



The [U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance](#) is pleased to announce that it is seeking applications for funding under the Drug Court Discretionary Grant Program. This program furthers the Department's mission by providing resources to state, local, and tribal governments and state and local courts to establish or enhance drug courts and systems for nonviolent substance-abusing offenders.

## Adult Drug Court Discretionary Grant Program FY 2010 Competitive Grant Announcement

### Eligibility

For **Implementation and Single Jurisdiction Enhancement Grants**, applicants are limited to states, state and local courts, counties, units of local government, and [federally-recognized Indian tribal governments](#) (as determined by the Secretary of the Interior and published in the [Federal Register](#)).

For **Statewide Grants**, applicants are limited to state agencies such as the State Administering Agency (SAA), the Administrative Office of the Court, or the state Alcohol and Substance Abuse Agency.

For the purposes of this solicitation, the definition of "adult drug court" may include Driving While Intoxicated (DWI)/Driving Under the Influence (DUI) Courts, Co-Occurring Drug and Mental Health Courts, Veterans Courts, and Community Courts.

**Coordination Requirement:** Applications submitted by entities other than the highest state court are strongly urged to demonstrate that the proposal has been coordinated with, and is supported by, the state's highest state court. Applications submitted by entities other than the State Substance Abuse Authority (SSA) should demonstrate that the SSA was consulted and how the proposal conforms to the framework of the State Strategy of Substance Abuse Treatment. Applicants which clearly demonstrate this coordination will be given priority consideration. Applications submitted by or on the behalf of a Tribe/Tribal Organization must submit a Tribal Authorizing Resolution in Attachment 5 of their application (see page 9). Applications will be evaluated on how the proposed project will enhance statewide/tribal efforts related to treatment for substance use disorders and problem-solving courts (see "Selection Criteria," page 9).

### Deadline

Registration with OJP's Grants Management System (GMS) is required prior to application submission. (See "How to Apply," page 6)

All applications are due by 8:00 p.m. eastern time on February 11, 2010.  
(See "Deadlines: Registration and Application," page 1.)

## **Contact Information**

For technical assistance with submitting the application, call the Grants Management System Support Hotline at 1-888-549-9901, option 3, or via e-mail to [GMSHelpDesk@usdoj.gov](mailto:GMSHelpDesk@usdoj.gov).

**Note:** The GMS Support Hotline hours of operation are Monday-Friday from 7:00 a.m. to 9:00 p.m. eastern time.

For assistance with the requirements of this solicitation, contact Tim Jeffries, BJA Policy Advisor, at 202-616-7385 or [timothy.jeffries@usdoj.gov](mailto:timothy.jeffries@usdoj.gov).

BJA encourages stakeholder feedback on its solicitations and award processes. Send feedback on this solicitation to [askbj@usdoj.gov](mailto:askbj@usdoj.gov)

**Release Date: December 15, 2009**

# CONTENTS

Overview	1
Deadlines: Registration and Application	1
Eligibility	1
Adult Drug Court Program—Specific Information	1
Performance Measures	5
How to Apply	6
What An Application Must Include:	8
Standard Form 424	
Program Narrative	
Budget and Budget Narrative	
Other Attachments	
Coordination Requirement	
Tribal Authorizing Resolution	
Selection Criteria	9
Review Process	13
Additional Requirements	14
Application Checklist	16

# Adult Drug Court Discretionary Grant Program CFDA #16.585

## Overview

The purpose of the 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 treatment courts that effectively integrate substance abuse treatment, mandatory drug testing, sanctions and incentives, and transitional services in a judicially supervised court setting with jurisdiction over nonviolent, substance-abusing offenders.

## Deadlines: Registration and Application

Registration is required prior to submission. The deadline to register in GMS is 8:00 p.m. eastern time on February 11, 2010, and the deadline for applying for funding under this announcement is 8:00 p.m. eastern time on February 11, 2010. Please see the “How to Apply” section, page 5, for more details.

## Eligibility

Please refer to the cover page for eligibility under this program.

## Adult Drug Court Program—Specific Information

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

Drug courts help reduce recidivism and substance abuse and increase an offender’s likelihood of successful rehabilitation through early, continuous, and intense judicially supervised treatment, mandatory periodic drug testing, community supervision, and appropriate sanctions and other habilitation services. A drug court is a specially designed court calendar or docket as well as a specialized court program. Drug courts funded through the Bureau of Justice Assistance’s (BJA) Drug Court Discretionary Grant Program are required by law to involve only nonviolent offenders<sup>1</sup> and must implement an adult drug court based on the 10 key components as described in the BJA and National Association of Drug Court Professionals’ publication: [Defining Drug Courts: The Key Components](#). Indian tribal governments seeking drug court funding should review the publication [Tribal Healing to Wellness Courts: The Key Components](#). Additionally, drug courts funded through this grant solicitation must operate an adult drug court

---

<sup>1</sup> Programs funded through this solicitation may not permit participation by 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.

which imposes graduated sanctions that increase punitive measures, therapeutic measures, or both whenever a participant fails a drug test and must include diversion, probation, or other supervised release involving the possibility of prosecution, confinement, or incarceration based on noncompliance with program requirements or failure to show satisfactory progress. Further information on drug courts and the statutory requirements can be found in the [FY 2010 Resource Guide for Drug Court Applicants](#). The Resource Guide is designed to act as a companion document to the solicitation.

**NOTE:** BJA, in collaboration with the Substance Abuse and Mental Health Services Administration (SAMHSA), Center for Substance Abuse Treatment (CSAT), is offering an innovative funding opportunity for adult drug courts. The purpose of this joint initiative is to invite applicants to submit for consideration one comprehensive strategy for enhancing drug court coordination, services, and treatment capacity, allowing applicants to compete for access to both criminal justice and substance abuse treatment funds with one application. SAMHSA will also offer its stand-alone drug court solicitation titled “Grants to Expand Substance Abuse Treatment Capacity for Adult Drug Courts (Short Title: Adult Treatment Drug Courts), TI-10-011,” which provides funding only to expand and/or enhance substance abuse treatment services in problem-solving courts.

Applicants should review each of these grant announcements to determine their interest and eligibility to apply and address the specific requirements for each announcement. The solicitations/RFA may be found on the respective SAMHSA/CSAT and OJP/BJA websites as follows: [www.samhsa.gov/grants](http://www.samhsa.gov/grants) and [www.ojp.usdoj.gov/BJA/grant/drugcourts.html](http://www.ojp.usdoj.gov/BJA/grant/drugcourts.html).

Applicants may apply simultaneously for any or all posted drug court grant solicitations offered by BJA and/or CSAT. However, BJA and CSAT will not make more than one award for the same proposed services within a program.

### **Amount and Length of Awards**

The FY 2010 solicitation offers three drug court grant categories: Implementation, Enhancement, and Statewide. Jurisdictions who are in the planning stages should consider participation in BJA’s Drug Court Planning Initiative (DCPI). DCPI provides training, technical assistance, and travel support to assist jurisdictions in planning a new adult, veterans, or tribal drug court program. For more information, see [www.ojp.usdoj.gov/BJA/grant/drugcourts.html](http://www.ojp.usdoj.gov/BJA/grant/drugcourts.html). BJA will give priority consideration to all Implementation category applicants who have completed the BJA DCPI training.

### **CATEGORY 1. IMPLEMENTATION. Grant maximum: \$350,000. Project period: 36 months.**

Implementation grants are available to jurisdictions that have completed a substantial amount of planning and are ready to implement an adult drug court. Applicants may propose to fund court operations and services; offender supervision, management and services; and provision and coordination of non-treatment recovery support services including education, job training and placement, housing placement assistance, primary and mental health care; and childcare and other family supportive services.

### **CATEGORY 2. ENHANCEMENT. Grant maximum: \$200,000. Project period: 24 months.**

Enhancement grants are available to jurisdictions with a fully operational (at least 1 year) adult drug court. Applicants may propose to use funding to: 1) expand the target population and/or to 2) enhance court operations, 3) enhance court services, and 4) enhance offender services:

- 1) Applicants are encouraged to add new populations based on an examination of the emerging needs in the local offender population.
- 2) Applicants may propose to enhance court operations including the development of training programs for drug court practitioners; conducting an evaluation of the drug court program; and the development and implementation of an automated management information system.
- 3) Applicants may propose to use funding to expand or enhance court services in areas such as offender management, including drug testing, case management, and community supervision.
- 4) Applicants may also propose to improve the quality and/or intensity of services; for instance, funding may be used for enhancing offender services such as healthcare and mental health care, education, vocational training, job placement, housing placement, and childcare or other family support services for each participant who requires such services.

**CATEGORY 3. STATEWIDE. Grant maximum: \$1.5 million. Project period: 36 months.**

Statewide drug court grants are available for two purposes.

- A) To improve, enhance, or expand drug court services statewide 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 an automated drug court data collection system. **Of the \$1.5 million available under Category 3, a maximum of \$200,000 is available for this subcategory.**
- B) To financially support drug courts in local or regional jurisdictions which 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.ojp.usdoj.gov/BJA/grant/drugcourts.html](http://www.ojp.usdoj.gov/BJA/grant/drugcourts.html).) States applying for funding under this subcategory must demonstrate a statewide, data-driven strategy for reaching and expanding capacity of problem-solving court options and services for non-violent substance-abusing offenders, which may include: implementing new drug courts; reaching capacity of existing drug courts; and expanding/enhancing capacity of existing drug courts to reach specific or emerging offender populations with drug treatment needs. Statewide applicants should also demonstrate how the proposal conforms to the framework of the State Strategy of Substance Abuse Treatment. 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 monitor progress. 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 substance-abusing offenders. The state must also demonstrate a plan for sustaining drug court programming after federal funding has ended. **All federal funds under this category must be passed through to drug courts within the state; no funds may be used for administrative purposes.**

## **Budget Information**

**Limitation on Use of Award Funds for Employee Compensation; Waiver:** No portion of any award of more than \$250,000 made under this solicitation may be used to pay total cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% 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. (The 2009 salary table for SES employees is available at <http://www.opm.gov/oca/09tables/indexSES.asp>.) Note: A recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Any such additional compensation will not be considered matching funds where match requirements apply.)

The limitation on compensation rates allowable under an award may be waived on an individual basis at the discretion of the Assistant Attorney General (AAG) for the Office of Justice Programs. An applicant that wishes to request a waiver must include a detailed justification in the budget narrative of its application. Unless the applicant submits a waiver request and justification with the application, the applicant should anticipate that OJP will request that the applicant adjust and resubmit their budget.

The justification should include: the particular qualifications and expertise of the individual, the uniqueness of the service being provided, the individual's specific knowledge of the program or project being undertaken with award funds, and a statement explaining that the individual's salary is commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work that is to be done.

### **Match Requirement (cash and 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 of the total project costs and how match funds will be used. (Match is restricted to the same uses of funds as allowed for the federal funds.). In-kind contributions may constitute a portion of the non-federal share. 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:

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

\*Applicants wishing to exceed the 25 percent match amount should reflect the amount above 25 percent in the budget narrative section of the application only. The budget detail should also distinguish cash from in-kind matched funds using an asterisk to show what percentage of the budget is cash. (Please refer to the [Resource Guide](#) for a sample budget detail)

## Performance Measures

To assist in fulfilling the Department’s responsibilities under the Government Performance and Results Act (GPRA), P.L. 103-62, applicants who receive funding under this solicitation must provide data that measures the results of their work. **Additionally, applicants must discuss in their application their methods for collecting data for performance measures. Please refer to “What An Application Must Include” (below), for additional information on applicant responsibilities for collecting and reporting data.** Performance measures for this solicitation are as follows:

Objective	Performance Measures	Data Grantee Provides
<p>To increase drug court participation and to enhance the provision of services to drug court participants by way of additional services, meeting special needs, training, data collection or management information system (MIS), or evaluation.</p>	<p><b>Enhancement: Additional Services</b>            Percent increase in units of services (additional or secondary drug court activity that address needs of drug court clients).</p> <p>Percent increase in service provided to participant.</p>	<p><b>Enhancement: Additional Services</b></p> <p>a) Total number of types of drug court services before grant funding.</p> <p>b) Number of new types of drug court services added during the reporting period.</p> <p>c) Total number of drug court service providers before grant funding.</p> <p>d) Number of new drug court service providers or provider sites added during the reporting period.</p> <p>e) Number of drug court participants referred for new services resulting from grant funding.</p> <p>f) Total number of drug court participants served.</p> <p>g) Number of referrals made for expanded service types or sites during the reporting period.</p> <p>h) Number of drug court slots added during the reporting period.</p>
	<p><b>Enhancement: Training</b></p> <p>Percent increase in participant satisfaction with training.</p> <p>Percent increase in knowledge of subject matter as a result of training.</p>	<p><b>Enhancement: Training</b></p> <p>During this reporting period:</p> <p>a) Number of individuals trained</p> <p>b) Number of training participants who rated the training as satisfactory.</p> <p>c) Number of training participants who showed increased</p>

		<p>knowledge post training.</p> <p>d) Total number of training participants to whom a knowledge test was administered.</p>
	<p><b>Enhancement: Data collection/ MIS</b>  Percent increase in drug court case automation.</p> <p>Percent increase in staff trained on data collection/MIS.</p>	<p><b>Enhancement: Data collection/ MIS</b>  During the reporting period:</p> <p>a) Number of active drug court cases during the reporting period.</p> <p>b) Number of active drug court cases fully automated as a result of grant funding.</p> <p>c) Number of individuals who were trained on to use the data collection, MIS or evaluation system.</p> <p>d) Total number of drug court staff</p>

The Office of Justice Programs (OJP) is currently reviewing performance measures for the Drug Court Program. These measures will be completed in the coming months, and grantees will be notified of the revised measures that they will be required to report on. By applying for this solicitation, all applicants agree that they will report on these measures when they are released.

## How to Apply

Applications will be submitted through OJP's Grants Management System ([GMS](#)). [GMS](#) is a Web-based, data-driven computer application that provides cradle to grave support for the application, award and management of grants at OJP. Applicants should begin the process immediately to meet the GMS registration deadline, especially if this is the first time they have used the system. Complete instructions on how to register and submit an application in GMS can be found at [www.ojp.usdoj.gov/gmscbt/](http://www.ojp.usdoj.gov/gmscbt/). If you experience technical difficulties at any point during this process, please e-mail [GMSHelpDesk@usdoj.gov](mailto:GMSHelpDesk@usdoj.gov) or call 1-888-549-9901 (option 3), Monday-Friday from 7:00 a.m. to 9:00 p.m. eastern time. The Office of Justice Programs highly recommends starting the registration process as early as possible to prevent delays in the application submission by the specified deadline.

All applicants are required to complete the following steps:

1. **Acquire a DUNS Number.** A DUNS number is required to submit an application in GMS. The Office of Management and Budget requires that all businesses and nonprofit applicants for Federal funds include a DUNS (Data Universal Numbering System) number in their application for a new award or renewal of an existing award. 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 for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a

DUNS number is a free, one-time activity. Obtain a DUNS number by calling 1–866–705–5711 or by applying online at [www.dunandbradstreet.com](http://www.dunandbradstreet.com). Individuals are exempt from this requirement.

2. **Acquire or Renew Registration with the Central Contractor Registration (CCR) Database.** CCR registration is required to receive funding. OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the Central Contractor Registration (CCR) database. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Please note, however, that applicants must update or renew their CCR registration at least once per year to maintain an active status. Information about CCR registration procedures can be accessed at [www.ccr.gov](http://www.ccr.gov).
3. **Acquire a GMS Username and Password.** If you are a new user, please create a GMS profile by selecting the first time user link under the sign-in box of the [GMS](#) home page. For more information on how to register in GMS, go to [www.ojp.usdoj.gov/gmscbt/](http://www.ojp.usdoj.gov/gmscbt/).
4. **Search for the Funding Opportunity on GMS.** After you log in to GMS or complete your GMS profile for your username and password, go to the Funding Opportunities link on the left hand side of the page. Please select the Bureau of Justice Assistance and Adult Drug Court Discretionary Grant Program.
5. **Select the Correct Solicitation Title.** Some OJP solicitations posted in GMS contain multiple purpose areas, denoted by the solicitation categories identified in the solicitation title. If you are applying to a solicitation with multiple solicitation categories, you must select the appropriate solicitation title for the intended purpose area of your application. The application will be peer reviewed according to the requirements of the purpose area under which it is submitted.
6. **Select the Apply Online Button Associated with the Solicitation Title.** The search results from step 4 will display the solicitation title along with the Registration and Application Deadlines for this funding opportunity. Please select the Apply Online button in the Action Column to create an application in the system.
7. **Submit an Application Addressing All of the Requirements Outlined in this Solicitation by Following the Directions in GMS.** Once submitted, GMS will display a confirmation screen stating your submission was successful. **Important:** You are urged to submit your application at least 72 hours prior to the due date of the application.

**Note: OJP's Grants Management System (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."

#### **Experiencing Unforeseen GMS Technical Issues**

If you experience unforeseen GMS technical issues beyond your control which prevent you from submitting your application by the deadline, you must contact BJA staff (see cover page) **within 24 hours after the deadline** and request approval to submit your application. At that time, BJA staff will require you to e-mail the complete grant application, your DUNS number, and provide a

GMS Help Desk tracking number(s). After the program office reviews all of the information submitted, and contacts the GMS Helpdesk to validate the technical issues you reported, OJP will contact you to either approve or deny your request to submit a late application. If the technical issues you reported cannot be validated, your application will be rejected as untimely.

To ensure a fair competition for limited discretionary funds, the following conditions are not valid reasons to permit late submissions: (1) failure to begin the registration process in sufficient time; (2) failure to follow GMS instructions on how to register and apply as posted on its Web site; (3) failure to follow all of the instructions in the OJP solicitation; and (4) technical issues experienced with the applicant's computer or information technology (IT) environment.

Notifications regarding known technical problems with GMS are posted on the OJP funding Web page, [www.ojp.usdoj.gov/funding/solicitations.htm](http://www.ojp.usdoj.gov/funding/solicitations.htm).

## What an Application Must Include

OJP strongly recommends use of appropriately descriptive file names (e.g., "Program Narrative," "Budget and Budget Narrative," "Timelines," "Memoranda of Understanding," "Resumes") for all required attachments. Where resumes are required, OJP recommends that all resumes be included in a single file.

### Standard Form 424

Please see [www07.grants.gov/assets/SF424Instructions.pdf](http://www07.grants.gov/assets/SF424Instructions.pdf) for instructions on how to complete your SF 424

### Program Narrative (Attachment 1)

The program narrative must respond to the solicitation and the Selection Criteria listed below in the order given. The program narrative must be **double-spaced, using a standard 12-point font (Times New Roman is preferred) with 1-inch margins, and must not exceed 20 pages**. Please number pages "1 of 20," "2 of 20," etc. The first page of the program narrative must include an applicant information page identifying whether the applicant meets a priority consideration and should contain a brief project abstract and other relevant information. The applicant information page does not count toward the 20-page limit for the program narrative and a sample applicant information page can be found in the [Resource Guide](#). Submissions that do not adhere to the format may be deemed ineligible.

### Budget and Budget Narrative (Attachment 2)

Applicants must provide a separate itemized budget for each year of grant activity. The budget must be complete and contain only those allowable expenditures referenced in the Drug Court Resource Guide. A total budget for the grant period should follow to include all combined federal and non-federal expenditures. Applicants must submit the budget worksheets and budget narrative in one file. A fillable budget detail worksheet form is available on OJP's web site at [www.ojp.usdoj.gov/funding/forms/budget\\_detail.pdf](http://www.ojp.usdoj.gov/funding/forms/budget_detail.pdf). Applicants should allocate funds to cover travel/costs to attend at least one BJA-sponsored training per year. A list of BJA-approved drug court trainings can be found in the Appendix of the [Resource Guide](#) or the BJA web site [www.ojp.usdoj.gov/BJA/tta/TTA\\_Menu\\_12\\_2007.pdf](http://www.ojp.usdoj.gov/BJA/tta/TTA_Menu_12_2007.pdf).

Please see the OJP Financial Guide for questions pertaining to budget including allowable and unallowable costs at [www.ojp.gov/financialguide/index.htm](http://www.ojp.gov/financialguide/index.htm).

### **Letters of Support, Project Timeline, and other Supportive Documents (Attachment 3)**

Attach letters of support that outline each of the drug court team and community partner(s) responsibilities, as well as a *Project Timeline* that includes each project goal, related objective, activity, expected completion date, and responsible person or organization. Please see the [Resource Guide](#) for sample letters and list of team participants. Implementation and Enhancement applicants may submit a copy of their drug court policies and procedures manual. This manual is not intended to replace requested information from the Selection Criteria; however, it should be used to provide a better understanding of the program for which funds are requested. Please be sure to reference any such attachment in the program narrative.

### **Demonstration of Coordination Requirement (Attachment 4)**

Applications submitted by entities other than the highest state court are strongly urged to demonstrate that the proposal has been coordinated with, and is supported by, the state's highest state court. Applications submitted by entities other than the State Substance Abuse Authority (SSA) should demonstrate that the SSA was consulted and how the proposal conforms to the framework of the State Strategy of Substance Abuse Treatment. Applicants which clearly demonstrate this coordination will be given priority consideration. This requirement does not pertain to Indian government applicants. See Attachment 5 below for information about the Tribal Authorizing Resolution requirement.

### **Tribal Authorizing Resolution (Attachment 5)**

If an application is being submitted by either 1) a tribe or tribal organization, or 2) by a third party proposing to provide direct services or assistance to residents on tribal lands, then a current authorizing resolution of the governing body of the tribal entity or other enactment of the tribal council or comparable governing body authorizing the inclusion of the tribe or tribal organization and its residents must be included with the application. The Tribal Authorizing Resolution should acknowledge the application, authorize the inclusion of the tribe or tribal organization and its residents in the application, and should endorse the strategy described in the application. In those instances when an organization or consortium of tribes proposes to apply for a grant on behalf of a tribe or multiple specific tribes, then the application must include a resolution from all tribes which will be included as a part of the services/assistance provided under the grant. If an applicant fails to submit either a signed or an unsigned copy of a tribal resolution as part of its application, it will be eliminated from funding consideration. If selected for funding, any applicant that has submitted an unsigned tribal resolution must submit the signed copy of the tribal resolution to BJA within 30 days of acceptance of the award. In all such cases, use of and access to funds will be contingent on receipt of the signed tribal resolution.

## **Selection Criteria**

### **1. Statement of the Problem**

Within this section all applicants should explain the inability to fund the program adequately without Federal Assistance.

**Implementation Applicants (20 percent of 100):**

- 1) Describe the nature and scope of the substance abuse problem in the jurisdiction. Include data on race, ethnicity, age, gender, arrest volume, and crime patterns for adult offenders.
- 2) Explain the problems with the current court response to cases involving substance abuse, and identify how the current number of treatment slots is insufficient to meet the anticipated referrals.

**Enhancement Applicants (25 percent of 100):**

- 1) Describe the current operation of the adult drug court, addressing program structure; program length; target population; screening and assessment; non-treatment recovery supportive services delivery plan; judicial supervision; community supervision; drug testing; case management; incentives and sanctions; treatment and restitution; costs charged to program participants; and program success data. Identify the treatment service(s)/practice(s) available for drug court participants. Discuss the evidence that shows that the service(s)/practice(s) is/are 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.
- 2) Describe the issue or need that the enhancement grant seeks to address. Provide local data and any evaluation findings that demonstrate the program's impact with regard to offender and community outcomes. Explain clearly how the project is directly responsive to the target population's needs, and is consistent with the program's plan and resources.

**Statewide Applicants (20 percent of 100):**

- 1) Describe the number and type of drug courts and other problem solving courts operating statewide with jurisdiction over substance abusing offenders.
- 2) Describe the extent that these courts meet the needs of the eligible population of non-violent substance-abusing offenders, are operating at capacity, and the non-budgetary reasons if they are not operating at capacity.
- 3) Provide information about the extent that the drug courts within the state are utilizing evidenced-based treatment practices/services.
- 4) Describe the issue or need that the 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.

**2. Project/Program Design and Implementation**

**Note:** The Department of Justice Drug Court 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 if these costs would interfere with a client's rehabilitation.

**Implementation Applicants (40 percent of 100):**

Describe how the project design and strategy will be implemented and how it is based on research-based effective practices. Address each of the 10 key components of drug courts and develop a project strategy incorporating these principles ([Defining Drug Courts: The Key Components](#)). Tribal jurisdictions should refer to: [Tribal Healing to Wellness Courts: The Key Components](#).

Identify the screening process and eligibility requirements; the structure of the drug court; the length and phases of the program; case processing; process for assessment and diagnosis; the treatment services(s)/practices(s) and the evidence that shows that the service(s)/practice(s) is/are effective with the target population (If the evidence is limited or non-existent for the target population, provide other information to support the treatment intervention selection); the (non-treatment) recovery supportive services delivery plan including educational and vocational services; primary and mental health care services; housing; case management; judicial supervision; drug testing; incentives and sanctions; graduation requirements; expulsion criteria; and treatment and restitution costs.

Discuss how the community has been engaged in the planning process and describe the community partnerships available to support the drug court program. If a post adjudication drug court model is proposed, discuss how the concept of “early intervention” will be implemented. Please refer to the [Resource Guide](#) for detailed information about each of these components.

Demonstrate how the SSA was consulted and how the proposal conforms to the framework of the State Strategy of Substance Abuse Treatment.

**Enhancement Applicants (40 percent of 100):**

Describe the enhancement and its specific goals and objectives, linking the enhancement to the 10 key components of drug courts ([Defining Drug Courts: The Key Components](#)). Tribal jurisdictions should refer to: [Tribal Healing to Wellness Courts: The Key Components](#). Identify how one or more of the following enhancements will be accomplished:

- 1) Expanding the target population based on an examination of the emerging needs in the local offender population.
- 2) Enhancing court operations including the development of training programs on effective drug court practices for drug court practitioners; conducting an evaluation of the drug court program; and the development and implementation of an automated management information system.
- 3) Expanding or enhancing court services in areas such as offender management, including drug testing, case management, and community supervision.
- 4) Improving the quality and/or intensity of services; for instance, enhancing non-treatment recovery supportive services such educational and vocational services; primary and mental health care services; housing; and childcare or other family support services for each participant who requires such services.

Demonstrate how the SSA was consulted and how the proposal conforms to the framework of the State Strategy of Substance Abuse Treatment.

**Statewide Applicants (50 percent of 100):**

- A) Describe the specific design, goals, and objectives for the proposed statewide enhancement project. Provide a project strategy identifying how one or more of the following statewide initiatives will be accomplished: training or technical assistance programs for 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.

- B) Describe the statewide, data-driven drug court strategy for expanding capacity of problem-solving court options and services for substance-abusing offenders, which may include: implementing new drug courts; reaching capacity of existing drug courts; and expanding/enhancing capacity of existing drug courts to reach specific or emerging offender populations with drug treatment needs.

Identify which drug courts are proposed to receive funding, the type of program, 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 how the selected jurisdiction(s) drug court programs will operate in accordance with the Drug Court 10 Key Components and will use sub-granted funds to implement research-based, data-driven strategies. Demonstrate a plan for sustaining drug court programming after federal funding has ended.

Demonstrate how the SSA was consulted and how the proposal conforms to the framework of the State Strategy of Substance Abuse Treatment.

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

#### **Implementation Applicants (20 percent of 100)**

Indicate whether the 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 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. Attach a letter of support from each key drug court team member, with responsibilities outlined for each member (as Attachment 3).

#### **Enhancement Applicants (20 percent of 100):**

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. 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. Key drug court team members must include a judge, prosecutor, defense attorney, treatment provider, researcher/evaluator/management information specialist, and drug court coordinator. Attach a letter of support from each key drug court team member, with responsibilities outlined for each member (as Attachment 3).

#### **Statewide (15 percent of 100):**

Subcategory A: 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: Detail the system and process that will be used to monitor the jurisdiction(s) for performance, compliance, and technical assistance needs, as well as how the jurisdiction or region will contribute to a reduction in substance abuse 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.

**4. Budget (5 percent of 100)**

Applicants must provide a proposed budget that is complete, allowable, and tied to the proposed activities (as Attachment 2).

**5. Evaluation, Aftercare, Sustainment, and Plan for Collecting Data for Performance Measure Data Collection Plan**

All applicants should describe the current ability to collect and analyze client-level performance and outcome data.

**Implementation Applicants (15 percent of 100):**

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 where appropriate, discuss how the drug court will work with the evaluator. The applicant should also provide an aftercare strategy as well as a sustainability plan detailing how court operations will be maintained after federal assistance ends. Describe how current collaborations and evaluations will be used to leverage ongoing resources.

**Enhancement Applicants (10 percent of 100):**

Provide a plan detailing how performance of court operations will be evaluated and managed. 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. The applicant should also provide an aftercare strategy.

**Statewide Applicants (10 percent of 100):**

Provide a plan detailing how enhancement activities and performance of funded drug court operations will be managed and evaluated. 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. The applicant should also provide an aftercare strategy.

## **Review Process**

OJP is committed to ensuring a fair and open process for awarding grants. The Bureau of Justice Assistance reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with basic minimum program or legislative requirements as stated in the solicitation (including, but not limited to, requirements as to timeliness, proper format, and responsiveness to the scope of the solicitation).

Peer reviewers will be reviewing the applications submitted under this solicitation that meet basic minimum requirements. The Bureau of Justice Assistance may use either internal peer reviewers, external peer reviewers or a combination to review the applications under this

solicitation. An external peer reviewer is an expert in the field of the subject matter of a given solicitation who is NOT a current U.S. Department of Justice employee. An internal reviewer is a current U.S. Department of Justice employee who is well-versed or has expertise in the subject matter of this solicitation. Eligible applications will be evaluated, scored, and rated by a peer review panel. Peer reviewers' ratings and any resulting recommendations are advisory only. In addition to peer review ratings, considerations for award recommendations and decisions may include, but are not limited to, underserved populations, strategic priorities, past performance, and available funding.

The Office of the Chief Financial Officer (OCFO), in consultation with the Bureau of Justice Assistance, conducts a financial review of applications for potential discretionary awards and cooperative agreements to evaluate the fiscal integrity and financial capability of applicants; examines proposed costs to determine if the budget and budget narrative accurately explain project costs; and determines whether costs are reasonable, necessary, and allowable under applicable federal cost principles and agency regulations.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final grant award decisions will be made by the Assistant Attorney General (AAG), who may also give consideration to factors including, but not limited to, underserved populations, geographic diversity, strategic priorities, past performance, and available funding when making awards.

## **Additional Requirements**

Applicants selected for awards must agree to comply with additional legal requirements upon acceptance of an award. We strongly encourage you to review the information pertaining to these additional requirements prior to submitting your application. Additional information for each can be found at [http://www.ojp.usdoj.gov/funding/other\\_requirements.htm](http://www.ojp.usdoj.gov/funding/other_requirements.htm).

- Civil Rights Compliance
- Faith-Based and Other Community Organizations
- Confidentiality and Human Subjects Protection (if applicable)
- Anti-Lobbying Act
- Financial and Government Audit Requirements
- National Environmental Policy Act (NEPA) (if applicable)
- DOJ Information Technology Standards (if applicable)
- Single Point of Contact Review
- Non-Supplanting of State or Local Funds
- Criminal Penalty for False Statements
- Compliance with [Office of Justice Programs Financial Guide](#)

- Suspension or Termination of Funding
- Non-Profit Organizations
- For-Profit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006
- Awards in excess of \$5,000,000 – federal taxes certification requirement

## **Application Checklist**

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

The application checklist has been created to aid you in developing your application.

#### **Eligibility**

- States, state and local courts, counties, units of local government
- Federally recognized tribe

#### **The Federal Request is within Allowable Limits and not to exceed**

- \$350,000 for Implementation
- \$200,000 for Enhancement
- \$200,000 for Statewide A
- \$1,500,000 for Statewide B

#### **The application contains:**

- Applicant Information page
- Statement of the Problem/Program
- Project Design and Implementation
- Capabilities/Competencies
- Budget Narrative
  - Budget Detail Worksheet
- Impact/Outcomes and Evaluation/Plan for Collecting Data for Performance Measures

#### **Program Narrative Format:**

- Double-spaced
- 12-point standard font
- 1" standard margins
- Narrative is 20 pages or less

#### **Other Required Components:**

- Standard 424 form
- DUNS number
- Program Narrative indicates application category
- Letters of Support
- Project Timeline
- Other Supportive Documents (if applicable)
- Demonstration of Coordination Requirement (if applicable)
- Tribal Authorizing Resolution (if applicable)