at [www.sam.gov](http://www.sam.gov).

3. **Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password.** Complete the AOR profile on Grants.gov and create a username and password. An applicant entity's "unique entity identifier" (DUNS number) must be used to complete this step. For more information about the registration process for organizations and other entities, go to [www.grants.gov/web/grants/register.html](http://www.grants.gov/web/grants/register.html). Individuals registering with Grants.gov should go to <http://www.grants.gov/web/grants/applicants/individual-registration.html>.
4. **Acquire confirmation for the AOR from the E-Business Point of Contact (E-Biz POC).** The E-Biz POC at the applicant organization must log into Grants.gov to confirm the applicant organization's AOR. The E-Biz POC will need the Marketing Partner Identification Number (MPIN) password obtained when registering with SAM to complete this step. Note that an organization can have more than one AOR.
5. **Search for the funding opportunity on Grants.gov.** Use the following identifying information when searching for the funding opportunity on Grants.gov. The Catalog of Federal Domestic Assistance number for this solicitation is CFDA #16.585 titled "Drug Court Discretionary Grant Program," and the funding opportunity number is BJA-2017-11320.
6. **Select the correct Competition ID.** Some OJP solicitations posted to Grants.gov contain multiple purpose areas, denoted by the individual [Competition ID](#). If applying to a solicitation with multiple Competition IDs, select the appropriate Competition ID for the intended purpose area of the application.

7. **Submit a valid application consistent with this solicitation by following the directions in Grants.gov.** Within 24–48 hours after submitting the electronic application, the applicant should receive two notifications from Grants.gov. The first will confirm the receipt of the application and the second will state whether the application has been successfully validated, or rejected due to errors, with an explanation. It is possible to first receive a message indicating that the application is received and then receive a rejection notice a few minutes or hours later. Submitting well ahead of the deadline provides time to correct the problem(s) that caused the rejection. **Important:** OJP urges applicants to submit applications **at least 72 hours prior** to the application due date to allow time to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification. All applications are due to be submitted and in receipt of a successful validation message in Grants.gov by 11:59 p.m. eastern time on February 28, 2017.

Click [here](#) for further details on DUNS, SAM, and Grants.gov registration steps and timeframes.

#### **Note: Application Versions**

If an applicant submits multiple versions of the same application, BJA will review only the most recent system-validated version submitted. See Note on File Names and File Types under [How To Apply](#).

#### **Experiencing Unforeseen Grants.gov Technical Issues**

An applicant that experiences unforeseen Grants.gov technical issues beyond its control that prevent it from submitting its application by the deadline must contact the Grants.gov [Customer Support Hotline](#) (800-518-4726) or the [SAM Help Desk](#) (866-606-8220) to report the technical issue and receive a tracking number. Then the applicant must email the BJA contact identified in the Contact Information section on page 2 **within 24 hours after the application deadline** and request approval to submit their application. The email must describe the technical difficulties, and include a timeline of the applicant's submission efforts, the complete grant application, the applicant's DUNS number, and any Grants.gov Help Desk or SAM tracking number(s).

**Note: OJP does not automatically approve requests to submit a late application.** After OJP reviews the applicant's request, and contacts the Grants.gov or SAM Help Desks to verify the reported technical issues, OJP will inform the applicant whether the request to submit a late application has been approved or denied. If OJP determines that the untimely application submission was due to the applicant's failure to follow all required procedures, OJP will deny the applicant's request to submit its application.

The following conditions generally are insufficient to justify late submissions:

- Failure to register in SAM or Grants.gov in sufficient time. (SAM registration and renewal can take as long as 10 business days to complete. The information transfer from SAM to Grants.gov can take up to 48 hours.)
- Failure to follow Grants.gov instructions on how to register and apply as posted on its website.
- Failure to follow each instruction in the OJP solicitation.
- Technical issues with the applicant's computer or information technology environment, such as issues with firewalls or browser incompatibility.

Notifications regarding known technical problems with Grants.gov, if any, are posted at the top of the OJP [Funding Resource Center](#) web page.

## E. Application Review Information

### Review Criteria

#### 1. Statement of the Problem

Within this section all applicants should explain the inability to fund the program adequately without federal assistance.

##### **Category 1: Implementation Applicants (20 percent)**

- Describe the nature and scope of the substance use disorder problem in the jurisdiction. Include data on race, ethnicity, age, gender, arrest volume (i.e., specifics of the general arrestee population, including what percentage are screened for drug court and what percentage of those are admitted into drug court) and crime patterns for adult defendants.
- Explain the problems with the current court response to cases involving substance use disorder, identify how and to what extent the proposed project will address the current arrest volume, and describe how the current number of treatment slots meets the needs of anticipated referrals.
- Describe the proposed target population, including criminogenic risk level (high, medium, low), substance use disorder treatment need, and the average jail or prison sentence that potential participants face, if any.
- Provide the target goal (number) of people to whom services will be provided under this project during the grant award period. Explain how the target number of people the applicant plans to serve with grant funds was derived. This number will serve as the target number, and BJA will measure the applicant's success using this target number, if the applicant is selected to receive an award.

##### **Category 2: Enhancement Applicants (25 percent)**

- Describe the immediate issues that the enhancement grant seeks to address. As stated earlier, applicants are encouraged to include in their proposals funding to incorporate the evidence-based program principles included in the NADCP Adult Drug Court Best Practice Standards, and to specify which Standard(s) will be addressed and how the Standard(s) will be implemented. Applicants should also refer to the allowable uses of funds on page 11.
- Describe the current operation of the adult drug court, addressing:
  - Referral, screening, and assessment process.
  - Eligibility requirements.
  - Target population.
  - Current capacity.
  - Length and phases of the program.
  - Case management process.
  - Community supervision.
  - Recovery support services delivery plan to include vocational/educational and transitional housing services.
  - Judicial supervision.
  - Process for randomized drug testing.

- Incentives and sanctions.
- Graduation requirements and expulsion criteria (include the drug court members present when it is decided and communicated that a participant is terminated from the program).
- Restitution costs and all fees required for program participation.
- Policies and Procedures manuals must be reviewed and approved from all enhancement applicants. Applicants should attach their drug court manuals outlining the above referenced court operations as a separate attachment. If the policies and procedures manual is not attached to the current application, it must be submitted and approved by the program manager within the first year of grant award.
- Describe a mechanism that prioritizes court resources and services for the individuals with high criminogenic risk and treatment need, including persons with repeat criminal justice involvement and substance use disorder.
- Identify the treatment service(s)/ practice(s) available for drug court participants, including the access to MAT and how those services are currently monitored for quality and effectiveness.
- Discuss the evidence that shows that the drug and other treatment service(s)/practice(s) are evidence-based and effective with the target population. If the evidence is limited or non-existent for the target population, provide other information to support the intervention selection. Provide local data and any evaluation findings that demonstrate the program's impact with regard to participant recidivism and functional outcomes.

### **Category 3: Statewide Applicants (20 percent)**

- List the subcategory and total funding amount the applicant is applying for: A, B, or both. Describe the enhancement and/or number and type of drug court(s) and other problem solving courts operating statewide with jurisdiction over substance misusers.
- Describe the extent that the state or these courts meet the needs of the eligible population of nonviolent persons with substance use disorder, are operating at capacity, and the non-budgetary reasons if they are not operating at capacity.
- Provide information about the extent that the enhancement and/or drug courts within the state are incorporating evidence-based treatment practices/services.
- Describe the issue or need that the implementation or enhancement grant seeks to address. Provide state data and any evaluation findings that demonstrate the state drug court program's impact with regard to offender and community outcomes.
- Provide the target goal (number) of people to whom services will be provided under this project during the grant award period. This number will serve as the target number, and BJA will measure the applicant against this target number, if the applicant is selected to receive an award.

## **2. Project Design and Implementation**

Within this section, all applicants should address the following items and then address their specific category requirements below.

- 1) Applicants should demonstrate that eligible drug court participants promptly enter the drug court program following a determination of their eligibility. Drug court programs which require an initial period of incarceration are ineligible unless the period of incarceration is mandated by statute for the offense in question. In such instances, the applicant must demonstrate these persons receive treatment services while incarcerated

if available and begins drug court treatment services immediately upon release.

- 2) The Drug Court Discretionary Grant Program authorizing statute requires participant payments for treatment and restitution; however, it does not allow imposing a fee on a client that would interfere with the client's rehabilitation. Applicants should include in their application provisions for determining how these costs would not interfere with a client's rehabilitation or graduation.
- 3) Applicants should demonstrate that the drug court for which funds are being sought will not deny any eligible client access to the program because of their use of FDA-approved medications for the treatment of substance use disorders. Please refer to page 9 for additional information.
- 4) Applicants should discuss how they intend to increase awareness of any potential racial disparity in the selection of eligible applicants, and how they intend to prevent or overcome any such disparities.

**Category 1: Implementation Applicants (40 percent):**

- Describe the drug court program to include the following:
  - Screening and referral process.
  - Eligibility requirements.
  - Structure of the drug court (pre-/post-plea, etc.).
  - Length and phases of the program.
  - Case management process.
  - Community supervision.
  - Availability of evidence-based treatment services.
  - Recovery supportive services delivery plan.
  - Judicial supervision.
  - Process for randomized drug testing.
  - Incentives and sanctions. Demonstrate an understanding that relapse is a part of the substance use disorder recovery process and is taken into consideration in the development of incentives and sanctions.
  - Graduation requirements and expulsion criteria.
  - Restitution costs and all fees required for program participation, identifying how the fees will be absorbed back into the program. Include whether the program fees present a barrier to participation and the measures available to reduce or waive fees for indigent participants.
- Describe which, if any, evidence-based principles and practices included in the NADCP Adult Drug Court Best Practice Standards will be implemented (see pages 7–8).
- Describe how the treatment provider(s) will be selected and address the frequency with which key drug court team members will monitor the providers. Monitoring should ensure that the treatment is effective. Describe the evidence base for the drug and other treatment intervention(s) to be used and how it is responsive to the needs of the target population described above.
- Describe the range of treatment to be provided to address the substance use disorder, mental health, and cognitive behavioral needs of participants.
- Describe how the court will identify, assess, and prioritize participation and services for high-risk/high-need persons. Identify the validated assessment tool which will be utilized and provide information on why the specific assessment tool was selected.

- If a post-adjudication drug court model is proposed, discuss how the concept of “early intervention” will be implemented.
- Discuss how the community has been engaged in the planning process and describe the community partnerships available to support the drug court program.
- Demonstrate how the proposal conforms to the framework of the State Drug Court Strategy, if one exists.
- Describe how participant treatment will be funded
- For Veterans Treatment Courts serving violent offenders, describe availability of anger management and domestic violence treatment.

**Category 2: Enhancement Applicants (40 percent):**

- Describe the proposed enhancement and its specific goals and objectives.
- Describe which, if any, evidence-based principles and practices included in the NADCP Adult Drug Court Best Practice Standards described on pages 7–8 will be implemented with the funds requested in the proposal.
- Describe how the court will identify, assess, and prioritize participation and services for high-risk/high-need persons. Identify the validated assessment tool used and provide information on why the specific assessment tool was selected.
- Provide the target goal (number) of people to whom services will be provided under this project during the grant award period. Explain how the target number of people the applicant plans to serve with grant funds was derived. This number will serve as the target number, and BJA will measure the applicant’s success using this target number, if the applicant is selected to receive an award. Describe the structure of the drug court (pre-/post-plea, etc.)
- Identify the enhancement options discussed on page 10 for which funds are being requested and explain how each will be accomplished. In the explanation address the following:
  - Describe the detailed and randomized drug testing process and how it will occur throughout all components/phases of the program. Describe the mechanism which the court will use to ensure coverage and coordination of drug testing among all available agencies associated with clients.
  - Describe the proposed frequency of judicial status hearings and related criteria in the program. Describe how the program will ensure consistent procedures in the status hearings.
  - Describe the process the court will use to ensure a perception of procedural fairness throughout all court and program operations.
  - Describe the evidence base for the treatment intervention(s) to be used and how it is responsive to the needs of the target population described above. Describe the range of treatment to be provided to address the substance use disorder, mental health, and cognitive behavioral needs of participants.
  - Demonstrate how the proposal conforms to the framework of the State Drug Court Strategy if one exists.
  - For Veterans Treatment Courts serving violent offenders, describe availability of anger management and domestic violence treatment.

**Category 3: Statewide Applicants (50 percent):**

- Describe the specific design, goals, and objectives for the proposed statewide enhancement project.
- Describe which, if any, evidence-based principles and practices included in the NADCP Adult Drug Court Best Practice Standards will be implemented (see pages 7–8) and how

the proposed use of funds will assist in that implementation. If the State is proposing to increase/improve implementation of its own State standards, describe those standards and how they will be implemented.

- Provide a project strategy identifying how one or more of the following statewide initiatives will be accomplished: implementation of a new drug court; Best Practice Standards implementation; training or technical assistance programs for existing drug court teams; tracking or compiling state drug court information and resources; disseminating statewide drug court information to enhance or strengthen drug court programs; increasing communication, coordination, and information sharing among drug court programs; conducting a statewide drug court evaluation; or establishing an automated drug court data collection system.
- Describe the statewide, data-driven drug court strategy, including the plan to expand capacity of problem-solving courts to divert substance-misusing defendants from incarceration, which may include implementing new drug courts and/or scaling up existing drug courts to better meet the number of the existing eligible high-risk/high-need justice-involved population. Demonstrate how this proposal will assist in implementing that state strategy.
- If applicable under Category B, identify which drug court program(s) are proposed to receive funding, the type of program(s), at what amounts, for which periods of time, how the statewide applicant will assist the funded courts in achieving their goals and objectives, and how the applicant will monitor progress. Identify whether and how the selected jurisdiction(s) drug court programs will implement principles and practices included in the NADCP Adult Drug Court Best Practice Standards.
- Describe the detailed and randomized drug testing process and how it will occur throughout all components/phases of the program. Describe the mechanism which the court will use to ensure coverage and coordination of drug testing among all available agencies associated with clients.
- Describe the proposed frequency of judicial status hearings and related criteria in the program. Describe how the program will ensure consistent procedures in the status hearings.
- Describe the process the court will use to ensure a perception of procedural fairness throughout all court and program operations.
- Describe the plan for sustaining drug court programming after federal funding has ended.
- For Veterans Treatment Courts serving violent offenders, describe availability of anger management and domestic violence treatment.

### **3. Capabilities and Competencies**

#### **Category 1: Implementation Applicants (20 percent)**

- Indicate whether the current drug court team members have received training through the BJA Drug Court Planning Initiative or through another opportunity.
- Identify each member of the drug court team and briefly describe their roles and responsibilities.
- Describe how effective communication and coordination among the team will be implemented throughout the project period. Key drug court team members must include a judge, prosecutor, defense attorney, treatment provider, researcher/evaluator/management information specialist, and drug court coordinator.
- Indicate whether the drug court team includes members from local law enforcement and



probation departments. If applicable, describe the roles of these members as related to staffing attendance, home visits, and court appearances.

- Describe the drug court program's proposed treatment partners; describe the history of this partnership and how the court will ensure these substance abuse treatment providers will use evidence-based treatment services including MAT.
- Attach a Memorandum of Understanding signed by each key drug court team member with responsibilities outlined for each member.

**Category 2: Enhancement Applicants (20 percent):**

- Identify each drug court team member who will have a significant role in implementing the enhancement and describe their roles, responsibilities, and qualifications to ensure success of the proposed enhancement project. Key drug court team members must include a judge, prosecutor, defense attorney, treatment provider, researcher/evaluator/management information specialist, community supervision representative and drug court coordinator.
- Identify personnel other than team members who are critical to the enhancement project's successful implementation and discuss their roles, responsibilities, and qualifications.
- Discuss organizational capabilities or competencies that will directly impact the ability to successfully implement the proposed enhancement.
- Describe the drug court program's proposed treatment partners; describe the history of this partnership and how the court will ensure that these substance abuse treatment providers use evidence-based treatment services and monitor the quality and effectiveness of service delivery.
- Attach a Memorandum of Understanding signed by each key drug court team member, with responsibilities outlined for each member.

**Category 3: Statewide (15 percent):**

- Subcategory A for up to \$300,000: Identify personnel who are critical to the enhancement project's successful implementation and discuss their roles, responsibilities, and qualifications. Discuss organizational capabilities or competencies that will directly impact the ability to successfully implement the proposed enhancement.
- Subcategory B for up to \$1,200,000: Detail the system and process that will be used to monitor the drug court(s) to which funds are passed through for performance, compliance, and technical assistance needs, as well as how the drug court(s) will contribute to a reduction in substance misuse-related recidivism. Describe current state-funded drug court services, such as practitioner training and professional development opportunities, accessible statewide treatment contracts, and technical assistance available to support the implementation and/or enhancement operations of the drug courts proposed to receive funding. Describe the drug court program's proposed treatment partners; describe the history of this partnership and how these substance abuse/addiction treatment providers will use evidence-based treatment services.

**4. Evaluation, Continued care and Healthcare Integration, Sustainment, and Plan for Collecting the Data Required for this Solicitation's Performance Measures**

All applicants should describe their current ability to collect and analyze client-level demographic, performance, and outcome data and to conduct regular assessments of program service delivery and performance as described in the evidence-based program principles described in this solicitation. All applicants must indicate their willingness and ability to report aggregated client-level performance and outcome data through BJA's

Performance Measurement Tool (PMT) as well as the person responsible for collecting the data. Statewide applicants are expected to report on behalf of subawardees.

**Category 1: Implementation Applicants (15 percent):**

- Describe the steps the drug court will take to develop a performance management and evaluation plan. The plan should include strategies to collect data, review data, and use data to improve program performance, and should discuss how the drug court will work with an evaluator when appropriate. Describe the program's screening tool and referral process, which ensures that participants screened and referred to drug court mirror the jurisdiction's substance misuse arrestee percentages.
- Describe who will be responsible for, and the process of, the quarterly review of the actual number of participants served with grant funds as compared to the projected number of participants to be served. The Time Task Plan should reflect when and how the jurisdiction plans to reach that capacity and should be measured on a quarterly basis.
- Provide a client community reintegration or continued care strategy detailing the step down provisions for reintegration services to assist program graduates as they reintegrate into the community. An emphasis will be placed on the client's access to drug free or transitional housing. If applicable, applicants are also encouraged to consider and describe how their state's planned Medicaid expansion, as allowed under the Patient Protection and Affordable Care Act, will increase future program capacity or sustainability.
- Provide a sustainability plan detailing how drug court operations will be maintained after federal assistance ends. The sustainability plan should describe how current collaborations and evaluations will be used to leverage ongoing resources. BJA encourages applicants to ensure sustainability by coordinating with local, state, and other federal resources. Allowable uses of funds under the BJA [Justice Assistance Grant \(JAG\) Program](#) are court services and substance abuse and treatment.

**Category 2: Enhancement Applicants (10 percent):**

- Provide a plan detailing how performance of court operations will be evaluated and managed. Describe the program's screening tool and referral process that ensures that participants screened and referred to drug court mirror the jurisdiction's substance misuse arrestee percentages.
- Describe who will be responsible for, and the process of, the quarterly review of the actual number of participants served with grant funds as compared to the projected number of participants to be served. The Time Task Plan should reflect when and how the jurisdiction plans to reach that capacity and should be measured on a quarterly basis.
- Describe how operation and enhancement efforts will be maintained after federal assistance ends and how current collaborations and evaluations will be used to leverage ongoing resources.
- Provide a client community reintegration or continued care strategy detailing the step down provisions for reintegration services to assist program graduates as they reintegrate into the community. An emphasis will be placed on the client's access to drug free or transitional housing. If applicable, applicants are also encouraged to consider and describe how their state's planned Medicaid expansion, as allowed under the Patient Protection and Affordable Care Act, will increase future program capacity or sustainability.

- BJA encourages applicants to ensure sustainability by coordinating with local, state and other federal resources. Such resources, like [JAG](#), have purpose areas to support court services and substance abuse treatment.

**Category 3: Statewide Applicants (10 percent):**

- Provide a plan detailing how enhancement activities and performance of funded drug court operations will be managed and evaluated.
- Detail a screening and referral process using valid screening and assessment tools to ensure the most appropriate participants are referred to drug court.
- Describe who will be responsible for, and the process of, the quarterly review of the actual number of participants served with grant funds as compared to the projected number of participants to be served. The Time Task Plan should reflect when and how the jurisdiction plans to reach that capacity and should be measured on a quarterly basis.
- Describe how operation and enhancement efforts will be maintained after federal assistance ends and how current collaborations and evaluations will be used to leverage ongoing resources.
- Provide a client community reintegration or continued care strategy detailing the step down provisions for reintegration services to assist program graduates as they reintegrate into the community. An emphasis will be placed on the client's access to drug free or transitional housing. If applicable, applicants are also encouraged to consider and describe how their state's planned Medicaid expansion, as allowed under the Patient Protection and Affordable Care Act, will increase future program capacity or sustainability.

**5. Budget (5 percent)**

All applicants (Categories 1-3) must provide a proposed budget for the entire project period that is complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities) and reflects the 25 percent match requirement (notating which budget line items are match amounts). Budget narratives should demonstrate generally how applicants will maximize cost effectiveness of grant expenditures. Budget narratives should demonstrate cost effectiveness in relation to potential alternatives and the goals of the project.<sup>8</sup> The total amount being requested must be identified on the SF-424 and abstract. Applicants must submit the Budget Detail Worksheet and Budget Narrative in one file.

**Review Process**

OJP is committed to ensuring a fair and open process for awarding grants. BJA reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation.

Peer reviewers will review the applications submitted under this solicitation that meet basic minimum requirements. For purposes of assessing whether an application meets basic minimum requirements and should proceed to further consideration, OJP screens applications for compliance with those requirements. Although specific requirements may vary, the following are common requirements applicable to all solicitations for funding under OJP programs:

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<sup>8</sup> Generally speaking, a reasonable cost is a cost that, in its nature or amount, does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the costs.

- The application must be submitted by an eligible type of applicant
- The application must request funding within programmatic funding constraints (if applicable)
- The application must be responsive to the scope of the solicitation
- The application must include all items designated as “critical elements”
- The applicant must not be identified in SAM as excluded from receiving federal awards

For a list of the critical elements for this solicitation, see “What an Application Should Include” under [Section D. Application and Submission Information](#).

Peer review panels will evaluate, score, and rate applications that meet basic minimum requirements. BJA may use internal peer reviewers, external peer reviewers, or a combination, to assess applications on technical merit using the solicitation’s review criteria. An external peer reviewer is an expert in the subject matter of a given solicitation who is not a current DOJ employee. An internal reviewer is a current DOJ employee who is well-versed or has expertise in the subject matter of this solicitation. Peer reviewers’ ratings and any resulting recommendations are advisory only, although reviewer views are considered carefully. Other important considerations for OJP include underserved populations, geographic diversity, strategic priorities, and available funding, as well as the extent to which the budget detail worksheet and budget narrative accurately explain project costs that are reasonable, necessary, and otherwise allowable under federal law and applicable federal cost principles.

Pursuant to the Part 200 Uniform Requirements, before award decisions are made, OJP also reviews information related to the degree of risk posed by applicants. Among other things to help assess whether an applicant that has one or more prior federal awards has a satisfactory record with respect to performance, integrity, and business ethics, OJP checks whether the applicant is listed in SAM as excluded from receiving a federal award. If OJP anticipates that an award will exceed \$150,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the non-public segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System; “FAPIIS”).

**Important note on FAPIIS:** An applicant, at its option, may review and comment on any information about itself that currently appears in FAPIIS and was entered by a federal awarding agency. OJP will consider any such comments by the applicant, in addition to the other information in FAPIIS, in its assessment of the risk posed by applicants.

The evaluation of risks goes beyond information in SAM, however. OJP itself has in place a framework for evaluating risks posed by applicants for competitive awards. OJP takes into account information pertinent to matters such as—

1. Applicant financial stability and fiscal integrity
2. Quality of the management systems of the applicant, and the applicant’s ability to meet prescribed management standards, including those outlined in the DOJ Grants Financial Guide
3. Applicant’s history of performance under OJP and other DOJ awards (including compliance with reporting requirements and award conditions), as well as awards from other federal agencies

4. Reports and findings from audits of the applicant, including audits under the Part 200 Uniform Requirements
5. Applicant's ability to comply with statutory and regulatory requirements, and to effectively implement other award requirements

Absent explicit statutory authorization or written delegation of authority to the contrary, all final award decisions will be made by the Assistant Attorney General, who may take into account not only peer review ratings and BJA recommendations, but also other factors as indicated in this section.

## **F. Federal Award Administration Information**

### **Federal Award Notices**

Award notifications will be made by September 30, 2017. OJP sends award notifications by email through GMS to the individuals listed in the application as the point of contact and the authorizing official (E-Biz POC and AOR). The email notification includes detailed instructions on how to access and view the award documents, and steps to take in GMS to start the award acceptance process. GMS automatically issues the notifications at 9:00 p.m. eastern time on the award date.

For each successful applicant, an individual with the necessary authority to bind the applicant will be required to log in; execute a set of legal certifications and a set of legal assurances; designate a financial point of contact; thoroughly review the award, including all award conditions; and sign and accept the award. The award acceptance process requires physical signature of the award document by the authorized representative and the scanning of the fully-executed award document to OJP.

### **Administrative, National Policy, and Other Legal Requirements**

If selected for funding, in addition to implementing the funded project consistent with the OJP-approved application, the recipient must comply with all award conditions, as well as all applicable requirements of federal statutes, regulations, and executive orders (including applicable requirements referred to in the assurances and certifications executed in connection with award acceptance). OJP strongly encourages prospective applicants to review information on post-award legal requirements and common OJP award conditions **prior** to submitting an application.

Applicants should consult the “[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements](#),” available in the [OJP Funding Resource Center](#). In addition, applicants should examine the following two legal documents, as each successful applicant must execute both documents before it may receive any award funds.

- [Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements](#)
- [Standard Assurances](#)

Applicants may view these documents in the Apply section of the [OJP Funding Resource Center](#).

The web pages accessible through the "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements](#)" are intended to give applicants for OJP awards a general overview of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants and cooperative agreements awarded in FY 2017. Individual OJP awards typically also will include additional award conditions. Those additional conditions may relate to the particular statute or program, or solicitation under which the award is made; to the substance of the funded application; to the recipient's performance under other federal awards; to the recipient's legal status (e.g., as a for-profit entity); or to other pertinent considerations.

Prospective applicants may access and review the text of mandatory conditions OJP includes in all OJP awards, as well as the text of certain other conditions, such as administrative conditions, via the [Mandatory Award Terms and Conditions](#) page of the [OJP Funding Resource Center](#).

### **General Information about Post-Federal Award Reporting Requirements**

In addition to the deliverables described in [Section A. Program Description](#), any recipient of an award under this solicitation will be required to submit the following reports and data.

Required reports. Recipients typically must submit quarterly financial reports, semi-annual progress reports, final financial and progress reports, and, if applicable, an annual audit report in accordance with the Part 200 Uniform Requirements or specific award conditions. Future awards and fund drawdowns may be withheld if reports are delinquent. (In appropriate cases, OJP may require additional reports.)

Awards that exceed \$500,000 will include an additional condition that, under specific circumstances, will require the recipient to report (to FAPIIS) information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either the OJP award or any other grant, cooperative agreement, or procurement contract from the federal government. Additional information on this reporting requirement appears in the text of the award condition posted on the OJP web site at <http://ojp.gov/funding/FAPIIS.htm>.

Data on performance measures. In addition to required reports, an award recipient also must provide data that measure the results of the work done under the award. To demonstrate program progress and success, as well as to assist DOJ in fulfilling its responsibilities under the Government Performance and Results Act of 1993 (GPRA), Public Law 103-62, and the GPRA Modernization Act of 2010, Public Law 111-352, OJP will require any recipient, post award, to provide the data listed as "Data Recipient Provides" in the performance measures table in [Section D. Application and Submission Information](#), under "Program Narrative," so that OJP can calculate values for this solicitation's performance measures.

## **G. Federal Awarding Agency Contact(s)**

For OJP contact(s), see title page.

For contact information for Grants.gov, see title page.



## H. Other Information

### Freedom of Information Act and Privacy Act (5 U.S.C. 552 and 5 U.S.C. 552a)

All applications submitted to OJP (including all attachments to applications) are subject to the federal Freedom of Information Act (FOIA) and to the Privacy Act. By law, DOJ may withhold information that is responsive to a request pursuant to FOIA if DOJ determines that the responsive information either is protected under the Privacy Act or falls within the scope of one of nine statutory exemptions under FOIA. DOJ cannot agree in advance of a request pursuant to FOIA not to release some or all portions of an application.

In its review of records that are responsive to a FOIA request, OJP will withhold information in those records that plainly falls within the scope of the Privacy Act or one of the statutory exemptions under FOIA. (Some examples include certain types of information in budgets, and names and contact information for project staff other than certain key personnel.) In appropriate circumstances, OJP will request the views of the applicant/recipient that submitted a responsive document.

For example, if OJP receives a request pursuant to FOIA for an application submitted by a nonprofit or for-profit organization or an institution of higher education, or for an application that involves research, OJP typically will contact the applicant/recipient that submitted the application and ask it to identify -- quite precisely -- any particular information in the application that applicant/recipient believes falls under a FOIA exemption, the specific exemption it believes applies, and why. After considering the submission by the applicant/recipient, OJP makes an independent assessment regarding withholding information. OJP generally follows a similar process for requests pursuant to FOIA for applications that may contain law-enforcement sensitive information.

### Provide Feedback to OJP

To assist OJP in improving its application and award processes, OJP encourages applicants to provide feedback on this solicitation, the application submission process, and/or the application review process. Provide feedback to [OJPSolicitationFeedback@usdoj.gov](mailto:OJPSolicitationFeedback@usdoj.gov).

**IMPORTANT:** This email is for feedback and suggestions only. OJP does **not** reply from this mailbox to messages it receives in this mailbox. Any prospective applicant that has specific questions on any program or technical aspect of the solicitation **must** use the appropriate telephone number or email listed on the front of this document to obtain information. These contacts are provided to help ensure that prospective applicants can directly reach an individual who can address specific questions in a timely manner.

If you are interested in being a reviewer for other OJP grant applications, please email your résumé to [ojppeerreview@lmsolas.com](mailto:ojppeerreview@lmsolas.com). (Do not send your résumé to the OJP Solicitation Feedback email account.) **Note:** Neither you nor anyone else from your organization or entity can be a peer reviewer in a competition in which you or your organization/entity has submitted an application.



## **Application Checklist**

### **FY 2017 Adult Drug Court Discretionary Grant Program**

This application checklist has been created to assist in developing an application.

#### **What an Applicant Should Do:**

##### *Prior to Registering in Grants.gov:*

- \_\_\_\_\_ Acquire a DUNS Number (see page 29)
- \_\_\_\_\_ Acquire or renew registration with SAM (see page 30)

##### *To Register with Grants.gov:*

- \_\_\_\_\_ Acquire AOR and Grants.gov username/password (see page 30)
- \_\_\_\_\_ Acquire AOR confirmation from the E-Biz POC (see page 30)

##### *To Find Funding Opportunity:*

- \_\_\_\_\_ Search for the Funding Opportunity on Grants.gov (see page 30)
- \_\_\_\_\_ Select the correct Competition ID (see pages 30 and 10–11)
- \_\_\_\_\_ Download Funding Opportunity and Application Package
- \_\_\_\_\_ Sign up for Grants.gov email [notifications](#) (optional) (see page 28)
- \_\_\_\_\_ Read [Important Notice: Applying for Grants in Grants.gov](#)
- \_\_\_\_\_ Read OJP policy and guidance on conference approval, planning, and reporting available at [ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm](http://ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm) (see page 15)

##### *After application submission, receive Grants.gov email notifications that:*

- \_\_\_\_\_ (1) application has been received,
- \_\_\_\_\_ (2) application has either been successfully validated or rejected with errors (see page 31)

##### *If no Grants.gov receipt, and validation or error notifications are received:*

- \_\_\_\_\_ contact the NCJRS Response Center regarding experiencing technical difficulties (see page 2)

#### **General Requirements:**

- \_\_\_\_\_ Review the [Solicitation Requirements](#) in the OJP Funding Resource Center.

#### **Scope Requirement:**

- \_\_\_\_\_ The federal amount requested is within the allowable limits and not to exceed:
  - \_\_\_\_\_ \$400,000 for Category 1: Implementation
  - \_\_\_\_\_ \$400,000 for Category 2: Enhancement
  - \_\_\_\_\_ \$300,000 for Category 3: Statewide Subcategory A
  - \_\_\_\_\_ \$1,200,000 for Category 3: Statewide Subcategory B

Note, the total federal amount requested for all years should be the same amount listed on the SF-424.

#### **Eligibility Requirement:**

- \_\_\_\_\_ States, state and local courts, counties, units of local government, federally recognized Indian tribal governments

## **What an Application Should Include:**

- \_\_\_\_\_ Application for Federal Assistance (SF-424) (see page 16)
- \_\_\_\_\_ Project Abstract (including affirmation of evidence-based program features and total budget amount) (see page 16)
- \_\_\_\_\_ \*Program Narrative (see page 18)
- \_\_\_\_\_ \*Budget Detail Worksheet and \*Budget Narrative (see page 20)
- \_\_\_\_\_ Indirect Cost Rate Agreement (if applicable) (see page 23)
- \_\_\_\_\_ Tribal Authorizing Resolution (if applicable) (see page 24)
- \_\_\_\_\_ Financial Management and System of Internal Controls Questionnaire (see page 24)
- \_\_\_\_\_ Disclosure of Lobbying Activities (SF-LLL) (see page 25)
- \_\_\_\_\_ Additional Attachments (see page 25)
  - \_\_\_\_\_ \*Time Task Plan
  - \_\_\_\_\_ Memorandum of Understanding (MOU) signed by all team members
  - \_\_\_\_\_ State Substance Abuse Agency Director, or Designee Letter
  - \_\_\_\_\_ Chief Justice, State Court Administrator or Designee Letter
  - \_\_\_\_\_ Policies and Procedures Manual (if applicable)
  - \_\_\_\_\_ Applicant Disclosure of Pending Applications
  - \_\_\_\_\_ Research and Evaluation Independence and Integrity
- \_\_\_\_\_ Request and Justification for Employee Compensation Waiver (if applicable) (see page 14)

\*These elements are the basic minimum requirements for applications. Applications that do not include these elements shall neither proceed to peer review nor receive further consideration by BJA.