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The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP) [Bureau of Justice Assistance](#) (BJA) and the [U.S. Department of Health and Human Services](#) (HHS), [Substance Abuse and Mental Health Services Administration](#) (SAMHSA), are pleased to announce that they are seeking applications for funding for enhancing drug court services, coordination, and substance abuse treatment and recovery support services. This program furthers the missions of DOJ and HHS by providing resources to state, local, and tribal governments and state, local, and tribal courts to enhance drug court programs and systems for nonviolent substance-abusing offenders.

## Joint Adult Drug Court Solicitation to Enhance Services, Coordination, and Treatment FY 2012 Competitive Grant Announcement

### Eligibility

Applicants are limited to states or state courts applying on behalf of a single jurisdiction; local courts; counties; other units of local government; or federally recognized Indian tribal governments (as determined by the Secretary of the Interior). Indian tribal governments may apply directly or through other public or not-for-profit private entities. Eligible jurisdictions must have a fully operational (at least 1 year) adult drug court. "Operational" is defined as a judge being designated as a "drug court" judge with a drug court docket of cases and seeing defendants in drug court on a regular and recurring basis for at least 1 year prior to the submission of the grant application. **By signing the SF-424, the authorized representative of the applicant organization is certifying that the Adult Drug Court(s) that receives funding from this grant is operational, as defined above, for at least 1 year at the time of application.**

**Note: Applicants must demonstrate that eligible drug court participants promptly enter the drug court program following a determination of their eligibility. A required initial period of incarceration will be grounds for disqualification unless the period of incarceration is mandated by statute for the offense in question. In such instances, the applicant must demonstrate the offender is receiving treatment services while incarcerated if available and begins drug court treatment services immediately upon release.**

For the purposes of this solicitation, the definition of "adult drug court" is a court program managed by a non-adversarial and multidisciplinary team that responds to the offenses and treatment needs of offenders who have a drug addiction. Eligible drug court models include Tribal Healing to Wellness Courts, Driving While Intoxicated (DWI)/Driving Under the Influence (DUI) Courts, Co-Occurring Drug and Mental Health Courts, Veterans Courts, and Campus Drug Courts that adhere to the Drug Court 10 key components [Defining Drug Courts: The Key](#)

[Components](#) and serve substance-abusing adults in the respective problem-solving court, as long as the court meets all the elements required for drug courts, as described herein.

**Coordination Requirement:** The following requirements must be met or the application will not be reviewed or considered for an award:

- Non-tribal applicants must include a letter from the State Substance Abuse (SSA) agency Director or designated representative that they support the application and confirm that the proposal conforms to the framework of the State Strategy of Substance Abuse Treatment. Applicants must include this letter as **Attachment 7** of the application.
- Non-tribal applicants must also submit a letter from the Chief Justice of the state's highest court, the State Court Administrator, or a designee (for example, the state drug or problem-solving court coordinator) describing how the proposed application would enhance the statewide efforts related to problem-solving courts. Applicants must include this letter as **Attachment 8** of their application.
- Tribal applicants submitting on behalf of a tribe/tribal organization must submit a Tribal Authorizing Resolution in lieu of a letter of support from the state as **Attachment 9** of their application. These resolutions should authorize the inclusion of the tribe or tribal organization and its membership within the application.

### **Deadline**

Applicants must register with [Grants.gov](#) prior to submitting an application. (See "How To Apply," page 15.) All applications are due by 11:59 p.m. eastern time on May 24, 2012. (See "Deadlines: Registration and Application," page 4.)

### **Contact Information**

For technical assistance with submitting the application, contact the Grants.gov Customer Support Hotline at 1-800-518-4726 or 606-545-5035 or via e-mail to [support@grants.gov](mailto:support@grants.gov).

**Note:** The [Grants.gov](#) Support Hotline hours of operation are 24 hours a day, seven days a week, except federal holidays.

For assistance with basic requirements of this solicitation, contact the BJA Justice Information Center at 1-877-927-5657, via e-mail to [JIC@telesishq.com](mailto:JIC@telesishq.com), or by [live web chat](#). The BJA Justice Information Center hours of operation are 8:30 a.m. to 5:00 p.m. eastern time, Monday through Friday, and 8:30 a.m. to 8:00 p.m. eastern time on the solicitation close date.

For assistance with the Center for Substance Abuse Treatment (CSAT)-specific requirements of this solicitation, contact Holly Rogers, CSAT Public Health Advisor at 240-276-2916 or by e-mail to [holly.rogers@samhsa.hhs.gov](mailto:holly.rogers@samhsa.hhs.gov).

For assistance with financial/fiscal SAMHSA-specific requirements of this solicitation, contact Roger George, Grants Management Specialist, at 240-276-1418 or by e-mail to [roger.george@samhsa.hhs.gov](mailto:roger.george@samhsa.hhs.gov).

**Grants.Gov number assigned to announcement:** BJA-2012-3261

**Release date:** April 9, 2012

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# Joint Adult Drug Court Solicitation to Enhance Services, Coordination, and Treatment CFDA #s 16.585 (BJA) and 93.243 (SAMHSA)

## Overview

BJA and SAMHSA are accepting applications for FY 2012 grants to enhance the court services, coordination, and evidence-based substance abuse treatment and recovery support services of adult drug courts. The purpose of this joint initiative is to allow applicants to submit a comprehensive strategy for enhancing drug court services and capacity, permitting applicants to compete for both criminal justice and substance abuse treatment funds with one application. In order to fulfill all of the requirements for this grant program, applicants should comply with the requirements outlined in this grant announcement as well as those incorporated by reference in the [Requirements Resource Guide](#). These grants are authorized under 42 USC 3797u et seq. and section 509 of the Public Health Service Act, as amended. This announcement addresses Healthy People 2020 Substance Abuse Topic Area HP 2020-SA.

Drug courts funded through this grant solicitation may use federal funding and matched funding to serve only nonviolent offenders<sup>1</sup> and must operate the adult drug court based on BJA's and the National Association of Drug Court Professionals' publication [Defining Drug Courts: The Key Components](#), which addresses the statutory requirements.

This opportunity provides drug court applicants the flexibility to identify the most appropriate evidence-based court (service/docket) model in 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 10 key drug court components, which describe the basic elements that define drug courts. (See page 5 for a definition of "evidence-based.")

## Deadlines: Registration and Application

Applicants must register with Grants.gov prior to submitting an application. OJP and SAMHSA encourage applicants to register with Grants.gov several weeks before the application submission deadline. The deadline to apply for funding under this announcement is 11:59 p.m. eastern time on May 24, 2012. See the "How To Apply" section on page 15 for more details. Note that while the deadline for submission is 11:59 p.m. eastern time on May 24, 2012, staff assistance through the BJA Justice Information Center is only available until 8:00 p.m. eastern time (see "Contact Information" on the title page for more information about BJA's Justice Information Center).

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<sup>1</sup> Programs funded through this solicitation may not, with grant 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 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.

## Eligibility

Refer to the title page for eligibility under this program.

### **Joint Adult Drug Court Solicitation to Enhance Services, Coordination, and Treatment—Specific Information**

Applicants should propose a comprehensive strategy to enhance and/or expand court services, coordination, substance abuse treatment and recovery support services. Applicants should provide evidence that the proposed enhancement will address the overall goals and objectives of the project within the 3-year grant period. Applicants should provide a detailed description of the methods and approaches to reduce substance use and recidivism of offenders. **Applicants must state clearly the number of clients to be served for each year of the proposed grant (see “Proposed Number of Service Recipients-Guidelines and Definitions” in the [Requirements Resource Guide](#)).**

Drug courts are part of the larger universe of problem-solving courts, and have been demonstrated (where implemented in an evidence-based manner) to reduce recidivism and substance abuse among high-risk substance abusing offenders 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
- recovery support services.

**Evidence-Based Programs or Practices:** 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](http://CrimeSolutions.gov) web site is one resource that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

Based on a review of drug court evaluations and research, BJA has partnered with the National Institute of Justice (NIJ) to identify recommended policies and practices to yield effective interventions that maximize the return on investment for Adult Drug Court Program funding. Findings from the NIJ’s Multi-site Adult Drug Court Evaluation are available at [www.ojp.usdoj.gov/nij/topics/courts/drug-courts/madce.htm](http://www.ojp.usdoj.gov/nij/topics/courts/drug-courts/madce.htm). A priority consideration will be given to applications that propose designs and strategies that are consistent with each of the following evidence-based program design features. More information on designing a program around

recent evidence-based research findings is available from the National Center for State Courts web site at [www.research2practice.org/index.html](http://www.research2practice.org/index.html). (Applicants may propose alternative program designs that depart from this list with compelling justification, however priority consideration may not be provided for these applicants depending on the justification.)

1. **Screening and Assessment**—Referral sources and other stakeholders should understand program eligibility criteria, which must be consistent with the needs of the population of focus and available program resources. Applicants should demonstrate an ability to screen promptly and systematically for all offenders potentially eligible for the drug court, identify the agency which will conduct this screening, and detail the procedures that will be used for screening.

The applicant should further demonstrate how those offenders determined to be eligible for the drug court as a result of screening will then be assessed to identify their risk for relapse and recidivism. Applicants should address how the nature of treatment will be determined and how other rehabilitation needs will be assessed. Assessments should be conducted using instruments that have been validated for the population of focus and updated periodically. Treatment and other service assessments should be reviewed and adjusted to gauge offender needs that may change over time.

2. **Population of Focus**—Program resources should be prioritized for offenders who demonstrate both high criminogenic risk and high substance abuse treatment need. Applicants should aim to serve offenders whose characteristics and risk factors directly relate to a high probability of offending, and who are frequent drug users diagnosed for drug dependence. Also, applicants should target offenders who are subject to (or eligible for) legal sanctions that may provide greater leverage in program compliance.
3. **Procedural and Distributive Justice**—Applicants should establish and clearly communicate a system of graduated sanctions and incentives that is activated and delivered with certainty in response to offender behavior. Information from the drug court team and the offender should be considered in determining noncompliance and the appropriate response. Specific program responses should be meaningful to the offenders, understandable, and delivered in a manner that can be perceived as fair and equitable.
4. **Judicial Interaction**—Judges should interact directly and regularly with drug court participants during drug court hearings, which should be as frequent as the participant may require. As the program leader, the judge will maintain authority by demonstrating support for the program and knowledge of individual offenders. Communication between the client and the judge should be based on a foundation of respect, and judges must maintain an understanding of program resources available to assess and respond to participant behavior.
5. **Monitoring**—The applicant should demonstrate a comprehensive plan to: monitor drug court participants using random drug testing and community supervision; disseminate results efficiently to the drug court team; and immediately respond to noncompliance according to established program policies.
6. **Treatment and Other Services**—The applicant should maintain program resources that: address drug court participant needs identified over time; accommodate the range of treatment and other rehabilitation services required; and apply case management beyond

initial referral to confirm that providers appropriately deliver ongoing assessment and services. **Note:** SAMHSA funds allow for a reasonable range for Substance Abuse Per-Person Treatment Costs (regardless of client treatment modality—residential, outpatient, non-methadone, outpatient, methadone, intensive outpatient, screening/brief treatment/outreach/pretreatment services, or peer recovery support services) of \$3,000 to \$5,000. For more information see Budget Information “SAMHSA Budget Requirements” below.

7. **Relapse Prevention, Aftercare and Community Integration**—From the first program phase, the applicant should demonstrate how culturally sensitive planning and other programming will be implemented to support relapse prevention, community integration, and aftercare/continuing care services.

### ***BJA Drug Court Enhancement Component:***

Applicants may propose to use BJA funding to incorporate the evidence-based design features noted above to: 1) expand the population of focus, 2) enhance court operations, 3) enhance court services, and/or 4) enhance offender services. Additionally:

1. Applicants are encouraged to include or establish new services for populations not currently being served in the drug court based on an examination of the emerging needs in their local offender population.
2. Applicants may propose to 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. 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 training and placement, housing placement assistance, and childcare or other family support services for each participant who requires such services.

For examples of drug court services allowable under this program, see the [Requirements Resource Guide](#).

### ***SAMHSA Substance Abuse Treatment Component:***

SAMHSA funding is intended to fund treatment services or practices that have a demonstrated evidence base and that are appropriate for the drug court population. An evidence-based practice, also called EBP, refers to approaches for treatment that are validated by some form of documented research evidence. Applicants should address the evidence base for their proposed service selection in the project narrative. **For more information on EBPs, see “Using Evidence Based Practices” in the [Requirements Resource Guide](#).**

Applicants may propose to enhance and/or expand substance abuse treatment and recovery support services. **For information on allowable substance abuse treatment and recovery support services, see the [Requirements Resource Guide](#).**

**Service Enhancement:** An applicant may propose to improve **the quality and/or intensity of substance abuse treatment services and recovery support services**, for instance, by adding state-of-the-art treatment approaches, or adding a new service to address emerging trends or unmet needs. For example, a substance abuse treatment project may propose to add co-occurring treatment intervention to the current treatment protocol for a population being served by the program.

**Service Expansion:** An applicant may also propose to **increase access and availability of services to a larger number of clients**. Applicants may propose to increase the number of clients receiving services as a result of the award. For example, if a drug court currently serves 50 persons per year and has a waiting list of 50 persons (but no funding to serve these persons), the applicant may propose to expand service capacity to be able to admit some or all of those persons on the waiting list.

Applicants must also screen and assess clients for the presence of co-occurring substance use (abuse and dependence) and mental disorders and use the information obtained from screening and assessment to develop appropriate treatment approaches for persons identified as having such co-occurring disorders. For more information on the process of selecting screening instruments to identify co-occurring substance use and mental health disorders, go to [www.samhsa.gov/co-occurring/](http://www.samhsa.gov/co-occurring/).

In order to address the prevalent issue of trauma histories in offender populations, applicants must demonstrate how staff will be trained in trauma-informed practices, and how these practices will be integrated into the clinical treatment and recovery services provided for the drug court clients. For more information on trauma and trauma-informed practices, go to the National Center for Trauma-Informed Care at [www.samhsa.gov/nctic/](http://www.samhsa.gov/nctic/).

Applicants must demonstrate that they have developed linkages with community-based organizations with experience in providing services to the population of focus. **Examples of possible community linkages are provided in the [Requirements Resource Guide](#).**

To demonstrate that a comprehensive service system is in place, the substance abuse treatment providers for the drug court must provide **letters of commitment or formal contractual agreements**, which outline the services to be provided including the level and intensity of resources committed from these collaborating organizations. Simply providing a “letter of support” from proposed partners is not sufficient to meet this requirement of documented agreements with community based organizations. **These documents must be provided as Attachment 6 of the application or it will not be reviewed or considered for an award.**

Medication-assisted treatment (MAT) may be an important part of a comprehensive treatment plan. Grantees may use up to 20 percent of their annual SAMHSA grant award to pay for medication (e.g., Naltrexone, Disulfiram, Acamprosate Calcium, Suboxone, and Buprenorphine) as appropriate, when the client has no other source of funds to do so.



Grantees are encouraged to provide HIV rapid preliminary antibody testing as part of their treatment regimen. Grantees providing HIV testing must do so in accordance with state and local requirements. No more than 5 percent of SAMHSA grant funds may be used for HIV rapid testing. (Note: Grant funds may be used to purchase such services from another provider.)

All clients who have a preliminary positive HIV test result must be administered a confirmatory HIV test result. Post award, grantees must develop a plan for medical case management of all clients who have a preliminary positive HIV and confirmatory HIV test result.

As appropriate, post-award, SAMHSA will provide technical assistance to: train grantee staff in HIV rapid testing; obtain required state certification to conduct onsite testing; develop, as may be required, agreements with state and local health departments regarding HIV testing activities; and develop a case management system for monitoring and tracking.

SAMHSA strongly encourages all grantees to provide a smoke-free workplace and to promote abstinence from all tobacco products (except in regard to accepted tribal traditions and practices).

**Applications that do not meet the requirements of one or both agencies will not be granted an award by either BJA or SAMHSA.**

## **Overall Goals, Objectives, and Outcomes**

The overall goal of the Joint Adult Drug Court Discretionary Solicitation is to build and/or expand drug court capacity of state, local, and tribal levels to reduce crime and substance abuse among High-Risk/High Need offenders. This evidence-based approach includes the key elements of judicially supervised treatment, drug testing, community supervision, appropriate sanctions, and recovery support services.

Program objectives include:

- Building and maximizing the capacity of jurisdictions to ensure that all offenders are identified and assessed for risk and need.
- Ensuring all substance abusing offenders receive targeted research based and data driven services.
- Enhancing the provision of ancillary services that prevent recidivism such as individualized treatment, vocational and educational services, and community reintegration services to achieve long term recovery.
- Lowering costs associated with the population of focus.
- Supporting strategies that ensure drug court practitioners have tools to effectively manage these interventions, including data collection and analysis, training, and technical assistance.
- Tracking drug court performance.

The intended outcomes from these goals and objectives should result in reductions in recidivism and substance abuse of the population of focus while showing an offender's likelihood of successful reintegration into the community.

## Amount and Length of Awards

	<b>BJA Funding</b>	<b>SAMHSA Funding</b>
<b>Anticipated Total Available Funding:</b>	\$3,100,000	\$3,250,000
<b>Estimated Number of Awards:</b>	<b>10</b>	<b>10</b>
<b>Estimated Award Amount:</b>	Up to \$300,000 as a one-time award for the entire 3-year grant period	Up to \$325,000 per year for each year of the 3-year grant period
<b>Cost Sharing/Match Required:</b>	<b>Yes</b> See <a href="#">Requirements Resource Guide</a> for more information on BJA Match Requirements	<b>No</b>
<b>Project Period:</b>	Up to 3 years	Up to 3 years

Annual SAMHSA continuation awards will depend on the availability of funds, grantee progress in meeting project goals and objectives, timely submission of required data and reports, and compliance with all terms and conditions of award.

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

## Budget Information

**Applicants must provide two separate budgets (i.e., one for requested BJA funds and one for requested SAMHSA funds). Additionally, if awarded, grantees must have a system in place to track both BJA and SAMHSA grant fund expenditures separately.**

### ***BJA Budget Requirements:***

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

With respect to any award of more than \$250,000 made under this solicitation, federal funds may not be used to pay total cash compensation (salary plus 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. (The 2012 salary table for SES employees is available at [www.opm.gov/oca/12tables/indexSES.asp](http://www.opm.gov/oca/12tables/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 OJP. An applicant requesting a waiver should 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 the applicant to adjust and resubmit its 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 to be done.

**Minimization of Conference Costs**

No OJP funding can be used to purchase food and/or beverages for any meeting, conference, training, or other event. Exceptions to this restriction may be made only in cases where such sustenance is not otherwise available (i.e., extremely remote areas), or where a special presentation at a conference requires a plenary address where there is no other time for sustenance to be obtained. Such an exception would require prior approval from OJP. This restriction does not apply to water provided at no cost, but does apply to any and all other refreshments, regardless of the size or nature of the meeting. Additionally, this restriction does not impact direct payment of per diem amounts to individuals in a travel status under your organization's travel policy.

Updated Department of Justice and OJP guidance on conference planning, minimization of costs, and conference cost reporting will be forthcoming and will be accessible on the OJP website at [www.ojp.usdoj.gov/funding/funding.htm](http://www.ojp.usdoj.gov/funding/funding.htm).

**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 by individuals with limited English proficiency may be allowable costs. 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 of the OJP "Other Requirements for OJP Applications" web page ([www.ojp.usdoj.gov/funding/other\\_requirements.htm](http://www.ojp.usdoj.gov/funding/other_requirements.htm)).

***BJA Match Requirement:***

**A portion of match must be cash and remainder can be in-kind**

BJA 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. If a successful applicant's proposed match exceeds the required match amount, the match amount that is incorporated into its OJP-approved budget is mandatory and subject to audit. (Match is restricted to the same uses of funds as allowed for the federal funds.) Applicants may satisfy this match requirement with any portion of cash and the remainder can be 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 \$300,000, match would be calculated as follows:

$\frac{\$300,000}{75\%} = \$400,000$      $25\% \times \$400,000 = \$100,000$  match

### **SAMHSA Budget Requirements:**

- Provide a per-person or unit cost of the project to be implemented. This figure is calculated by: 1) taking the total cost of the project over the lifetime of the grant and subtracting 20 percent for data and performance assessment; 2) dividing this number by the total unduplicated number of persons to be served.
- A reasonable range for Substance Abuse Treatment Costs Per-Person (regardless of client treatment modality—residential, outpatient, non-methadone, outpatient, methadone, intensive outpatient, screening/brief treatment/outreach/pretreatment services, or peer recovery support services) is \$3,000 to \$5,000.
- Applicants must include key staff positions (Project Director, Clinical Director/Supervisor, and Evaluator) in the budget. If the Project Director is a contractor/consultant the applicant must include a copy of the contract or proposed contract with the application.
- SAMHSA's Sample Budget and Justification format must be used. An electronic copy of the Sample Budget and Justification is located at: [www.samhsa.gov/Grants/AppCont/sample\\_budget\\_no\\_match.doc](http://www.samhsa.gov/Grants/AppCont/sample_budget_no_match.doc) and in the [Requirements Resource Guide](#).

**For a comprehensive list of SAMHSA requirements and funding restrictions, see the [Requirements Resource Guide](#).**

## **Performance Measures**

There will be two primary types of data reporting required by BJA and SAMHSA: the bi-annual report, and Government Performance and Results Act (GPRA) (Public Law 103-62) reporting requirements of both agencies. The bi-annual report provides an overview of the goals and objectives of the grant as proposed in the application and the progress made in achieving these measures.

Submission of performance measures data is not required for the application. Instead, applicants should discuss in their application their proposed methods for collecting data for performance measures. Refer to the section "What an Application Should Include" on page 17 for additional information.

## **BJA Performance Measures**

To assist in fulfilling the Department's 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, applicants that receive funding under this solicitation must provide data that measure the results of their work done under this solicitation. Any award recipient will be required, post award, to provide the data requested in the "Data Grantee Provides" column so that OJP can calculate values for the "Performance Measures" column. **Performance measures for this program are being finalized. Below, BJA has listed the program objectives and sample performance measures. BJA will determine whether additional or different measures will be required prior to awarding grants:**

Objective	Performance Measure	Data Grantee Provides
To reduce substance use and recidivism of drug court participants.	Percentage Admitted	A. Number of drug court participants that were admitted  B. Total number of eligible drug court participants
	Percentage of Successful Program Completions	A. Number of participants who successfully completed program requirements  B. Total number of successful and unsuccessful completions
	Percent 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
	Rate of recidivism	A. Number of drug court participants who were arrested for drug offenses  B. Number of drug court participants who were arrested for non-drug offenses  C. Number of drug court participants who were arrested for non-drug and drug offense 1 year after program completions

**Note on Collection of Supplemental Performance Data and Project Evaluations**

Applicants that propose to collect supplemental performance data beyond that required for BJA’s performance measures or to use funds awarded 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.” Applicants should provide sufficient information for OJP to determine whether the particular project they propose would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ regulatory definition of research.

Research, for the purposes of human subjects protections 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, see the decision tree to assist applicants on the “Research and the Protection of Human Subjects” section of the OJP “Other Requirements for OJP Applications” web page ([www.ojp.usdoj.gov/funding/other\\_requirements.htm](http://www.ojp.usdoj.gov/funding/other_requirements.htm)). Applicants whose proposals may involve a research or statistical component also should review the “Confidentiality” section on that web page.

## **SAMHSA Data Collection and Performance Measurement Requirements**

Grantees will be required to report performance on the following SAMHSA client-level performance measures: client's substance use, family and living condition, employment status, social connectedness, access to treatment, retention in treatment, and criminal justice status. This information will be gathered using the data collection tool referenced below. The collection of these data will enable SAMHSA to report on the National Outcome Measures (NOMs), which have been defined by SAMHSA as key priority areas relating to substance use.

These data must be collected at baseline (i.e., the client's entry into the project), discharge, and 6 months post-baseline. To be in compliance with the requirements of the grant, grantees must collect and report individual client follow-up data (discharge and 6 months post-baseline) on a minimum of 80 percent of all clients who receive a baseline interview. All data are to be entered into SAMHSA's GPRA Data Entry and Reporting System via the Internet within 7 business days of the forms being completed. GPRA performance data will be reported to the public, the Office of Management and Budget (OMB), and Congress as part of SAMHSA's budget request. Training and technical assistance on data collection, tracking, and follow-up, as well as data entry, will be provided by SAMHSA.

**Note:** The applicant is required to identify the number of clients that will be served annually and over the entire 3-year project period. The number of clients identified by the applicant is the number of clients that will have GPRA performance data completed including a GPRA intake, discharge, and 6-month follow-up as previously noted above. For more information see "Proposed Number of Service Recipients-Guidelines and Definitions" in the [Requirements Resource Guide](#).

Grantees must collect and report data using the SAMHSA Discretionary Services Client Level GPRA Tool, which can be found at [www.samhsa.gov/grants/tools.aspx](http://www.samhsa.gov/grants/tools.aspx), along with instructions for completing it. Hard copies are available by calling SAMHSA's Office of Communications at 1-877-SAMHSA7 (TDD: 1-800-487-4889).

### **SAMHSA Performance Assessment Requirements:**

Grantees must periodically review the performance data they report to SAMHSA (as required above) and assess their progress and use this information to improve management of their grant projects. The assessment should be conducted by an outside, independent evaluator and designed to help the grantee determine whether it is achieving the goals, objectives, and outcomes that were intended and whether adjustments need to be made to the project. Grantees will be required to report on progress achieved, barriers encountered, and efforts to overcome these barriers in a performance assessment report to be submitted at least bi-annually.

At a minimum, the performance assessment should include the required performance measures identified above. Grantees may also consider outcome and process questions, such as the following:

### **Outcome Questions:**

- What was the effect of the intervention on key outcome goals?
- What program/contextual factors were associated with outcomes?
- What individual factors were associated with outcomes, including race/ethnicity?
- How durable were the effects?

- Was the intervention effective in maintaining the project outcomes at 6-month follow-up?

As appropriate, describe how the data, including outcome data, will be analyzed by racial/ethnic group or other demographic factors to assure that appropriate populations are being served and that disparities in services and outcomes are minimized.

#### **Process Questions:**

- How closely did implementation match the plan?
- What types of changes were made to the originally proposed plan?
- What led to the changes in the original plan?
- What effect did the changes have on the planned intervention and performance assessment?
- Who provided (program staff) what services (modality, type, intensity, duration), to whom (individual characteristics), in what context (system, community), and at what cost (facilities, personnel, dollars)?
- What strategies were used to maintain fidelity to the evidence-based practice or intervention across providers over time?
- How many individuals were reached through the program?

### **Notice of Post-Award FFATA Reporting Requirement**

Applicants should anticipate that OJP and SAMHSA will require all recipients (other than individuals) of awards of \$25,000 or more under this solicitation, consistent with the Federal Funding Accountability and Transparency Act of 2006 (FFATA), to report award information on any first-tier subawards totaling \$25,000 or more, and, in certain cases, to report information on the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients. Each applicant entity must ensure that it has the necessary processes and systems in place to comply with the reporting requirements should it receive funding. Reports regarding subawards will be made through the FFATA Subaward Reporting System (FSRS), found at [www.fsr.gov/](http://www.fsr.gov/).

Note also that applicants should anticipate that no subaward of an award made under this solicitation may be made to a subrecipient (other than an individual) unless the potential subrecipient acquires and provides a Data Universal Numbering System (DUNS) number.

### **How To Apply**

Applications will be submitted through Grants.gov. Grants.gov is a “one-stop storefront” that provides a unified process for all customers of federal awards 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](http://www.Grants.gov). If the applicant experiences technical difficulties at any point during this process, call the Grants.gov Customer Support Hotline at **800-518-4726** or **606-545-5035**, 24 hours a day, 7 days a week, except federal holidays. 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. OJP highly recommends that applicants start the registration process as early as possible to prevent delays in submitting an application package by the specified application deadline.

All applicants are required to complete the following steps:

1. **Acquire a Data Universal Numbering System (DUNS) number.** In general, the Office of Management and Budget requires that all applicants (other than individuals) for federal funds include a DUNS number in their applications 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 Dun and Bradstreet at 866–705–5711 or by applying online at [www.dnb.com](http://www.dnb.com). A DUNS number is usually received within 1-2 business days.
2. **Acquire or renew registration with the Central Contractor Registration (CCR) database.** OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the CCR database. An applicant must be registered in the CCR to successfully register in Grants.gov. 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. **Note, however, that applicants must update or renew their CCR registration annually** to maintain an active status. Information about CCR registration procedures can be accessed at [www.ccr.gov](http://www.ccr.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. The applicant organization's DUNS Number must be used to complete this step. For more information about the registration process, go to [www.grants.gov/applicants/get\\_registered.jsp](http://www.grants.gov/applicants/get_registered.jsp).
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. Note that there can be more than one AOR for the organization.
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 (CFDA) number for this solicitation is 16.585, titled "Drug Court Discretionary Grant Program," and the funding opportunity number is BJA-2012-3261.
6. **Complete the Disclosure of Lobbying Activities.** All applicants must complete this information. An applicant that expends any funds for lobbying activities must provide the detailed information requested on the form, *Disclosure of Lobbying Activities*, (SF-LLL). An applicant that does not expend any funds for lobbying activities should enter "N/A" in the required highlighted fields.
7. **Submit an 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 an e-mail validation message from Grants.gov. The validation message will state whether the application has been received and validated, or rejected, with an explanation. **Important:** Applicants are urged to submit applications **at least 72 hours prior**



to the due date of the application to allow time to receive the validation message and to correct any problems that may have caused a rejection notification.

**Note: Grants.gov will forward the application to OJP's Grants Management System (GMS). GMS does not accept executable file types as application attachments.** The 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."

**Note: Duplicate Applications**

If an applicant submits multiple versions of an application, BJA and SAMHSA will review the most recent version submitted.

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

If an applicant experiences unforeseen Grants.gov technical issues beyond the applicant's control that prevent submission of its application by the deadline, the applicant must e-mail the BJA Justice Information Center (see page 1 for contact information) **within 24 hours after the deadline** and request approval to submit its application. The applicant must include in the e-mail: a description of the technical difficulties, a timeline of submission efforts, the complete grant application, the applicant DUNS number, and Grants.gov Help Desk tracking number(s) received. **Note: Requests are not automatically approved by BJA.** After the program office reviews all of the information submitted, and contacts the Grants.gov Help Desk to validate the technical issues reported, BJA will contact the applicant to either approve or deny the request to submit a late application. If the technical issues reported cannot be validated, the application will be rejected as untimely.

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 Grants.gov 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, including firewalls.

Notifications regarding known technical problems with Grants.gov, if any, are posted at the top of the OJP funding web page, [www.ojp.usdoj.gov/funding/solicitations.htm](http://www.ojp.usdoj.gov/funding/solicitations.htm).

## **What an Application Should Include**

Applicants should anticipate that failure to submit an application that contains all of the specified elements may negatively affect the review of the application; and, should a decision be made to make an award, it may result in the inclusion of special conditions that preclude access to or use of award funds pending satisfaction of the conditions.

Moreover, applicants should anticipate that applications that are unresponsive to the scope of the solicitation, or that do not include application elements designated by BJA and SAMHSA to be critical, will neither proceed to peer review nor receive further consideration. Under this solicitation, BJA and SAMHSA have designated the following application elements as critical: Program Narrative, Budget Detail Worksheet, and Budget Narrative. The Budget Detail Worksheet and Budget Narrative should be combined in one document and must contain **both** narrative and detail information.

BJA and SAMHSA strongly recommend use of appropriately descriptive file names (e.g., “Program Narrative,” “Budget Detail Worksheet and Budget Narrative,” “Time Task Plan,” “Memoranda of Understanding,” “Resumes”) for all attachments. OJP recommends that resumes be included in a single file.

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

The SF-424 is a standard form required for use as a cover sheet for submission of pre-applications, applications, and related information. Grants.gov and GMS take information from the applicant’s profile to populate the fields on this form. See [www.grants.gov/assets/SF424Instructions.pdf](http://www.grants.gov/assets/SF424Instructions.pdf) for instructions on how to complete the SF-424.

**Failure to indicate the entire amount of federal funds requested for the entire project period may result in the applicant receiving an incorrect federal award amount.**

**By signing the SF-424, the authorized representative of the applicant organization is certifying that the Adult Drug Court applying for funds is operational, as defined above, for at least 1 year at the time of application.**

### **2. Program Narrative (Attachment 1)**

Only **one** program narrative should be submitted. The program narrative must respond to the solicitation and the Selection Criteria (1-5) 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 30 pages. Number pages “1 of 30” “2 of 30,” etc.

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

#### Abstract:

The first page of the program narrative must include an abstract. This page does not count toward the 30-page limit for the program narrative.

The abstract should include the project name, population to be served, strategies/ interventions proposed, project goals and measurable objectives, including the number of people to be served annually and throughout the lifetime of the project, etc. In the first five lines or less of the abstract, write a summary of your project that can be used, if your project is funded, in publications, reporting to Congress, or press releases. A sample abstract can be found in the Application Information section of the [Requirements Resource Guide](#). The abstract should affirm that the 10 key components of a drug court are or will be met and must indicate which of the seven evidence-based design features are proposed in the application. Also note the corresponding page numbers where features are highlighted in the application.

#### Program Narrative:

The following sections should be included as part of the program narrative:

1. Statement of the Problem
2. Project Design and Implementation
3. Capabilities and Competencies

4. Evaluation, Aftercare, Sustainability, and Plan for Collecting the Performance Measurement Data  
Submission of performance measures data is not required for the application. Performance measures are included as an alert that successful applicants will be required to submit specific data to BJA and SAMHSA as part of their reporting requirements. For the application, the applicant should indicate an understanding of these requirements and discuss how the applicant will gather the required data, should the applicant receive funding.

Refer to the Selection Criteria, page 23, for the specific components of what the narrative should include.

### **3. Budget Detail Worksheet and Budget Narrative (Attachment 2)**

Applicants must provide two budgets (Selection Criteria 5) which clearly show the use for the BJA and SAMHSA funds. If awarded, the grantee will be responsible for tracking the resources separately.

#### **Required Grantee Meetings**

Grantees are required to budget for two meetings in each year of the grant as identified by the BJA and SAMHSA Government Project Officers (GPO). Applicants must budget for one meeting in each of the budgets, meaning the BJA budget will include travel funds for one meeting in each year of the grant and the SAMHSA budget will include travel funds for one meeting in each year of the grant. One of the annual budgeted and mandatory meetings is a BJA/SAMHSA grantee meeting that may be held in conjunction with a national drug court conference. Grantees must send a drug court team consisting of a minimum of six people (judge, project director, clinical director, evaluator, and representatives from the prosecutor's office and the defense bar) to this BJA/SAMHSA mandatory meeting. Grantees must also budget for four persons, representing the treatment and justice collaborative, to attend a second mandatory annual meeting. For budgetary purposes it is assumed that one of the two mandatory meetings will be held in the Washington, DC area.

#### **BJA Budget Detail Worksheet and Narrative and Indirect Cost Rate Agreement:**

##### **a. BJA Budget Detail Worksheet**

A sample budget detail worksheet can be found at [www.ojp.gov/funding/forms/budget\\_detail.pdf](http://www.ojp.gov/funding/forms/budget_detail.pdf). If the budget is submitted in a different format, the budget categories listed in the sample budget worksheet should be included.

For questions pertaining to budget and examples of allowable and unallowable costs, see the OJP Financial Guide at [www.ojp.usdoj.gov/financialguide/index.htm](http://www.ojp.usdoj.gov/financialguide/index.htm).

The budget must indicate how the 75 percent BJA federal funds and the 25 percent match will be allocated in the overall budget.

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

The Budget Narrative should thoroughly and clearly describe every category of expense listed in the Budget Detail Worksheet. Proposed budgets are expected to be complete; reasonable and allowable; cost effective; and necessary for project activities. The narrative should be mathematically sound and correspond with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how all

costs were estimated and calculated and how they are relevant to the completion of the proposed project. Applicants should identify the source of the 25 percent non-federal portion of the total project costs and how match funds will be used. 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 be broken down by year.

**c. BJA Indirect Cost Rate Agreement** (if applicable)

Indirect costs are allowed only if the applicant has a federally-approved indirect cost rate. (This requirement does not apply to units of local government.) A copy of the rate approval should be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant federal agency, which will review all documentation and approve a rate for the applicant organization or, if the applicant's accounting system permits, costs may be allocated in the direct cost categories. If DOJ is the cognizant federal agency, obtain information needed to submit an indirect cost rate proposal at [www.ojp.usdoj.gov/funding/pdfs/indirect\\_costs.pdf](http://www.ojp.usdoj.gov/funding/pdfs/indirect_costs.pdf).

**SAMHSA Budget and Narrative and Indirect Cost Rate Agreement**

**a. SAMHSA Budget and Narrative**

You must provide a narrative justification of the items included in your proposed budget, as well as a description of existing resources and other support you expect to receive for the proposed project. Reference the [Requirements Resource Guide](#) for a sample of the SAMHSA budget and narrative as well as SAMHSA funding restrictions. An electronic copy of the Sample Budget and Justification is located at: [www.samhsa.gov/Grants/AppCont/sample\\_budget\\_no\\_match.doc](http://www.samhsa.gov/Grants/AppCont/sample_budget_no_match.doc)

**b. SAMHSA Indirect Cost Rate Agreement**

SAMHSA will not accept a "research" indirect cost rate. The grantee must use the "other sponsored program rate" or the lowest rate available.

**4. Additional Attachments**

**Project Timeline, Resumes, and Key Staff (Attachment 3)**

Applicants must include a realistic timeline for the project, resumes, and job descriptions for proposed staff and identify key staff and level of effort. For more information, refer to the [Requirements Resource Guide](#).

**SAMHSA Application Forms (Attachment 4)**

For SAMHSA Substance Abuse Treatment funding, applicants must complete and include in Attachment 4 the forms identified in the SAMHSA Grant Application Package, which can be found at [www.samhsa.gov/Grants/ApplicationKit.aspx](http://www.samhsa.gov/Grants/ApplicationKit.aspx).

Applicants must complete the following forms:

- Face Page (SF-424) (NOTE: For Item 11, insert CFDA # 93.243 and CFDA Title Substance Abuse and Mental Health Services Administration; for Item 12, insert Funding Opportunity # TI-12-002)
- Budget Information Form for Non-Construction Programs (SF-424A)
- Project/Performance Site Location(s) Form
- Assurances Form for Non-Construction Programs (SF-424B)

- Certifications
- Disclosure of Lobbying Activities
- Checklist
- Documentation of nonprofit status as required in the Checklist

### **SAMHSA Confidentiality and Participant Protection (Attachment 5)**

Because of the confidential nature of the work in which many SAMHSA grantees are involved, it is important to have safeguards protecting individuals from risks associated with their participation in SAMHSA projects. You must describe procedures relating to Confidentiality, Participant Protection, and the Protection of Human Subjects Regulations in Attachment 5 of your application (see “Confidentiality and SAMHSA Participant Protection” in the [Requirements Resource Guide](#)). Problems with confidentiality, participant protection, and the protection of human subjects identified during peer review of the application must be resolved prior to funding.

### **Evidence of Experience and Credentials for Substance Treatment Provider(s) and Letters of Commitment/Formal Contractual Agreements (Attachment 6)**

Applicants must include the following as Attachment 6 of the application:

- (1) Identification of at least one experienced, licensed service provider organization;
- (2) A list of all direct service provider organizations that have agreed to participate in the proposed project;
- (3) Letters of commitment or formal contractual agreements from collaborating organizations (outlining services to be provided, level and intensity of resources committed); **these letters must be provided in Attachment 6 of the application or it will not be reviewed or considered for an award**; and
- (4) The Statement of Assurance (provided in the [Requirements Resource Guide](#)) signed by the authorized representative of the applicant organization identified on the face page of the application, that assures SAMHSA that all listed providers meet the 2-year experience requirement; are appropriately licensed, accredited, and certified; and that if the application is within the funding range for an award, the applicant will send the SAMHSA GPO the required documentation within the specified time. If the application is within the funding range for grant award, the applicant will provide the GPO with the required documentation within the time specified. For more information on Evidence of Experience and Credentials for Substance Treatment Provider(s) and Letters of Commitment/Formal Contractual Agreements, see the [Requirements Resource Guide](#).

### **State Substance Abuse Agency Director, or Designee Letter (Attachment 7)**

Nontribal applicants must include a letter from the SSA Director or designated representative that they support the application and confirm 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 web site at [www.samhsa.gov/Grants/ssadirectory.pdf](http://www.samhsa.gov/Grants/ssadirectory.pdf)** this requirement does not pertain to Indian government applicants. See below for information about the Tribal Authorizing Resolution requirement.

### **Chief Justice, State Court Administrator or Designee Letter (Attachment 8)**

Nontribal applicants must include a letter from the Chief Justice of the state's highest court, the State Court Administrator, or a designee (for example the state drug or problem solving court coordinator) describing how the proposed application would enhance the statewide efforts related to problem-solving courts. A listing of the state drug and problem-solving court coordinators can be found on BJA's web site

[www.bja.gov/ProgramDetails.aspx?Program\\_ID=58](http://www.bja.gov/ProgramDetails.aspx?Program_ID=58). This requirement does not pertain to Indian government applicants. See below for information about the Tribal Authorizing Resolution requirement.

### **5. Tribal Authorizing Resolution (if applicable, Attachment 9)**

If an application is being submitted by either (1) a tribe or tribal organization or (2) 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 membership should be included with 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 should include a resolution (or comparable legal documentation, as may be applicable) from all tribes that will be included as a part of the services/assistance provided under the grant. A consortium of tribes for which existing consortium bylaws allow action without support from all tribes in the consortium (i.e., without authorizing resolution or other enactment of each tribal governing body) may submit a copy of its consortium bylaws with the application in lieu of tribal resolutions (or comparable legal documentation).

If an applicant is unable to obtain and submit with its application a fully-executed (*i.e.*, signed) copy of a tribal resolution or other, comparable legal documentation as may be consistent with the tribe's governance structure, then, at minimum, the applicant should submit an unsigned, draft version of such legal documentation as part of its application (except in cases where, with respect to a tribal consortium applicant, consortium bylaws allow action without the support of all consortium member tribes). If selected for funding, use of and access to funds will be contingent on receipt of the fully-executed tribal resolution or other, comparable legal documentation.

### **6. Other Standard Forms**

Additional forms that may be required in connection with an award are available on OJP's funding page at [www.ojp.usdoj.gov/funding/forms.htm](http://www.ojp.usdoj.gov/funding/forms.htm). For successful applicants, receipt of funds may be contingent upon submission of all necessary forms. Note in particular the following forms:

- a. [Standard Assurances](#)  
Applicants must read, certify, and submit this form in GMS prior to the receipt of any award funds.
- b. [Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements](#)  
Applicants must read, certify and submit in GMS prior to the receipt of any award funds.
- c. [Accounting System and Financial Capability Questionnaire](#) (required for any applicant other than an individual that is a non-governmental entity and that has not received any

award from OJP within the past 3 years; this form must be downloaded, completed, and submitted).

## Selection Criteria

The following five selection criteria will be used to evaluate each application, with the different weight given to each based on the percentage value listed below after each individual criteria.

### 1. Statement of the Problem (15 percent of 100)

- Describe the immediate issues that the grant seeks to address and the proposed enhancements and/or expansion that will address these issues.
- Describe the current operation of the adult drug court, addressing program structure; program length; population of focus; screening and assessment; recovery supportive services delivery plan; judicial supervision; community supervision; drug testing; case management; incentives and sanctions; substance abuse treatment; restitution; costs charged to program participants; and program success data. Identify the treatment service(s)/practice(s) available for drug court participants.
- Provide local data and any evaluation findings that demonstrate the program's impact with regard to offender and community outcomes. Describe a mechanism for targeting offenders facing substantial jail/prison sentences and providing specific drug court resources and services to meet their needs.
- Describe the nature of the problem and extent of both crime and substance use/abuse (e.g., current crime rates, prevalence rates, or incidence data) for the population of focus based on data. The statement of need should include a clearly established baseline for the project. Documentation of need may come from a variety of qualitative and quantitative sources. The quantitative data could come from local crime or epidemiologic data or trend analyses, state data (e.g., from State Needs Assessments, SAMHSA's National Survey on Drug Use and Health), and/or national data (e.g., from SAMHSA's National Survey on Drug Use and Health or from National Center for Health Statistics/Centers for Disease Control reports). For data sources that are not well known, provide sufficient information on how the data were collected so reviewers can assess the reliability and validity of the data.

### 2. Project Design and Implementation (30 percent of 100)

- Clearly state the purpose, goals, and objectives of the proposed enhancement and/or expansion project linking it to the 10 key components of drug courts ([Defining Drug Courts: The Key Components](#)). Describe how achievement of the goals will produce meaningful and relevant results (e.g., increase drug court participation; court services; court coordination; necessary non-treatment services; and treatment access, availability, outreach, pre-services, treatment, and/or intervention).
- Identify the evidence-based treatment service(s)/practice(s) that the application proposes to implement and the information source (see [Requirements Resource Guide](#), "Using Evidence-Based Practices"). Discuss the evidence that shows that this practice is effective with the population of focus. If the evidence is limited or non-existent for the population of focus, provide other information to support the intervention selection. If this is not an evidence-based practice, explain why this treatment intervention was selected over other treatment interventions.
- Document the evidence that the selected treatment practice(s) is (are) appropriate for the outcomes intended to be achieved.

- Identify and justify any modifications or adaptations needed—or already made—to the proposed evidence-based treatment practice(s) to meet the project goals and how the changes are intended to improve outcomes.
- Describe how the proposed project will address the following issues in the population of focus, while retaining fidelity to the chosen practice: demographics—race, ethnicity, religion, gender, age, geography, and socioeconomic status; language and literacy; sexual identity—sexual orientation and gender identity; and disability.
- Demonstrate how the proposed service(s)/practice(s) will meet project goals and objectives within the 3-year grant period.
- Describe how clients will be screened and assessed for the presence of co-occurring substance use (abuse and dependence) and mental health disorders and how the information obtained from the screening and assessment will be used to develop appropriate treatment approaches for the persons identified as having such co-occurring disorders.
- State clearly the unduplicated number of individuals proposed to be served (annually and over the entire project period), including the types and numbers of services to be provided and anticipated outcomes.
- Describe how the population of focus will be identified, recruited, and retained. Based on the language, beliefs, norms, values, and socioeconomic factors of the population of focus, discuss how the proposed approach addresses these issues in outreaching, engaging, and delivering programs to this population, e.g., collaborating with community gatekeepers. Identify related governmental or community initiatives which complement or will be coordinated with the proposal.
- Describe how project planning, implementation, and assessment will include client input.

### 3. Capabilities and Competencies (25 percent of 100)

- Describe how the project components will be embedded within the existing service delivery system, including other SAMHSA and OJP funded projects, if applicable. Identify collaborating organizations that will participate in the proposed project. Describe their roles and responsibilities and demonstrate their commitment to the project. Include letters of commitment or formal contractual agreements (outlining services to be provided, level, and intensity of resources committed) from all collaborating organizations in **Attachment 6** of the application.
- Show that the necessary groundwork (e.g., planning, consensus development, development of memoranda of agreement, identification of potential facilities) has been completed or is near completion so that the project can be implemented and substance abuse treatment service delivery can begin as soon as possible and no later than 4 months after grant award.
- Describe the potential barriers to successful conduct of the proposed project and how they will be overcome.
- Describe how program continuity will be maintained when there is a change in the operational environment (e.g., staff turnover, change in project leadership) to ensure stability over time.
- Provide an explanation of staff positions for the project, including the role of each and their level of effort and qualifications. Include in **Attachment 3** the resumes for key staff positions including, the Project Director, Clinical Director/Supervisor, and Evaluator.



- Discuss how key staff has demonstrated experience in serving the population of focus and are familiar with the culture and language of the population of focus. If the population of focus is multicultural and multilingual, describe how the staff is qualified to serve this population.
- Describe the resources available for the proposed project (e.g., facilities, equipment), and provide evidence that treatment and other services will be provided in a location that is adequate, accessible, compliant with the Americans with Disabilities Act (ADA), and amenable to the population of focus. If the ADA does not apply to your organization, explain why.

#### **4. Evaluation, Aftercare, Sustainability, and Plan for Collecting the Performance Measurement Data (15 percent of 100)**

- Provide a plan detailing how performance of court operations will be evaluated and managed. Describe the program's screening and referral process which ensures that offenders screened and referred to drug court mirror the jurisdiction's substance abuse arrestee percentages.
- Describe how the program will demonstrate an ongoing review of the expected program capacity as compared to the actual program capacity.
- 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 aftercare strategy as well as a sustainability plan detailing how court operations will be maintained after federal assistance ends.
- Document the ability to collect and report on the required performance measures as directed. Describe your plan for data collection, management, analysis, and reporting. Specify and justify any additional measures or instruments planned to be used for the grant project.
- Describe how data will be used to manage the project and assure continuous quality improvement, including consideration of disparate outcomes for different racial/ethnic groups.
- Describe how information related to process and outcomes will be routinely communicated to program staff and incorporated into the plan for conducting the bi-annual performance assessment.

#### **5. Budget (15 percent of 100)**

Applicants must provide two proposed budgets, one for SAMHSA funded and one for BJA funding. Both budgets must be complete, allowable, and tied to the proposed activities. Reference the [Requirements Resource Guide](#) for a complete list of allowable costs and examples of the BJA budget and narrative and the SAMHSA budget and narrative.

## **Review Process**

OJP and SAMHSA are 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 basic minimum program or legislative requirements as stated in the solicitation (including, but not limited to,

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requirements as to timeliness, proper format, and responsiveness to the scope of the solicitation).

Peer reviewers will review the applications submitted under this solicitation that meet basic minimum requirements. BJA 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. Applications that meet basic minimum requirements 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, geographic diversity, strategic priorities, past performance, and available funding.

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) and the Administrator of SAMHSA, 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.

After the peer review is finalized, the SAMHSA Division of Grants Management (DGM) and the OJP Office of the Chief Financial Officer (OCFO), in consultation with SAMHSA and BJA, conducts a financial review of all potential discretionary grant awards 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.

## **Additional Requirements**

Applicants selected for awards must agree to comply with additional legal requirements upon acceptance of an award. We strongly encourage applicants to review the information pertaining to these additional requirements prior to submitting an application. Additional information for each requirement can be found at [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
- Research and the Protection of Human Subjects
- Anti-Lobbying Act
- Financial and Government Audit Requirements
- National Environmental Policy Act (NEPA)

- 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
- 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
- Active CCR Registration

***Additional Requirements for SAMHSA:***

Applicants selected for awards must comply with the following:

- All terms and conditions of the grant award
- All Administrative Requirements
- Performance Requirements
- SAMHSA Confidentiality and Participant Protection

For more information on additional SAMHSA requirements, see the [Requirements Resource Guide](#).

## **Provide Feedback to OJP on This Solicitation**

To assist OJP in improving its application and award processes, we encourage applicants to provide feedback on this solicitation, application submission process, and/or the application review/peer review process. Feedback can be provided to [OJPSolicitationFeedback@usdoj.gov](mailto:OJPSolicitationFeedback@usdoj.gov).

# Application Checklist

## FY 2012 Joint Adult Drug Court Solicitation to Enhance Services, Coordination, and Treatment

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

### Eligibility Requirement

\_\_\_\_\_ Applicants are limited to states or state courts applying on behalf of single local jurisdiction, local court, county, other unit of local government, or Indian tribal governments (as defined under the Indian Self Determination Act, 25 U.S.C. 450b(e)); Indian tribal governments may apply directly or through other public or not-for-profit private entities. Eligible jurisdictions must have a fully operational (at least 1 year) adult drug court.

### The federal amount requested is within the allowable limit:

\_\_\_\_\_ The federal amount requested is within the allowable limit(s) (see page 10):

**BJA:** a one-time award up to \$300,000 (**match is required**) per grantee for the entire 3-year grant period

**SAMHSA:** annual awards, up to \$325,000 per year for each year of the 3-year grant period. Annual SAMHSA continuation awards will depend on the availability of funds, grantee progress in meeting project goals and objectives, timely submission of required data and reports, and compliance with all terms and conditions of award.

### The application contains:

\_\_\_\_\_ \*Attachment 1: Program Narrative, including an abstract (see page 18)

\_\_\_\_\_ \*Attachment 2 (see page 19):

BJA Budget Worksheet and Budget Narrative

SAMHSA Budget Worksheet and Budget Narrative

\_\_\_\_\_ Attachment 3: Project Timeline, Resumes and Key Staff (see page 20)

\_\_\_\_\_ Attachment 4: SAMHSA Application Forms (see page 20)

\_\_\_\_\_ Attachment 5: Confidentiality and SAMHSA Participant Protection (see page 20)

\_\_\_\_\_ \*Attachment 6: Evidence of Experience and Credentials for Substance Treatment Provider(s) and Letters of Commitment/Formal Contractual Agreements (see page 21)

\_\_\_\_\_ \*Attachment 7: State Substance Abuse Agency Director or Designee Letter (see page 21) (**required for nontribal applicants**)

\_\_\_\_\_ \*Attachment 8: Chief Justice, State Court Administrator or Designee Letter and/or Letter Certifying Abstract Sent to State Drug or Problem Solving Court Coordinator (see page 22) (**required for nontribal applicants**)

\_\_\_\_\_ Attachment 9: Tribal Authorizing Resolution (If applicable) (see page 22)

\_\_\_\_\_ Other Standard Forms as applicable (see page 22), including:

\_\_\_\_\_ Disclosure of Lobbying Activities (if applicable) (see page 16)

\_\_\_\_\_ Accounting System and Financial Capability Questionnaire (if applicable)

\_\_\_\_\_ Other:

\_\_\_\_\_ Standard 424 Form (see page 18)

\_\_\_\_\_ DUNS Number (see page 16)

\_\_\_\_\_ CCR Registration (see page 16)

\*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 or SAMHSA.