

**Bureau of Justice Assistance (BJA)
FY 2010 Capital Case Litigation Initiative
Frequently Asked Questions (FAQs)**

1. What is the deadline for this solicitation?

All applications are due by 8:00 p.m. eastern time on March 11, 2010.

2. How do I apply for this funding opportunity?

Applications will be submitted through Grants.gov. Grants.gov is a “one-stop storefront” that provides a unified process for all customers of federal grants to find funding opportunities and apply for funding. Complete instructions on how to register and submit an application can be found at www.grants.gov. If you experience difficulties at any point during this process, please call the Grants.gov Customer Support Hotline at **1-800-518-4726**, Monday-Friday from 7:00 a.m. to 9:00 p.m. eastern time. Registering with Grants.gov is a one-time process; however, **processing delays may occur and it can take up to several weeks** for first-time registrants to receive confirmation and a user password. The Office of Justice Programs highly recommends that applicants start the registration process as early as possible to prevent delays in submitting an application package by the application deadline specified.

In addition to registering with Grants.gov, applicants must obtain a DUNS number from Dun and Bradstreet and must also register with the Central Contractor Registration (CCR) database prior to application submission. Note that your CCR registration must be renewed once a year.

3. What is a DUNS number and how do I get one?

The Office of Management and Budget requires that all businesses and nonprofit applicants for federal funds include a DUNS (Data Universal Numeric System) number in their application for a new award or renewal of an award. Applications without a DUNS number are incomplete. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point of contact information. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, simple, one-time activity. Obtain one by calling 1-866-705-5711 or by applying online at www.dunandbradstreet.com. Individuals are exempt from this requirement.

4. Who is eligible to apply for this grant program?

For Category 1, applicants are limited to state agencies in states that authorize capital punishment and that conduct, or will conduct, prosecutions in which capital punishment is sought. For the state agency to be eligible, it must have an “effective system” for providing competent legal representation for indigent defendants in capital cases. An “effective system” is defined in 42 U.S.C. § 14163(e) as a system that invests the responsibility for appointing qualified attorneys to represent indigent defendants in capital cases:

(A) In a public defender program that relies on staff attorneys, members of the private bar, or both, to provide representation in capital cases;

(B) In an entity established by statute or by the highest state court with jurisdiction in criminal cases, which is composed of individuals with demonstrated knowledge and expertise in capital cases, except for individuals employed as prosecutors; or

(C) Pursuant to a statutory procedure enacted before the date of the enactment of this Act [October 30, 2002] under which the trial judge is required to appoint qualified attorneys from a roster maintained by a state or regional selection committee or similar entity.

Applicants must identify in the program abstract (see page 6) which “effective system” their state has in place. Applicants that do not identify an “effective system” in their abstract will NOT be eligible for

an award. Grants awarded under this solicitation may not be used to fund, directly or indirectly, representation or prosecution of specific cases.

For Category 2, applicants are limited to public and nonprofit organizations and for-profit entities that agree to waive all profits and fees that have experience and expertise in forensic evidence.

For Categories 3 and 4, applicants are limited to public and nonprofit organizations and for-profit entities that agree to waive all profits and fees that have expertise in litigating death penalty cases as well as providing training to prosecutors and defense attorneys respectively.

5. Will my application's peer review score alone determine if my application is funded?

No. Peer reviewers' ratings and any resulting recommendations are advisory only. In addition to peer review ratings, considerations may include, but are not limited to, underserved populations, strategic priorities, past performance, and available funding.

6. I submitted an application under another BJA solicitation and have not received notification whether that application was approved for funding. Can my jurisdiction/agency/program submit this same proposal under this program?

You may submit your earlier proposed project, subject to all the selection criteria and requirements under this program solicitation. Should your project be selected for funding under another BJA solicitation, this application will be removed from consideration or vice versa.

7. I received an award in a prior year under this grant program. Am I eligible to reapply for funding?

Yes, you are eligible to apply for a grant under CCLI, even if you have received CCLI program funds previously.

8. Is there a minimum/maximum funding amount that I can apply for?

Yes. For Category 1, applicants may request up to \$250,000 in funding, and the project period may be 12 to 24 months. Up to \$100,000 may be requested for each prosecution and defense (both must receive equal amounts) and up to \$50,000 may be requested by the state to cover administrative costs related to the administration of the grants, including compliance with reporting requirements. Any state agency receiving a grant under this solicitation **must allocate the funds equally between training for capital case defense counsel and capital prosecutors. Awards may not be used to fund, directly or indirectly, representation in specific capital cases.**

For Category 2, applicants may request up to \$375,000 in funding, and the project period may be 12 to 24 months.

For Category 3, applicants may request up to \$100,000 in funding, and the project period may be 12 to 24 months.

For Category 4, applicants may request up to \$100,000 in funding, and the project period may be 12 to 24 months.

9. Does the page limit include Attachments 1, 2, and 3 or only Attachment 2?

The page limit pertains only to the Program Narrative, Attachment 2. This includes the following sections, Statement of the Problem, Program Design and Implementation, Capabilities/Competencies, and Impact/Outcomes and Evaluation/Sustainment/Description of the Applicant's Plan for the Collection of the Data Required for Performance Measures.

10. Is there a budget format or sample that is available?

Applicants must provide a budget that is allowable and reasonable (Selection Criteria 4). Applicants must submit a budget detail worksheet and budget narrative. A budget detail worksheet form is available on OJP's web site at www.ojp.usdoj.gov/funding/forms/budget_detail.pdf. When using this form, you must also include a budget narrative, in MS Word or PDF format, as a separate attachment. Both the budget detail worksheet and narrative explanation of costs can be provided in a single

document using this acceptable MS Word Budget template, available at www.ojp.usdoj.gov/BJA/funding/Budget_Worskheet_Narrative_Template.doc. Applicants may submit the budget and budget narrative in a different format (i.e., Excel spreadsheet), but it must contain all categories listed within the budget detail worksheet

11. In my application, do I need to address all performance measures listed in this specific solicitation?

In the applications, applicants must address performance measures that are specifically applicable to the proposed program and category (if applicable) of funding for which they are applying. They must also discuss their data collection methods within the application. For specific performance measures requirements, see the section within the solicitation titled, "Performance Measures."

12. Where do I find information on Executive Order 12372, and how do I find if this requirement applies to my agency?

[E.O. 12372](#) for Intergovernmental Review of Federal Programs was issued to foster partnerships relying on state and local process for the coordination and review of proposed federal financial assistance and direct federal development. A link is provided to the [state point of contacts](#) who participate in E.O. 12372.

13. Can I submit a paper version via U.S. mail instead of an electronic application through the Grants.gov system?

No. All applications must be submitted electronically. Paper submissions will not be accepted.

14. How does the review and awarding process work? How will I be able to track the status of my application?

Generally, competitive grants go through a comprehensive review process. The review and award process may take several weeks from the time the application is submitted to BJA through Grants.gov. During that time, you may be asked additional questions about your application for clarification purposes.

To prevent compromising the integrity of the competitive review process, BJA will not be able to discuss details regarding the status of your application until all awards have been made to grant recipients. It is anticipated that awards will be made no later than September 30, 2010 with a listing of those awards posted on BJA's web site (www.ojp.usdoj.gov/BJA/) shortly thereafter.

15. How will I be notified if my agency is selected to receive an award?

Both the point of contact and the authorizing official listed on the grant application will receive an e-mail award notification. The e-mail notification will provide further information on procedures for receiving funds.

16. Will I be notified if my agency does not receive an award?

Yes. Your agency will receive a letter from BJA some time by October/November 2010, after all awards have been made to grant recipients.