

## ***FY 2023 Adult Treatment Court Discretionary Grant Program***

### **Cover Page**

**Solicitation Title:** BJA FY 2023 Adult Treatment Court Site-Based

**Solicitation Short Title:** BJA FY 23 ATC

**ACS Template Name:** FY23 Drug Courts BJA

**Assistance Listing Number:** 16.585

**Grants.gov Opportunity Number:** O-BJA-2023-171509

**Solicitation Release Date:** January 17, 2023

**Step 1: Application Grants.gov Deadline:** 8:59 p.m. eastern time on April 11, 2023

**Step 2: Application JustGrants Deadline:** 8:59 p.m. eastern time on April 18, 2023

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### **Overview**

The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Assistance](#) (BJA) seeks applications for funding to plan, implement, and enhance substance use treatment courts, including service coordination, management of treatment court participants, fidelity to the model, and recovery support services. This program furthers the DOJ's mission by providing resources to state, local, and federally recognized tribal governments to support treatment court programs for individuals involved with the justice system who have substance use disorders, including stimulant, opioid, and other substances, and for those at risk of overdose.

This solicitation incorporates guidance provided in the [OJP Grant Application Resource Guide](#) which provides additional information for applicants to prepare and submit applications to OJP for funding. **If this solicitation expressly modifies any provision in the OJP Grant Application Resource Guide, the applicant is to follow the guidelines in this solicitation as to that provision.**

### **Solicitation Category**

Competition ID	Category	Number of Awards	Dollar Amount for Award	Performance Start Date	Performance Duration (Months)
C-BJA-2023-00008-PROD	1	9	\$900,000	10/1/23	48
C-BJA-2023-00009-PROD	2	30	\$1,000,000	10/1/23	48
C-BJA-2023-00010-PROD	3	3	\$2,500,000	10/1/23	48

### **Eligibility**

For Category 1: Planning and Implementation and Category 2: Enhancement, the following entities are eligible to apply:

State governments; Special district governments; City or township governments; County governments; Public housing authorities/Indian housing authorities; Native American tribal governments (Federally recognized)

Other: Public or private entities acting on behalf of a single treatment court through agreement with state, city, township, county, or tribal governments

For Category 3: Statewide, the following entities are eligible to apply:

State agencies such as the State Administering Agency, the Administrative Office of the Courts, and the State Substance Abuse Agency

State criminal justice agencies and other state agencies involved with the provision of substance use and/or mental health services, or related services.

BJA will consider applications under which two or more entities would carry out the federal award; however, only one entity may be the applicant. Any others must be proposed as subrecipients (subgrantees). For additional information on subawards, see the [OJP Grant Application Resource Guide](#).

An applicant entity may submit more than one application, if each application proposes a different project in response to the solicitation. Also, an entity may be proposed as a subrecipient (subgrantee) in more than one application.

BJA may elect to fund applications submitted under this FY 2023 solicitation in future fiscal years, dependent on, among other considerations, the merit of the applications and the availability of appropriations.

### **Contact Information**

Name: OJP Response Center

Title: Technical Assistance

Phone: 800-851-3420, 301-240-6310 (TTY for hearing-impaired callers only)

Email: [grants@ncjrs.gov](mailto:grants@ncjrs.gov)

### **Agency Contact Description**

For assistance with the requirements of this solicitation, contact the OJP Response Center at 800-851-3420, 301-240-6310 (TTY for hearing-impaired callers only), or [grants@ncjrs.gov](mailto:grants@ncjrs.gov). The OJP Response Center operates from 10:00 a.m. to 6:00 p.m. eastern time (ET) Monday–Friday, and 10:00 a.m. to 8:00 p.m. ET on the solicitation close date.

### **Pre-application Information Session**

BJA will hold a solicitation webinar on **February 15, 2023, at 2:30 p.m. ET**. This presentation will provide a detailed overview of the solicitation and allow an opportunity for interested applicants to ask questions. Preregistration is required for all participants. Register by clicking on this link <https://ndcrc.org/solicitations/> to locate the webinar and then follow the instructions. To use the time most efficiently, BJA encourages participants to review the solicitation and submit any questions they may have in advance and no later than **February 8, 2023**. Submit your questions to [Gregory.Torain@usdoj.gov](mailto:Gregory.Torain@usdoj.gov) with the subject as “Questions for BJA FY 2023 ATC Webinar.”

### **Submission Information**

Registration: Before submitting an application, all applicants must register with the System for Award Management (SAM). You must renew and validate your registration every 12 months. If

you do not renew your SAM registration, it will expire. An expired registration can delay or prevent application submission in Grants.gov and JustGrants. Registration and renewal can take up to 10 business days to complete.

**Submission:** Applications must be submitted to DOJ electronically through a two-step process via Grants.gov and JustGrants.

**Step 1:** The applicant must submit by the Grants.gov deadline the required **Application for Federal Assistance standard form (SF-424)** and a **Disclosure of Lobbying Activities (SF-LLL)** form when they register in Grants.gov at <https://www.grants.gov/web/grants/register.html>. **Submit the SF-424 and SF-LLL as early as possible, but no later than 48 hours before the Grants.gov deadline.** If an applicant fails to submit in Grants.gov, they will be unable to apply in JustGrants.

For technical assistance with submitting the SF-424 and a SF-LLL in Grants.gov, contact the Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, Grants.gov Customer Support, or [support@grants.gov](mailto:support@grants.gov). The Grants.gov Support Hotline operates 24 hours a day, 7 days a week, except on federal holidays.

**Step 2:** The applicant must submit the **full application**, including attachments, in JustGrants at [JustGrants.usdoj.gov](https://www.justgrants.usdoj.gov) by the JustGrants application deadline.

For technical assistance with submitting the **full application** in JustGrants, contact the JustGrants Service Desk at 833-872-5175 or [JustGrants.Support@usdoj.gov](mailto:JustGrants.Support@usdoj.gov). The JustGrants Service Desk operates 7 a.m. to 9 p.m. ET Monday–Friday and 9 a.m. to 5 p.m. ET on Saturday, Sunday, and Federal holidays.

OJP encourages applicants to review the “[How To Apply](#)” section in the [OJP Grant Application Resource Guide](#) and the [JustGrants website](#) for more information, resources, and training. Applicants should maintain all receipts and confirmations received from SAM.gov, Grants.gov, JustGrants systems.

## Program Description

### Overview

OJP is committed to advancing work that promotes civil rights and racial equity, increases access to justice, supports crime victims and individuals impacted by the justice system, strengthens community safety and protects the public from crime and evolving threats, and builds trust between law enforcement and the community.

With this solicitation, BJA seeks to provide financial and technical assistance to states, state courts, local courts, units of local government, and federally recognized Indian tribal governments to plan, implement, and enhance the operations of adult treatment courts. Adult treatment courts effectively integrate evidence-based substance use disorder treatment, mandatory drug testing, incentives and sanctions, and transitional services in judicially supervised criminal court settings that have jurisdiction over persons with substance use disorder treatment needs in order to reduce recidivism, increase access to treatment and recovery support, and prevent overdose. Samples of previous, successful applicants can be found at <https://ndcrc.org/grant-writing-resources/>.

**Statutory Authority:** Public Law No. 90-351, Title I, Part EE (codified at 34 U.S.C. 10611 - 10619); Department of Justice Appropriations Act, 2023 (Public Law No. 117-328).

### Specific Information

The purpose of the Adult Treatment Court (ATC) Discretionary Grant Program is to reduce the misuse of opioids, stimulants, and other substances by people involved in the criminal justice system. Recognizing the significant increase in overdose deaths and their public health impact, BJA also encourages applicants to focus on preventing overdose and overdose deaths. In the proposal narrative, the applicant is **required** to describe a plan to provide access to medication-assisted treatment (MAT) in serving individuals with substance use disorders.

An ATC is an evidence-based model based on key components and best practices. Applications will be assessed in part on how well they comply with the model and other application requirements, as outlined in this section.

Recent data highlighted in the [Painting the Current Picture: A National Report on the Treatment Courts in the United States Highlights and Insights](#) publication demonstrate a need to address equity and inclusion in treatment courts. In the proposal narrative, BJA **requires** the applicant to describe a plan to collect and examine access and retention data to identify and eliminate disparities that exist for race, color, religion, national origin, sexual orientation, gender, gender identity, or disability in admission protocols or elsewhere in the ATC program. The plan may include use of the National Association of Drug Court Professionals (NADCP) Equity and Inclusion Assessment Toolkit (<https://www.ndci.org/wp-content/uploads/2019/02/Equity-and-Inclusion-Toolkit.pdf>) or incorporate the American University Racial and Ethnic Disparities (RED) Program Assessment Tool ([RED Program Assessment Tool \(redtool.org\)](https://redtool.org)).

**Note:** The applicant must demonstrate that eligible participants promptly enter the treatment court program following a determination of their eligibility. BJA will not award an applicant whose treatment court requires an initial period of incarceration unless the period of incarceration is

mandated by statute for the offense in question. In such instances, the applicant must demonstrate that the person receives evidence-based withdrawal and treatment services, if available, while incarcerated and will begin treatment services immediately upon release consistent with guidance reflected in the BJA and National Institute of Corrections (NICs) forthcoming Guidelines for Managing Substance Withdrawal in Jail.

### Eligible Adult Treatment Court Types

Adult drug courts (ADCs), driving while intoxicated (DWI)/driving under the influence (DUI) courts, co-occurring courts (participants diagnosed with both substance use and mental health disorders), and tribal healing to wellness courts (THWCs) are eligible. Applicants should refer to their relevant local statutes for definitions of the legal age of an “adult.” In addition, where relevant, the proposed program design must function in accordance with the requirements of the court model’s key components as discussed below.

### The Key Components

BJA provides applicants the flexibility to identify the most appropriate court type on which to base their treatment court in order to accommodate the needs and available resources of their jurisdiction, so long as the chosen type conforms to NADCP’s 10 key components for drug courts. These components are described in the BJA and NADCP publication, *Defining Drug Courts: The Key Components*, available at: <https://www.ojp.gov/pdffiles1/bja/205621.pdf>.

THWCs are described at: <https://www.ncjrs.gov/pdffiles1/bja/188154.pdf>

DWI courts are described at: [https://www.dwicourts.org/wp-content/uploads/Guiding\\_Principles\\_of\\_DWI\\_Court\\_0.pdf](https://www.dwicourts.org/wp-content/uploads/Guiding_Principles_of_DWI_Court_0.pdf)

### Best Practice Standards

NADCP has identified 10 best practice standards for ATCs, which represent the most current evidence-based principles and practices. BJA strongly encourages applicants—particularly those proposing to enhance existing treatment courts—to design their proposed programs with the intention of moving toward fully incorporating them. For more information on NADCP’s 10 Best Practice Standards, volumes I and II, visit: <https://www.ndci.org/standards>. These standards represent a cumulative body of the most current evidence-based practices available to treatment courts.

### Medication-assisted treatment

The use of FDA-approved medications to treat substance use disorders, in combination with counseling and behavioral therapies, is an effective, evidence-based treatment for substance use disorders (SUDs), including opioid use disorder. When ATC participants are diagnosed with an SUD, BJA **requires** grantees, where possible, to make all forms of FDA-approved medications to treat substance use disorder available to the participants under the care and prescription of a physician. BJA will offer technical assistance to grantees to build or expand their capacity to provide access to medication-assisted treatment (MAT). For more information regarding BJA’s provisions on MAT, visit:

<https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/ad-c-faq-medication-assisted-treatment.pdf>.

Note:

Initially declared a public health emergency in October 2017, the opioid crisis remains a significant public health emergency. This crisis continues to take a devastating toll on the lives of individuals, families, and communities across the nation. In recent years, the increase in synthetic opioids in the nation's drug supply has only served to exacerbate and expand the reach of this devastation with over 100,000 drug overdose deaths in 2021, an increase of almost 15 percent from the prior year. Centers for Disease Control and Prevention data also show that overdose deaths disproportionately impact Black and American Indian/Alaska Native people.

To combat the morbidity and mortality of overdose and the chronic disease of opioid use disorder (OUD), it is critical that individuals with OUD have access to evidence-based, FDA-approved treatments. The Biden–Harris Administration has made addressing the overdose epidemic a priority, including increasing access to evidence-based treatment—namely, medications for opioid use disorder (MOUD) —across all settings.

In April 2022, the Department of Justice's Civil Rights Division published [guidance](#) further clarifying protections under the Americans with Disabilities Act (ADA) for individuals with OUD, including potential violations of the ADA by facilities or programs that do not allow individuals to be able to continue taking doctor-prescribed MOUD. Recent agreements with [state and county correctional facilities](#) resolved [allegations](#) that the entities' refusal to permit the use of and provide MOUD violates the ADA. Similarly, a DOJ [findings report](#) regarding suicides and failure to provide MOUD in a county jail also helps to illustrate specific instances that were considered to violate the 8th and 14th Amendment rights of institutionalized persons. Both the guidance and enforcement matters reflect the federal government's position that a correctional facility's refusal to permit incarcerated individuals to continue or initiate treatment for opioid use disorders when clinically needed may violate the ADA, the Constitution, or both.

This information is intended to educate and inform you and your partners in considering your application to this solicitation; ways that this and other funding opportunities could help to further enhance your capacity to identify, screen, and assess individuals that may have substance use disorder treatment and recovery support needs; and your work generally in support of the treatment and long-term recovery of individuals with substance use disorder.

**Note:** Applicants are strongly encouraged to use BJA funds to provide overdose education, make take-home naloxone available to treatment court participants, and provide access to other harm-reduction strategies consistent with the ATC model.

#### Controlled Substance Act

Award recipients are prohibited from using federal funds to support programs or activities that violate the Controlled Substances Act, 21 U.S.C. § 801, et seq, regardless of local or state practices or laws. Programs or activities funded under a BJA ATC award must ensure that participants are tested periodically for the use of controlled substances, including medical marijuana. See: [34 U.S.C. § 10611, et seq.](#)

#### Violent Offender Prohibition

Under the Adult Drug Court Discretionary Grant Program authorization, BJA funds may not be used to serve persons who are "violent offenders." See: [34 U.S.C. § 10613](#). This prohibition

applies to programs or activities funded by the BJA award, including match funds contributed by the grantees. A violent offender is a person who is **presently charged** with or **previously convicted** of an offense that is punishable by a term of imprisonment **exceeding 1 year** and which involves:

Carrying, possessing, or using a firearm or dangerous weapon

The death of or serious bodily injury to any person

Use of force against the person of another

**Note:** Not included in the violent offender definition is a person whose **charges are dropped or reduced** to a nonviolent offense or charge, a conviction punishable by **less than 1 year in incarceration**, and/or a prior felony arrest even if the offense involved the threat or use of force or illegal use, possession, or carrying of a firearm or dangerous weapon.

**Note:** **Grantees may use, and are encouraged to use, other funds for their treatment court programs and serve these participants using those other funds.** Grantees must be able to track these expenditures to ensure the separation of funds. Documentation must be maintained to show to an auditor if necessary.

#### National Drug Court Resource Center (NDCRC)

NDCRC is a BJA-funded resource for the treatment court field that serves as a clearinghouse for treatment court training, technical assistance, publications, funding resources, and other practitioner-specific resources. Applicants are encouraged to visit: <https://ndcrc.org/solicitations/> for useful information regarding this solicitation.

The FY 2023 ATC Discretionary Grant Program solicitation offers the following three grant categories:

#### **CATEGORY 1 PLANNING AND IMPLEMENTATION: Competition ID: C-BJA-2023-00008-PROD**

Planning and Implementation grants are available to eligible jurisdictions ready to commit to a 6-month planning phase followed by an implementation phase for an evidence-based adult treatment court. The ATC must have core capacity to provide critical treatment services, case management and coordination, judicial supervision, sanctions and incentive services, and other key services such as transitional housing, relapse prevention, employment, and peer recovery support to reduce recidivism.

**Note:** The 6-month planning phase requires grantees to participate in the BJA-sponsored, free foundational training for adult drug courts, if they did not receive it in the past 12 months. This foundational training provides court teams with the skills necessary to build a program that integrates court and treatment functions and adheres to best practice standards. See: <https://www.ndci.org/resource/training/foundational-training/> for details.

#### **CATEGORY 2 ENHANCEMENT: Competition ID: C-BJA-2023-00009-PROD**

Enhancement grants are available to eligible jurisdictions with an operational adult treatment court. Funding may be used to assist a jurisdiction to scale up its existing court program's capacity; provide access to or enhance treatment capacity or other critical support services; enhance court operations; expand or enhance court services; build or enhance collection and

use of key drug operation and outcome data; or improve the quality and/or intensity of services based on needs assessments.

Note: It is recommended that an eligible entity (i.e., unit of local government or county) applying to Category 1 or Category 2 on behalf of an adult treatment court attach a fiscal agent memorandum of understanding (MOU). See Additional Application Components in the Proposal Narrative discussion.

### **CATEGORY 3 STATEWIDE: Competition ID: C-BJA-2023-00010-PROD**

State applicants may apply for funding to improve, enhance, or expand adult treatment court services statewide. Statewide activities may include:

Scaling up an ATC program's capacity.

Helping a local/rural jurisdiction to launch a new ATC as a grant subrecipient.

Expanding treatment and services.

Conducting an audit of the practice and the technical assistance for adherence to the key components and best practices.

Data collection and analysis to assess the practice and track recidivism and participant outcomes.

Delivering training and technical assistance (TTA).

Supporting a treatment court alumni network and/or peer recovery programs to serve treatment court participants.

Supporting the staff needed to expand services statewide.

Note: For applicants seeking to launch a new adult treatment court and/or scale up an existing one, this program includes a subaward component, whereby the subrecipient is required to comply with all federal subaward requirements as described in [31 U.S.C. § 7502](#) and in [Title 2 C.F.R. § 200](#) (including, but not limited to, the sections on "Subrecipient Monitoring and Management" contained in Subpart D and audit requirements applicable to subrecipients contained in Subpart F) and the OJP Financial Guide.

Note: Applicants may request funds to support a veterans treatment court (VTC) docket and veteran-related services in all three categories of this ATC solicitation; however, funding to specifically plan, implement, and enhance a VTC is available under the BJA Veterans Treatment Court Discretionary Grant program. For more information, please visit: [Veterans Treatment Court Grant Program | Overview | Bureau of Justice Assistance \(ojp.gov\)](#).

## **Goals, Objectives, Deliverables**

### **Goals**

To provide adult treatment courts and professionals in the criminal justice system with the resources needed to plan, implement, enhance, and sustain evidence-based treatment court programs for individuals with nonviolent charges and convictions as specified above with substance use disorders who are involved in the criminal justice system.



To accomplish this goal, BJA recognizes that sites may need assistance to evaluate their needs, identify the target population, ensure equity and inclusion in programming, track program implementation, and to map critical resources in the community. To that end, BJA encourages the exploration of partnerships with research experts to facilitate these evaluation and assessment activities.

### **Objectives**

An applicant should address all the objectives listed below in the Goals, Objectives, Deliverables, and Timeline web-based form.

Ensure treatment court practitioners have the tools to effectively provide judicial and community supervision, mandatory and random drug testing, substance use and mental health disorder treatment, and appropriate incentives and sanctions.

Utilize evidence-based practices and principles that incorporate NADCP's 10 Best Practice Standards and other relevant research.

Build and maximize capacity to ensure all potential participants are identified and assessed for risk and need using a validated risk and clinical assessment tool to determine their eligibility.

Ensure that all individuals eligible for the treatment court program have equivalent access as measured by the collection and examination of program data.

Enhance the provision of recovery support services, including transitional recovery housing assistance and peer and family support, to support ongoing recovery.

Ensure treatment court participants have access to all types of FDA-approved medications to treatment substance use disorders, and include training on overdose prevention.

Enhance collaboration between states and local and/or tribal jurisdictions to support the operations and enhancements of adult treatment court activities.

### **Deliverables**

Category 1: Document that the grantee has planned and implemented a new ATC program that adheres to the requirements of this solicitation, including NADCP's 10 Best Practice Standards and consistent with NADCP's 10 key components for drug courts.

Category 2: Document that the grantee has enhanced and/or expanded the operations of the ATC, consistent with the requirements of this solicitation, including NADCP's 10 Best Practice Standards and 10 key components for drug courts.

Category 3: Document that the grantee has enhanced and/or expanded the state's capacity to coordinate activities and increase services that support the needs of ATCs in the state, consistent with the requirements of this solicitation, including NADCP's 10 Best Practice Standards and 10 key components for drug courts.

The goals, objectives, and deliverables are directly related to the performance measures that show the completed work's results, as discussed in the "Application and Submission Information" section.

Often applicants want to know if their proposals meet the ATC Discretionary Grant Program's goals, objectives, and deliverables. Please note that BJA is open to a wide variety of approaches, so there is no one answer, and BJA supports innovative endeavors that eventually can stand on their own after federal assistance ends.

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

OJP strongly encourages the use of data and evidence in policymaking and program development for criminal justice, juvenile justice, and crime victim services. For additional information and resources on evidence-based programs or practices, see the [OJP Grant Application Resource Guide](#).

### **Information Regarding Potential Evaluation of Programs and Activities**

OJP may conduct or support an evaluation of the projects and activities funded under this solicitation. For additional information and applicable documentation to be included in the application, see the [OJP Grant Application Resource Guide](#) section entitled "Information Regarding Potential Evaluation of Programs and Activities."

### **Priority Areas**

The Department of Justice is committed to advancing work that promotes civil rights and racial equity, increases access to justice, supports crime victims and individuals impacted by the justice system, strengthens community safety and protects the public from crime and evolving threats, and builds trust between law enforcement and the community.

#### **1. Priority Considerations Supporting Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government***

In support of this [Executive Order](#), OJP will provide priority consideration when making award decisions to the following:

A. Applications that propose project(s) that are designed to promote racial equity and the removal of barriers to access and opportunity for communities that have been historically underserved, marginalized, and adversely affected by inequality.

To receive this consideration, the applicant must describe how the proposed project(s) will address potential racial inequities and contribute to greater access to services and opportunities for communities that have been historically underserved, marginalized, and adversely affected by inequality, and identify how the project design and implementation will specifically incorporate the input or participation of those communities and populations disproportionately impacted by crime, violence, and the criminal justice system overall. Examples addressing this requirement include, but are not limited to, the following: budgeted project planning and/or implementation meetings with community stakeholders representing historically underserved and marginalized communities; outreach and/or public awareness campaigns specifically tailored to historically underserved and marginalized communities to encourage participation in the proposed project(s); budgeted incorporation of members representing historically underserved and marginalized communities in program evaluation, surveys, or other means of project feedback; and partnership with organizations that primarily serve communities that have been historically underserved, marginalized, and adversely affected by inequality.

B. Applicants that demonstrate that their capabilities and competencies for implementing their proposed project(s) are enhanced because they (or at least one proposed subrecipient that will receive **at least 40%** of the requested award funding, as demonstrated in the Budget Web-Based Form) identify as a *culturally specific organization*.

To receive this additional priority consideration, applicants must describe how being a culturally specific organization (or funding the culturally specific subrecipient organization(s)) will enhance their ability to implement the proposed project(s) and should also specify which populations are intended or expected to be served or to have their needs addressed under the proposed project(s).

Culturally specific organizations are defined for the purposes of this solicitation as private nonprofit or tribal organizations whose primary purpose as a whole is to provide culturally specific services to racial and ethnic groups, including, among others, Black people, Hispanic and Latino people, Native American and other Indigenous peoples of North America (including Alaska Native, Eskimo, and Aleut), Asian Americans, Native Hawaiians, and/or Pacific Islanders.

Note: Addressing these priority areas is one of many factors that OJP considers in making funding decisions. Receiving priority consideration for one or more priority areas does not guarantee an award.

## **Federal Award Information**

### **Awards, Amounts and Durations**

Anticipated Number of Awards: 42

Anticipated Maximum Dollar Amount of Awards: \$2,500,000

Period of Performance Start Date: 10/1/2023 12:00 AM ET

Period of Performance Duration (Months): 48

Anticipated Total Amount to be Awarded Under Solicitation: \$45,600,000

### **Continuation Funding Intent**

BJA may, in certain cases, provide additional funding in future years to awards made under this solicitation through continuation awards. OJP will consider, among other factors, OJP's strategic priorities, a recipient's overall management of the award, and the award-funded work's progress, when making continuation award decisions.

### **Availability of Funds**

This solicitation, and awards under this solicitation, are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by the agency or by law. In addition, nothing in this solicitation is intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

### **Type of Award**

BJA expects to make awards under this solicitation as grants. See the "Administrative, National Policy, and Other Legal Requirements" section of the [OJP Grant Application Resource Guide](#) for a brief discussion of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants.

## **Financial Management and System Controls**

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities) must, as described in the Part 200 Uniform Requirements as set out at 2 C.F.R. 200.303, comply with standards for financial and program management. See the [OJP Grant Application Resource Guide](#) for additional information.

## **Budget Information**

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

In addition to unallowable costs identified in the [DOJ Grants Financial Guide](#), award funds may not be used for the following:

- Prizes, rewards, entertainment, trinkets, or any other monetary incentives
- Client stipends
- Gift cards
- Vehicle purchases
- Food and beverages

Applicants should estimate the costs of travel and accommodations for up to three (Categories 1 and 2) or eight (Category 3) team members to attend up to two conferences and/or trainings each year. The applicant may select and include in the application the trainings and/or conferences, although BJA will approve their selections after the award is made. Note that BJA can also make recommendations on relevant training events and conferences. All expenses must be reasonable, allowable, and necessary to the project. The estimates must provide a breakdown of all costs and adhere to the federal per diem. For federal per diem rates, see: <https://www.gsa.gov/travel/plan-book/per-diem-rates>.

The applicant should identify within their budget which items, services, etc., will/would be covered by matching sources and explain what type of match will be provided. See below for details.

The use of BJA grant funds for unmanned aircraft systems (UAS), including unmanned aircraft vehicles (UAV) and/or any accompanying accessories to support UAS or UAV devices/systems, is unallowable.

## **Cost Sharing or Matching Requirement**

This solicitation requires a 25 percent **cash or in-kind match based on the total project's cost**. Federal funds awarded under this solicitation may not cover more than 75 percent of the total costs of the project being funded. An applicant must identify the source of the 25 percent non-federal portion of the total project costs and how they will use match funds. If an award recipient's proposed match *exceeds* the required match amount, and OJP approves the budget, the total match amount in the approved budget becomes mandatory and subject to audit. ("Match" funds may be used only for purposes that would be allowable for the federal funds.) Recipients must satisfy this match requirement with cash or in-kind match.

### How to Calculate Match

How to Calculate Match					
Step 1	Federal Request Amount	÷	% of Federal Share	=	Total Project Cost
Step 2	Total Project Cost	-	Federal Request Amount	=	Minimum Required Match
Match Requirement – 75/25 (Federal Request/Non-Federal Share) Federal Request Amount = \$850,000					
Step 1	\$850,000	÷	75% Federal Share	=	\$1,133,334 (rounded up)
Step 2	\$1,113,334	-	\$850,000	=	\$283,334 (total minimum match required)

See the [OJP Grant Application Resource Guide](#) for additional information on this match requirement. For step-by-step instructions for entering match amounts in the budget, see the [Budget Summary Match Guide](#).

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

See the [OJP Grant Application Resource Guide](#) for information on pre-agreement costs (also known as pre-award costs).

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

See the [OJP Grant Application Resource Guide](#) for information on the Limitation on Use of Award Funds for Employee Compensation; Waiver.

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

See the [OJP Grant Application Resource Guide](#) for information on Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs.

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

See the [OJP Grant Application Resource Guide](#) for information on Costs Associated with Language Assistance.

#### **Costs Associated with Recovery Support Services (if applicable)**

Applicants are encouraged to provide recovery support services, which include transitional or recovery housing and peer recovery support services to encourage and support enrollment of new participants and to support the stabilization of active participants in their treatment court programs. Applicants may use up to 40 percent of the total budget for these services and are encouraged to consider strategies to ensure access to FDA-approved MAT, consistent housing, and peer and family support to include childcare. For more information on recovery support

services, visit: [https://ndcrc.org/wp-content/uploads/2022/01/Examples and Definitions of Recovery Support Services.pdf](https://ndcrc.org/wp-content/uploads/2022/01/Examples_and_Definitions_of_Recovery_Support_Services.pdf).

For guidance on recovery housing, please see the [U.S. Department of Housing and Urban Development's Policy Brief](#). Per the Substance Abuse and Mental Health Services Administration, transitional housing typically involves a temporary residence for up to 24 months with wraparound services to help people stabilize their lives.

Transportation services may also be included in the budget. These services may be provided to individuals who are engaged with the courts and have community corrections appointments or treatment- and/or recovery support-related appointments and activities or require other necessary services to support their treatment and recovery but have no means of obtaining transportation to them. Forms of transportation services may include public transportation, ride services, or a licensed and insured driver who is affiliated with an eligible program provider. If such costs are included, the applicant must certify that they are nonredeemable, nontransferable, and that their use by participants is auditable. The applicant must have written policies for determining eligibility, tracking distribution, and ensuring that passes are only used for transportation related to the program's activities.

## **Eligibility Information**

For eligibility information, see the solicitation cover page.

For information on cost sharing or match requirements, see the "Federal Award Information" section.

For the purposes of this solicitation, "state" means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

**Notice regarding law enforcement agencies:** State, local, and university or college law enforcement agencies must be certified by an approved independent credentialing body or have started the certification process to be eligible for FY 2023 DOJ discretionary grant funding. To become certified, the law enforcement agency must meet two mandatory conditions: (1) the agency's use-of-force policies adhere to all applicable federal, state, and local laws, and (2) the agency's use-of-force policies prohibit chokeholds except in situations where use of deadly force is allowed by law. The certification requirement also applies to law enforcement agencies receiving DOJ discretionary grant funding through a subaward. For detailed information on this certification requirement, please visit <https://cops.usdoj.gov/SafePolicingEO> to access the Standards for Certification on Safe Policing for Safe Communities, the Implementation Fact Sheet, and the List of Designated Independent Credentialing Bodies.

All recipients and subrecipients (including any for-profit organization) must forgo any profit or management fee.

## **Application and Submission Information**

### **Content of Application Submission and Available Surveys**

The following application elements **must** be included in the application to meet the basic minimum requirements to advance to peer review and receive consideration for funding:

- Proposal Abstract
- Proposal Narrative
- Budget Web-Based Form (The web-based form includes the budget details and the budget narrative.)
- Timeline web-based form

If OJP determines that an application does not include these elements, it will neither proceed to peer review, nor receive further consideration.

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

The SF-424 must be submitted in Grants.gov. It is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. See the [OJP Grant Application Resource Guide](#) for additional information on completing the SF-424.

In Section 8F of the SF-424, please include the name and contact information of the individual **who will complete the application in JustGrants**. JustGrants will use this information (*email address*) to assign the application to this user in JustGrants.

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

### **Standard Applicant Information (JustGrants SF-424 and General Agency Information)**

The “Standard Applicant Information” section of the JustGrants application is pre-populated with the SF-424 data submitted in Grants.gov. The applicant will need to review the Standard Applicant Information in JustGrants and make edits as needed. Within this section, the applicant will need to add ZIP codes for areas affected by the project; confirm their Authorized Representative; and verify and confirm the organization’s unique entity identifier, legal name, and address.

### **Proposal Abstract**

A Proposal Abstract (no more than 400 words) summarizing the proposed project—including its purpose, primary activities, expected outcomes, the service area, intended beneficiaries, and subrecipients (if known) — must be completed in the JustGrants web-based form. This abstract should be in paragraph form without bullets or tables, written in the third person, and exclude personally identifiable information. Abstracts will be made publicly available on the OJP and USASpending.gov websites if the project is awarded. See the [OJP Grant Application Resource Guide](#) for an example of a proposal abstract. They must also clearly describe the following for each court:

Category of funding requested: Category 1: Planning and Implementation, Category 2: Enhancement, Category 3: Statewide

If the applicant is seeking priority consideration, the applicant must provide the following information:

For which priority consideration are they applying—1(A) or 1(B)?

Note on what pages in the proposal narrative the applicant provides documentation of their plan to respond to the priority consideration.

For applicants seeking priority consideration 1(B), note the subrecipient that is proposed to receive the funding and the amount of funds proposed.

Whether the court is pre-or post-adjudication.

Type of adult treatment court(s) for which funds are requested: ADC, Co-occurring, DWI/DUI court, or THWC.

If requesting to fund activities for any of the four court types in combination with a VTC docket or to include veteran-related services, please include the amount of funding requested for the ADC and the VTC (e.g., ADC: \$500,000 and VTC: \$400,000).

State the name, location, and address where the proposed treatment court program is or will be operating.

State the total federal amount requested for the duration of the grant period (48 months). This total amount should be the same amount listed on the SF-424 form and in the required budget attachment. (Note: The total amount of federal funds being requested should not exceed the category's grant maximum.)

State the total number of participants proposed to receive services with these grant funds over the life of the grant. Identify the minimum, maximum, and average length of program participation.

Briefly describe the target population and affirm whether the jurisdiction has access to all types of MAT services.

Indicate which of the NADCP's 10 Best Practice Standards will be addressed and indicate the page numbers where each item is discussed in the proposal narrative.

Indicate whether the applicant's jurisdiction is leveraging any other federal funding sources (e.g., Second Chance Act, Comprehensive Opioid, Stimulant and Other Substance Abuse Program, Coordinated Tribal Assistance Solicitation, Justice Reinvestment, or Justice Assistance Grant Program) to support the treatment court.

Indicate whether the applicant's jurisdiction has an active treatment court grant with BJA, the Substance Abuse and Mental Health Services Administration or the Office of Juvenile Justice and Delinquency Prevention (include the grant number).

## **Proposal Narrative, Budget and Associated Documentation and MOUs**

### **Proposal Narrative**

The Proposal Narrative should be submitted as an attachment in JustGrants. The attached document should be double-spaced, using a standard 12-point font; have no less than 1-inch margins; and should not exceed 20 numbered pages. If the Proposal Narrative fails to comply with these length restrictions, BJA may consider such noncompliance in peer review and in final award decision. The applicant may include tables, charts, and graphs as part of the proposal



narrative, but they must be in a legible font no smaller than 12-point. These items will count toward the page limit unless included as a separate attachment.

The Proposal Narrative must include the following sections:

a. Description of the Issue

Within this section, the applicant should explain their inability to fund the program adequately without federal assistance. For each category, the applicant must provide verified sources for the data that support the description of the issue (i.e., U.S. Census or other federal, state, and local databases).

**Category 1: Planning and Implementation Applicants**

Describe the nature and scope of SUDs for individuals in the jurisdiction, including criminal justice contacts. Include data on race, ethnicity, age, gender, arrest volume (i.e., specifics of the general arrestee population, including the percentage screened for treatment court and what percentage of those are admitted into treatment court), and crime patterns for adult defendants.

Explain the problems with the current court's response to cases involving SUDs; identify how and to what extent the proposed program will address the current arrest volume; and describe how the current number of treatment slots meets the needs of anticipated referrals.

Describe current resources and gaps to address the needs of persons to be served.

Describe the proposed target population, including the criminogenic risk levels (high, medium, low), SUD treatment and recovery needs, and the average jail or prison sentence that potential participants face, if any.

Provide the target number of people for whom services will be provided under this program during the grant period (48 months).

Describe how the applicant will prioritize court resources and services for individuals with high criminogenic risk and treatment needs, including persons with repeat criminal justice involvement and substance use disorders.

Describe any current planning or coordination with related projects that shows the jurisdiction is preparing to plan and implement an adult treatment court.

**Category 2: Enhancement Applicants**

Describe the immediate issues that the enhancement grant seeks to address. The applicant is encouraged to include in its proposal how they will use funding to incorporate the evidence-based program principles included in NADCP's 10 Best Practice Standards, and to specify which standard(s) will be addressed and how the standard(s) will be implemented.

Describe the current operation of the adult treatment court, addressing:

Referral, screening, and assessment process

Eligibility requirements

Target population

Current capacity

Length and phases of the program

Case management process

Community supervision

Recovery support services delivery plan, including vocational and/or educational, transitional housing, and peer recovery services

Family support services

Strategies to prevent and respond to risk for overdose

Judicial supervision

Process for randomized drug testing

Incentives and sanctions

Graduation requirements and expulsion criteria (include which treatment court members are present when it is decided and communicated that a participant is terminated from the program)

Restitution costs and all fees required for program participation

Describe the mechanism that prioritizes court resources and services for individuals with high criminogenic risk and treatment needs, including persons with repeat criminal justice involvement and substance use disorders.

Indicate whether the treatment court team to be funded has received training on the treatment court model.

Describe current efforts and planning that document the jurisdiction is ready to enhance its adult treatment court.

Identify the treatment service(s) and/or practice(s) available for participants, including access to MAT, and how those services are currently monitored or will be monitored for quality and effectiveness. Confirm that access to all types of MAT will be provided.

Discuss the evidence that shows the substance use and other treatment service(s) and/or practice(s) are evidence-based and effective with the target population. If the evidence is limited or nonexistent for the target population, provide other information to support the intervention selection.

Provide local data and any evaluation findings that demonstrate the program's impact with regard to participant recidivism and functional outcomes.

### **Category 3: Statewide Applicants**

Describe the state's current role and strategy to support existing and build new adult treatment courts or other problem-solving approaches in courts.

Describe the extent to which the state and these courts meet the needs of the eligible population, if they are operating at capacity, and the nonbudgetary reasons if they are not operating at capacity. Describe the issue or need.

Provide information about the extent to which the proposed enhancement incorporates evidence-based treatment practices and/or services. Address access to treatment options including MAT, reducing risk for overdose and overdose fatalities, and supporting the provision of coordinated recovery support services such as transitional housing, peer support, and family related services.

Describe how the project proposes to enhance the potential for the long term success of participants and graduates, including building positive supports for those in recovery in the programs.

Describe how the applicant seeks to enhance the capacity of treatment courts to use data and research, implement with fidelity to the ATC model, best practice standards, 10 key components, and track program outcomes.

Provide state data and any evaluation findings that demonstrate the state treatment court program's impact on the community and individuals involved in the criminal justice system.

Describe the gaps the applicant seeks to address with grant funding, particularly those that impact the collection of key program, recidivism, and treatment-related outcomes data to assess the efficacy of the adult treatment courts.

Describe other enhancements being proposed to support ATCs in the state.

Describe areas where the state needs to enhance the capacity of treatment courts and practitioners statewide. Needs may be different based on the geographical location of the treatment court program (i.e., urban, suburban, or rural). If planning to implement or enhance TTA statewide, provide the target number of treatment courts for which TTA services will be provided. BJA will measure the grantee against this target number. Include the data source used to determine the target number.

For applicants seeking to help local or rural jurisdictions to launch a new adult treatment court and/or scale up an existing one:

Describe the nature and scope of SUDs in the jurisdictions to be targeted. Include data on race, ethnicity, age, gender, arrest volume (i.e., specifics of the general arrestee population, including the percentage screened for treatment court and what percentage of those are admitted into treatment court), and crime patterns for adult defendants.

Explain the problems with the local jurisdiction's current response to cases involving SUDs. Identify how and to what extent the proposed program will address the current

arrest volume. Describe how the current number of treatment slots meets the needs of anticipated referrals.

Explain what other challenges these jurisdictions face, including overdose and overdose fatalities, co-occurring mental health challenges, and other public health and homelessness challenges.

Describe the proposed target population, including criminogenic risk levels (high, medium, low), substance use disorder treatment needs, and the average jail or prison sentence that potential participants face, if any. Provide the target number of people for whom services will be provided under this program during the grant award period (48 months).

Describe current efforts that document the jurisdiction is ready to plan and implement an adult treatment court. Indicate whether the treatment court team to be funded has received training on the treatment court model.

Document the commitment of the state and its local jurisdictions to prioritize court resources and services for individuals with high criminogenic risk and treatment needs, including persons with repeat criminal justice involvement and substance use disorders.

Describe how the applicant will map and develop more resources to support the program and how those services would be monitored for quality and effectiveness.

Provide local data and describe how the applicant will assess and use any evaluation findings that demonstrate the program's impact with regard to participant recidivism and functional outcomes.

Describe gaps and/or the locations that have more significant needs or limited capacity and services.

## b. Project Design and Implementation

For this section, the applicant should address the following items and then address the specific category requirements below.

If the applicant is seeking priority consideration for Priority 1(A), it should address in this section how the proposed project(s) will promote racial equity and the removal of barriers to access and opportunity for communities that have been historically underserved, marginalized, and adversely affected by inequality, and identify how the project design and implementation will specifically incorporate the input or participation of these communities.

Demonstrate that the treatment court programs for which funds are being sought will not deny any eligible participant access to the program because of their use of FDA-approved medications for the treatment of a substance use disorder as discussed under "Medication-assisted treatment."

Describe the plan to provide treatment and services to address substance use disorders and co-occurring SUD and mental health disorder needs. This should include how participant treatment will be funded and the range of treatment modalities that will be provided.

Describe how the treatment provider(s) will be selected and address how the treatment court will monitor the provider(s). This monitoring should ensure the treatment is effective.

Describe the evidence base for the substance use and other treatment intervention(s) to be used and how responsive they are to the needs of the target population.

Describe which, if any, evidence-based principles and practices included in NADCP's 10 Best Practice Standards will be implemented as discussed under "Best Practices Standards."

Describe how the treatment court will identify, assess, and prioritize participation and services for high risk/high needs persons. Identify the validated assessment tool that will be used and provide information on why it was selected.

Discuss the applicant's commitment to admit and provide evidence-based interventions to participants with opioid, stimulant, and other substance use disorders, including strategies for early assessment and entry into treatment to prevent overdose. Describe the strategies that will be used during this phase to assess for the risk of overdose, the need for critical access to treatment services, and how to prevent overdose.

Demonstrate that eligible treatment court participants promptly enter the treatment court program following a determination of their eligibility. The applicant must also explain that people receive treatment services while incarcerated, if available, and will begin treatment services immediately upon release.

Describe a plan that demonstrates how all individuals eligible for the treatment court program will have equivalent access to the program. This should include protocols for collecting and examining access and retention data.

The ATC Discretionary Grant Program's authorizing statute requires participants to pay for treatment and restitution; however, it does not allow imposing a fee on a participant that would interfere with their rehabilitation. In the application, indicate how participants will be notified of the fee and include provisions for determining how these costs would not interfere with their rehabilitation or graduation.

Provide a community reintegration or continued care strategy detailing services to assist program graduates as they reintegrate into the community. The applicant should emphasize client access to drug-free or transitional housing, including recovery housing. If applicable, the applicant is encouraged to consider and describe how their state's planned Medicaid expansion, waivers, and other amendments as allowed under the Patient Protection and Affordable Care Act, will increase future program capacity or sustainability.

Provide a sustainability plan detailing how the adult treatment court operations will be maintained after federal assistance ends. The sustainability plan should describe how current collaborations and evaluations will be used to leverage ongoing resources. BJA encourages the applicant to ensure sustainability by coordinating with local, state, and other federal resources such as the [Edward Byrne Memorial Justice Assistance Grant \(JAG\) Program](#) which has purpose areas to support court services and substance use disorder treatment.

Discuss how activities anticipated for the [Byrne State Crisis Intervention](#) program will be coordinated with the proposed activities in this application.

Demonstrate how the proposal conforms to the framework of the state treatment court strategy, if one exists.

The required Timeline web-based form should address the key steps tied to the program design outlined in this section.

### **Category 1: Planning and Implementation Applicants**

For the planning phase, describe activities the court will take to prepare for program implementation, to include the following:

Describe the staffing needs to implement a treatment court program.

Briefly describe any training the treatment court plans to have its members participate in during the 6-month planning stage.

Discuss how the community will be engaged in the planning process and describe the community partnerships that currently exist that will support the treatment court program.

Describe how data collected in the community mapping of resources will be used to enhance access to relevant and needed services.

For the implementation phase, describe the planned treatment court program, to include the following:

Referral, screening, and assessment process

Eligibility requirements

Structure of the treatment court (pre-, post-, plea, etc.)

Length and phases of the program

Case management process

Community supervision

Availability of evidence-based treatment services

Recovery support services delivery plan

Judicial supervision

Process for randomized drug testing

Incentives and sanctions: Demonstrate an understanding that relapse is a part of the substance use disorder recovery process, and it is taken into consideration in the development of incentives and sanctions. Describe how the applicant will employ strategies to ensure due process and reduce the potential for unintended harm in the application of incentives and sanctions.

Graduation requirements and expulsion criteria

Restitution costs and all fees required for program participation, including identifying how fees will be absorbed back into the program.

Include whether the program fees present a barrier to participation and the measures available to reduce or waive fees for indigent participants.

Discuss how the treatment court will make efforts to engage and support participants' families.

If trauma-informed care is proposed, discuss how the model will be implemented.

If a post-adjudication drug court model is proposed, discuss how the concept of "early intervention" will be implemented.

## **Category 2: Enhancement Applicants**

Describe the proposed enhancement and its specific objectives, including how they tie to the ATC Program's purpose.

Provide the target number of people for whom services will be provided. Explain how this target number was derived. BJA will measure the grantee's success using this target number.

Describe the focus of the treatment court (pre-, post-, plea, etc.)

Identify the enhancement options for which funds are being requested and explain how each will be accomplished. In the explanation, address the following:

Describe the detailed and randomized drug testing process and how it will occur throughout all components or phases of the program. Describe the mechanism which the treatment court will use to ensure coverage and coordination of drug testing among all available agencies associated with clients.

Describe the proposed frequency of judicial status hearings and related criteria. Describe how the program will ensure consistent procedures in the status hearings.

Describe the process the treatment court will use to ensure actual as well as any perception of procedural fairness throughout all court and program operations.

Describe any strategies to enhance the court's capacity to assess and reduce the risk of overdose and overdose fatalities, including use of naloxone and access to MAT.

Describe the plan to provide treatment and services to address opioid, stimulant, and other substance use disorders. Describe how participant treatment will be funded.

Discuss how the treatment court will make efforts to engage and support participants' families.

If trauma-informed care is proposed, discuss how the model will be implemented. If delivering recovery support services, describe the agency and personnel that will administer the services and how those services are coordinated.

Describe how this application will enhance access to recovery support services such as educational and/or vocational and transitional housing services or peer support such as supporting alumni networks or peer recovery activities.

### **Category 3: Statewide Applicants**

Describe the specific design and objectives for the proposed statewide enhancement program. Describe which, if any, of the following statewide strategies will be implemented:

Building capacity to ensure diversity, equity, and inclusion in programs for all eligible participants, including [alternative tracks](#) based on the risk and need principles, programming that addresses the cultural needs of participants, and the ability to review and assess equal access to the program, services, and sanctions and incentives.

Enhancing courts' capacity to provide participants with access to evidence-based substance use treatment, such as MAT, prevent overdose fatalities, and/or provide key peer recovery services such as educational and/or vocational services and transitional housing.

Building or enhancing peer recovery activities such as alumni networks and family support activities for parents in treatment courts.

Implementing best practice standards and fidelity assessments. Expanding courts' capacity to divert nonviolent individuals with substance use disorders from incarceration.

Developing or enhancing a statewide TTA program and/or strategy for operational treatment court teams.

Enhancing data and research capacity, including automated collection of core data for all treatment courts in the state.

Making subawards to local courts.

Disseminating statewide ATC information to enhance or strengthen programs for persons in the criminal justice system.

Describe which, if any, evidence-based principles and practices included in NADCP's 10 Best Practice Standards will be implemented and how the proposed use of funds will assist in their implementation. If the state is proposing to increase or improve implementation of its own state standards, describe those standards and how they will be implemented.

Describe the state's current strategy and process for coordinating TTA to treatment courts statewide. If relevant, detail how the state will assess, implement, and monitor treatment courts' TTA needs. Plans may include support from BJA's National Adult



Treatment Court TTA providers that offer no cost training to support state training activities.

Describe how the applicant will address gaps in transitional housing, peer support, and other key recovery support services. Describe how the program will enhance family support services for adult treatment court participants.

Describe how the state will enhance local courts' capacity to assess and reduce the risk of overdose and overdose fatalities including use of naloxone and access to MAT.

Describe how the enhancement efforts will be maintained after federal assistance ends and how current collaborations and evaluations will be used to leverage ongoing resources.

For applicants seeking to make subawards to local courts, provide the following information on state efforts to implement new and/or scale up existing adult treatment courts to better meet the existing and eligible defendant population that is high risk/high needs. Demonstrate how this proposal will assist in implementing that state strategy:

Describe the detailed and randomized drug testing process and how it will occur throughout all components or phases of the local program. Describe the mechanism which the program will use to ensure coverage and coordination of drug testing among all available agencies associated with clients.

Describe the proposed frequency of judicial status hearings and related criteria in the program. Describe how the program will ensure consistent procedures in the status hearings.

Describe the process the state will use to ensure a perception of procedural fairness throughout all court and program operations.

Describe the state's plan for sustaining local treatment court programming after federal funding has ended.

c. Capabilities and Competencies

If the applicant is seeking priority consideration under Priority 1(B), it should describe within this section how being a culturally specific organization (or funding a culturally specific subrecipient organization at a minimum of 40% of the project budget) will enhance its ability to implement the proposed project(s), should also specify which populations are intended or expected to be served or have their needs addressed under the proposed project(s), and should include the website address (if applicable) and formal or informal mission statement or principles of the culturally specific organization.

**Category 1: Planning and Implementation Applicants**

Indicate whether the current adult treatment court team members have received the BJA-sponsored, free foundational training for adult drug courts or a training through another opportunity. For information on ATC training, visit: <https://www.ndci.org/resource/training/foundational-training/>.

Identify each member of the treatment court team and briefly describe their role and responsibilities. Key team members must include a judge, prosecutor, defense attorney, treatment provider, researcher/evaluator/management information specialist, and treatment court coordinator. Another member can be a case management coordinator to support the provision of key services including treatment, recovery support, peer support, housing, and family support services.

Describe how effective communication and coordination among the team members will be implemented throughout the program period.

Describe the treatment court program's proposed treatment and recovery support partners and the history of these partnerships. Describe how the court will ensure these substance use disorder treatment providers will use evidence-based treatment services, including MAT.

Indicate whether the team includes members from local law enforcement and probation departments. If applicable, describe the roles of these members as they relate to staffing, attendance, home visits, and court appearances.

Describe any research partners or analytical staff members who will support data collection, analysis, and research, including their roles and goals. Describe how they will support equity and inclusion in access to program services, effective targeting and implementation fidelity, and program evaluation.

Attach an MOU signed by each key treatment court team member with the responsibilities outlined for each as discussed under "Memorandum of Understanding Signed by Key Treatment Court Team Members" in the Additional Application Components section.

Attach job descriptions and résumés/CVs of key staff members.

Attach a letter of support from the local court outlining its commitment to the project.

## **Category 2: Enhancement Applicants**

Identify each adult treatment court team member who will have a significant role in implementing the enhancement and describe their role, responsibilities, and qualifications to ensure the proposed enhancement program's success. Key team members must include a judge, prosecutor, defense attorney, treatment provider, researcher/evaluator/ management information specialist, community supervision representative, and treatment court coordinator. Another member can be a case management coordinator to support the provision of key services including treatment, recovery support, peer support, housing, and family support services.

Identify personnel other than the team members who are critical to the enhancement program's success and discuss their roles, responsibilities, and qualifications. Discuss the organizational capabilities or competencies that will directly impact the ability to successfully implement the proposed enhancement.

Describe the treatment court program's proposed treatment and recovery support partners, the history of the partnerships, and how the court will ensure that these

substance use disorder treatment providers use evidence-based treatment services and monitor the quality and effectiveness of service delivery.

Describe any research partners or analytical staff members who will support data collection, analysis, and research, including their roles and goals. Describe how they will support equity and inclusion in access to program services, effective targeting and implementation fidelity, and program evaluation.

Describe how effective communication and coordination among the team members will be implemented throughout the program period.

Attach an MOU signed by each key treatment court team member with the responsibilities outlined for each as discussed under “Memorandum of Understanding Signed by Key Treatment Court Team Members” in the Additional Application Components section.

Attach the job descriptions and résumés/CVs of key staff members.

### **Category 3: Statewide Applicants**

Identify the personnel who are critical to the program’s success and discuss their roles, responsibilities, and qualifications. Discuss the organizational capabilities or competencies that will directly impact the ability to successfully implement the proposed enhancement, and/or coordination of a state-based TTA program, and/or subawarding funding to support new treatment courts.

Describe any needed support from BJA and its national TTA partners to implement the project, including efforts to train treatment court staff and partners, collect data and conduct analysis, audit fidelity of the courts, enhance practices or access to evidence-based treatment, such as MAT, and recovery support services, or support national recidivism studies. Describe how the applicant will coordinate with BJA and its TTA partners to implement these efforts.

Describe any research partners or analytical staff members who will support data collection, analysis, and research, including their role and goals. Describe how they will support equity and inclusion in access to program services, effective targeting and implementation fidelity, and program evaluation.

Attach the job descriptions and résumés/CVs of key staff members.

For applicants seeking to provide subawards to help launch a new adult treatment court and/or scale up an existing adult treatment court:

Identify each treatment court team member who will have a significant role in implementing the treatment court program. Describe their role, responsibilities, and qualifications. Key treatment court team members must include a judge, prosecutor, defense attorney, treatment provider, researcher/evaluator/management information specialist, community supervision representative, and treatment court coordinator.

Identify personnel other than the team members who are critical to the program's successful implementation and/or enhancement and discuss their roles, responsibilities, and qualifications. Discuss the organizational capabilities or competencies that will directly impact the ability to successfully implement the proposed application.

Describe the treatment court program's proposed treatment partners, the history of the partnerships, and how the court will ensure that these substance use disorder treatment providers use evidence-based treatment services and monitor the quality and effectiveness of service delivery.

Indicate whether the treatment court team members have received the BJA-sponsored, free foundational training for adult drug courts or training through another opportunity. If not, describe any training received or planning completed.

Describe how effective communication and coordination among the team members will be implemented throughout the program period.

Indicate whether the treatment court team does or will include members from local law enforcement and probation departments. If applicable, describe the roles of these members as they relate to staffing, attendance, home visits, and court appearances.

Attach an MOU signed by each key treatment court team member, with the responsibilities outlined for each.

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

The applicant must describe its current ability to collect and analyze client-level demographic, performance, and outcome data and to conduct regular assessments of program service delivery and performance. All applicants must indicate their willingness and ability to report the data through BJA's Performance Measurement Tool (PMT) as well as identify the person responsible for collecting the data. Statewide applicants are expected to report on behalf of their subrecipients. In addition, grantees are expected to map community resources to support their programs, conduct or support evaluation of the programs, and to be able to assess equity and inclusion in their programs.

**Categories 1 and 2**

Describe the steps the treatment court will take to develop a performance management and evaluation plan. The plan should include strategies to collect data, review data, and use data to improve program performance, and it should discuss how the treatment court will work with an evaluator when appropriate.

Describe the program's screening tool and referral process to ensure that participants screened and referred to the court mirror the jurisdiction's SUD arrestee percentages.

Describe the process and who will be responsible for the quarterly report on the actual number of participants served using grant funds as compared to the target number of participants to be served. The timeline plan must reflect when and how the jurisdiction plans to reach the targeted capacity as measured on a quarterly basis.

### **Category 3: Statewide Applicants**

Provide a plan detailing how the enhancement activities will be managed and evaluated.

Describe who will be responsible for the quarterly reporting of the number and type(s) of state-based TTA services.

Describe efforts at the state level to collect and share key efficacy evaluation data on the state's treatment courts to support reducing recidivism rates and improving outcomes for participants.

Note: An applicant is **not** required to submit performance data with the application. Rather, performance measure information is included as a notification that award recipients will be required to submit performance data as part of each award's reporting requirements. Some measures are presented as examples, while others are the exact measures that every recipient will be expected to address.

OJP will require each award recipient to submit regular performance data that show the completed work's results. The performance data directly relate to the goals, objectives, and deliverables identified in the "Goals, Objectives, and Deliverables" discussion. Applicants can visit OJP's performance measurement page at [www.ojp.gov/performance](http://www.ojp.gov/performance) for an overview of performance measurement activities at OJP.

BJA will require award recipients to submit performance measure data in the Performance Measurement Tool (PMT) and separately submit a semi-annual performance report in JustGrants. BJA will provide further guidance on the post-award submission process, if the applicant is selected for award.

Note: For applicants seeking to launch a new adult treatment court and/or scale up an existing adult treatment court, the application must describe how the applicant will collect, store, assess, and report performance data from subrecipients.

#### **Note on Project Evaluations**

An applicant that proposes to use award funds through this solicitation to conduct project evaluations must follow the guidance in the "Note on Project Evaluations" section in the [OJP Grant Application Resource Guide](#).

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

The applicant will submit the project's goals, objectives, deliverables and timeline in the JustGrants web-based form. The applicant will also enter the projected fiscal year and quarter that each objective and deliverable will be completed. Please refer to the [Application Submission Job Aid](#) for step-by-step directions.

Goals. The applicant should describe the project's intent to change, reduce, or eliminate the problem noted in the previous section and outline the project's goals.

Program Objectives. The applicant should explain how the program will accomplish its goals. Objectives are specific, quantifiable statements of the project's desired results. They should be measurable and clearly linked to the goal.

Deliverables. Project deliverables refer to outputs—tangible or intangible—that are submitted within the scope of a project.

### **Budget and Associated Documentation**

Budget narratives should demonstrate cost effectiveness in relation to potential alternatives and the objectives of the program. The total amount being requested must be identified on the SF-424 and proposal abstract.

### **Budget Web-Based Form**

The applicant will complete the JustGrants web-based budget form. For additional information, see the [OJP Grant Application Resource Guide](#) and the [Complete the Application in JustGrants – Budget](#) training.

If the applicant is seeking priority consideration under Priority 1(A) and has proposed activities (such as community or stakeholder meetings, community outreach or public awareness campaigns, community participation in project design, implementation, or evaluation, etc.) to incorporate the input and participation of communities that have been historically underserved, marginalized, and adversely affected by inequality, financial support for the identified activities and participation must be reflected in the web-based budget form.

If the applicant is seeking priority consideration under Priority 1(B) based on the identification of at least one proposed subrecipient as a culturally specific organization, the proposed funding for the subrecipient in the web-based budget form **must reflect a minimum of 40% of award funding**. The budget narrative must also describe how the activities that will be funded with the (minimum) 40% of award funding provided to the subrecipient **specifically relate to the priority consideration requested** and described in the Capabilities and Competencies section of the application.

### **Pre-Agreement Cost**

See the section on Costs Requiring Prior Approval in the [DOJ Grants Financial Guide Post Award Requirements](#) for more information.

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

If applicable, the applicant will upload their indirect cost rate agreement as an attachment in JustGrants. See the [OJP Grant Application Resource Guide](#) for additional information on indirect costs.

### **Consultant Rate**

See the [DOJ Grants Financial Guide](#) for information on the consultant rates which require prior approval from OJP.

### **Employee Compensation Waiver**

See the [OJP Grant Application Resource Guide](#) for information on the Limitation on Use of Award Funds for Employee Compensation for Awards over \$250,000; Waiver.

### **Financial Management Questionnaire (including applicant disclosure of high-risk status)**

The applicant will download the questionnaire, complete it, and upload it as an attachment in JustGrants. See the [OJP Grant Application Resource Guide](#) for the link to the questionnaire and additional information.

### **Disclosure of Process Related to Executive Compensation**

If applicable, the applicant will upload a description of the process used to determine executive compensation as an attachment in JustGrants. See the “Application Attachments” section of the [OJP Grant Application Resource Guide](#) for information.

### **Memoranda of Understanding (MOUs) and Other Supportive Documents**

Applicants should include for each named partner, a signed Memorandum of Understanding (MOU), Letter of Intent, or subcontract that confirms the partner’s agreement to support the project through commitments of staff time, space, services, or other project needs. Applications submitted from two or more entities are encouraged to develop and submit signed MOUs or signed Letters of Intent that provide a detailed description of how the agencies will work together to meet project requirements.

Each MOU or Letter of Intent should include the following: (1) names of the organizations involved in the agreement; (2) scope of the direct service(s) and other work to be performed under the agreement; (3) duration of the agreement. Subcontracts, MOUs, or Letters of Intent should be submitted as one separate attachment to the application.

### **Additional Application Components, Disclosures and Assurances**

#### **Additional Application Components**

The applicant will attach the additional requested documentation in JustGrants.

#### **Curriculum Vitae or Résumés**

Provide résumés of key personnel.

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

An application in response to this solicitation may require inclusion of tribal authorizing documentation as an attachment. If applicable, the applicant will upload the tribal authorizing documentation as an attachment in JustGrants. See the [OJP Grant Application Resource Guide](#) for information on tribal authorizing resolutions.

#### **Timeline web-based form (Required)**

A timeline is required and should outline when the objectives will be met during the program period. It must summarize the major activities, responsible parties, and expected completion dates for the principal tasks required to plan, and/or implement and manage the drug court program. Applicants must indicate the number of program participants to be served each quarter to demonstrate how they will reach the target number of participants to be served before the end of the grant period.

#### **State Substance Abuse Agency Director or Designee Letter (recommended)**

Nontribal applicants are encouraged to include a letter from the State Substance Abuse (SSA) director or designated representative in support of the application and include confirmation that the proposal conforms to the framework of the state strategy of substance abuse treatment. Applicants will submit the letter by uploading it as an attachment in JustGrants. A listing of SSAs can be found on the Substance Abuse and Mental Health Services Administration’s website at: <https://www.samhsa.gov/sites/default/files/ssa-directory.pdf>.

**Memorandum of Understanding Signed by Key Treatment Court Team Members or by a Designated Agency Representative (recommended)**

Attach an MOU signed by either the key drug court team members or by a designated agency representative, with the general responsibilities and expectations for coordination agreed upon by each member. Key drug court team members include a judge, prosecutor, defense attorney, treatment provider, researcher/evaluator, management information specialist, community supervision representative, and treatment court coordinator. Applicants will submit the MOU by uploading the document as an attachment in JustGrants.

**Fiscal Agent Memorandum of Understanding Signed by Applicant and Treatment Court Administrator (recommended)**

An entity (i.e., unit of local government or county) applying for funding on behalf of an adult treatment court must attach a Fiscal Agent MOU that describes how it will coordinate directly with the treatment court for which funding is being sought and reflects agreement it will serve as the fiscal agent. The MOU must address the overall objectives of the treatment court program as well as show support for efforts to adhere to the evidence-based program principles included in NADCP's 10 Best Practice Standards and the 10 key components. Note: The treatment court administrator is a member of the court program and has authority to make decisions on behalf of the court. Applicants will submit the MOU by uploading it as an attachment in JustGrants.

**Chief Justice, State Court Administrator, or Designee Letter (recommended)**

Nontribal applicants are encouraged to include a letter from the chief justice of the state's highest court, the state court administrator, or a designee (e.g., the state treatment or problem-solving court coordinator) describing how the proposed application would enhance statewide efforts related to treatment courts and/or is part of the state's treatment court strategy. The letter should be addressed to the BJA Director. Applicants will submit the letter by uploading it as an attachment in JustGrants.

**Research and Evaluation Independence and Integrity**

If an application proposes research (including research and development) and/or evaluation, the applicant must demonstrate research/evaluation independence and integrity, including appropriate safeguards, before it may receive award funds. The applicant will upload documentation of its research and evaluation independence and integrity as an attachment in JustGrants. For additional information, see the [OJP Grant Application Resource Guide](#).

**Statewide Applicants Managing Subawards**

Applicants are required to submit as an attachment their written policies and procedures for administering subawards, including:

A detailed description of the formal selection process, including information on the applicant's process for requesting proposals (e.g., posting a notice on its website, invitations via email or traditional mail, advertisements, etc.); reaching out to stakeholders, including webinars; receiving applications and processing them; conducting programmatic and financial reviews of the applications; evaluating and scoring them, including the criteria used; and award notification.

A description for monitoring subrecipients that, at a minimum, must include a plan for (a) reviewing financial and performance reports submitted by the subrecipients; (b) following up and ensuring the subrecipients act to address deficiencies found through audits, onsite



reviews, and other means; and (c) issuing a management decision based on the audit findings that pertain to the subaward.

### **Disclosures and Assurances**

The applicant will address the following disclosures and assurances.

#### **Disclosure of Lobbying Activities**

Complete and submit the SF-LLL in Grants.gov. Once the applicant submits in Grants.gov, this information will pre-pend into JustGrants. See the [OJP Grant Application Resource Guide](#) for additional information.

#### **Applicant Disclosure of Duplication in Cost Items**

Complete the JustGrants web-based Applicant Disclosure of Duplication in Cost Items form. See the [OJP Grant Application Resource Guide](#) for additional information.

#### **DOJ Certified Standard Assurances**

Review and accept the DOJ Certified Standard Assurances in JustGrants. See the [OJP Grant Application Resource Guide](#) for additional information.

#### **DOJ Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements; Law Enforcement and Community Policing**

Review and accept in JustGrants the DOJ Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements; Law Enforcement and Community Policing. See the [OJP Grant Application Resource Guide](#) for additional information.

#### **Applicant Disclosure and Justification – DOJ High Risk Grantees**

If applicable, submit the DOJ High Risk Disclosure and Justification as an attachment in JustGrants. A DOJ High Risk Grantee is an award recipient that has received a DOJ High Risk designation based on a documented history of unsatisfactory performance; financial instability; management system or other internal control deficiencies; noncompliance with award terms and conditions on prior awards or is otherwise not responsible. See the [OJP Grant Application Resource Guide](#) for additional information.

### **How to Apply, Submission Date and Time and Add Sections**

#### **How to Apply**

**Registration:** Before submitting an application, all applicants must register with the System for Award Management (SAM). You must renew and validate your registration every 12 months. If you do not renew your SAM registration, it will expire. An expired registration can delay or prevent application submission in Grants.gov and JustGrants. Registration and renewal can take up to 10 business days to complete.

**Submission:** Applications must be submitted to DOJ electronically through a two-step process via Grants.gov and JustGrants.

**Step 1:** After registering with SAM, the applicant must submit the **SF-424** and **SF-LLL** in Grants.gov at <https://www.grants.gov/web/grants/register.html> by the Grants.gov deadline. **Submit the SF-424 and SF-LLL as early as possible, but no later than 48 hours before the Grants.gov deadline.** If an applicant fails to submit in Grants.gov, they will be unable to apply in JustGrants.

**Step 2:** The applicant must then submit the **full application**, including attachments, in JustGrants at [JustGrants.usdoj.gov](https://www.justgrants.usdoj.gov) by the JustGrants deadline.

Within 24 hours after receipt of confirmation emails from Grants.gov, the individual in Section 8F of the SF-424 will receive an email from [DIAMD-NoReply@usdoj.gov](mailto:DIAMD-NoReply@usdoj.gov) with instructions on how to create a JustGrants account. Register the Entity Administrator and the Application Submitter with JustGrants as early as possible but no later than 48-72 hours before the JustGrants deadline. Once registered in JustGrants, the Application Submitter will receive an emailed link to complete the rest of the application in JustGrants. The Entity Administrator also will need to log into JustGrants to review and invite the applicant's Authorized Representative(s) before an application can be submitted.

Submit the complete application package in JustGrants at least 24 – 48 hours prior to the JustGrants deadline. Some of the application components will be entered directly into JustGrants, and others will require uploading attached documents. Therefore, applicants will need to allow ample time before the JustGrants deadline to prepare each component. Applicants may save their progress in the system and revise the application as needed prior to hitting the Submit button at the end of the application in JustGrants.

For additional information, see the “How to Apply” section in the [OJP Grant Application Resource Guide](#) and the [DOJ Application Submission Checklist](#).

## Submission Dates and Time

The **SF-424** and the **SF-LLL** must be submitted in Grants.gov by 8:59 p.m. eastern time on April 11, 2023. The **full application** must be submitted in JustGrants by 8:59 p.m. eastern time on April 18, 2023.

OJP urges applicants to submit their Grants.gov and JustGrants submissions prior to the due dates with sufficient time to correct any errors and resubmit by the submission deadlines if a rejection notification is received. To be considered timely, the **full application** must be submitted in JustGrants by the JustGrants application deadline. Failure to begin the SAM.gov, Grants.gov, or JustGrants registration process in sufficient time (i.e., waiting until the date identified in this solicitation) is not an acceptable reason for late submission.

## Experiencing Unforeseen Technical Issues Preventing Submission of an Application

OJP will only consider requests to submit an application after the deadline when the applicant can document that a technical issue with a government system prevented application submission.

If an applicant misses a deadline due to unforeseen technical issues with SAM.gov, Grants.gov, or JustGrants, the applicant may request a waiver to submit an application after the deadline. However, the waiver request will not be considered unless it includes a tracking number

generated when the applicant contacts the applicable service desks to report technical difficulties. Tracking numbers are generated automatically when an applicant emails the applicable service desks; and for this reason applicants are encouraged to email the appropriate service desk, even if they also intend to call the service desk for phone support. Experiencing wait times for phone support does not relieve the applicant of the responsibility of getting a tracking number.

An applicant experiencing technical difficulties must contact the associated service desk indicated below to report the technical issue and receive a tracking number:

- SAM.gov - contact the [SAM Help Desk \(Federal Service Desk\)](#), Monday – Friday from 8 a.m. to 8 p.m. ET at 866-606-8220.
- Grants.gov - contact the [Grants.gov Customer Support Hotline](#), 24 hours a day, 7 days a week, except on federal holidays, at 800-518-4726, 606-545-5035, or [support@grants.gov](mailto:support@grants.gov).
- JustGrants - contact the JustGrants Service Desk at [JustGrants.Support@usdoj.gov](mailto:JustGrants.Support@usdoj.gov) or 833-872-5175, Monday – Friday from 7 a.m. to 9 p.m. ET and Saturday, Sunday, and Federal holidays from 9 a.m. to 5 p.m. ET.

If an applicant has technical issues with SAM.gov or Grants.gov, the applicant must contact the OJP Response Center at [grants@ncjrs.gov](mailto:grants@ncjrs.gov) within **24 hours of the Grants.gov deadline** to request approval to submit after the deadline.

If an applicant has technical issues with JustGrants that prevent application submission by the deadline, the applicant must contact the OJP Response Center at [grants@ncjrs.gov](mailto:grants@ncjrs.gov) within **24 hours of the JustGrants deadline** to request approval to submit after the deadline.

Waiver requests sent to the OJP Response Center must -  
describe the technical difficulties experienced,

include a timeline of the applicant's submission efforts (e.g., date and time the error occurred, date and time of actions taken to resolve the issue and resubmit; and date and time support representatives responded),

include an attachment of the complete grant application and all the required documentation and materials,

include the applicant's Unique Entity Identifier (UEI), and

include any SAM.gov, Grants.gov, and JustGrants Service Desk tracking numbers documenting the technical issue.

OJP will review each waiver request and the required supporting documentation and notify the applicant whether the request for late submission has been approved or denied. An applicant who does not provide documentation of a technical issue or who does not submit a waiver request within the required time period will be denied.

For more details on the waiver process, OJP encourages applicants to review the "Experiencing Unforeseen Technical Issues" section in the [OJP Grant Application Resource Guide](#).

## **Application Review Information**

### **Review Criteria**

#### **Merit Review Criteria**

Applications that meet the basic minimum requirements will be evaluated by peer reviewers on how the proposed project/program addresses the following criteria:

Description of the Issue (20%) - evaluate the applicant's understanding of the program/issue to be addressed.

Project Design and Implementation (40%) - evaluate the adequacy of the proposal, including the goals, objectives, timelines, milestones, and deliverables.

Capabilities and Competencies (20%) - evaluate the applicant's administrative and technical capacity of the applicant to successfully accomplish the goals and objectives.

Plan for Collecting the Data Required for this Solicitation's Performance Measures (15%) - evaluate the applicant's understanding of the performance data reporting requirements and the plan for collecting the required data.

Budget (5%) - evaluate for completeness, cost effectiveness, and allowability (e.g., reasonable, allocable, and necessary for project activities).

#### **Other Review Criteria/Factors**

Other important considerations for BJA include geographic diversity, strategic priorities (specifically including, but not limited to, those priority areas already mentioned, if applicable), available funding, past performance, pre-award risk rating, and the extent to which the Budget Web-Based Form accurately explains project costs that are reasonable, necessary, and otherwise allowable under federal law and applicable federal cost principles.

#### **Review Process**

Applications submitted under this solicitation that meet the basic minimum requirements will be evaluated for technical merit by a peer review panel(s) in accordance with OJP peer review policy and procedures using the review criteria listed above.

OJP screens applications to ensure they meet the basic minimum requirements prior to conducting the peer review. Although specific requirements may vary, the following are common requirements applicable to all OJP solicitations:

The application must be submitted by an eligible type of applicant.

The application must request funding within programmatic funding constraints (if applicable).

The application must be responsive to the scope of the solicitation.

The application must include all items necessary to meet the basic minimum requirements.

Pursuant to the Part 200 Uniform Requirements, before award decisions are made, OJP also reviews information related to the degree of risk posed by the applicant entity. Among other

things to help assess whether an applicant with one or more prior federal awards has a satisfactory record of performance, integrity, and business ethics, OJP checks whether the applicant entity is listed in SAM as excluded from receiving a federal award.

In addition, if OJP anticipates that an award will exceed \$250,000 in federal funds, OJP also must review and consider any information about the applicant entity that appears in the non-public segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System, FAPIIS).

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

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

## **Federal Award Administration Information**

### **Federal Award Notices**

Generally, award notifications are made by the end of the current Federal fiscal year, September 30th. See the [OJP Grant Application Resource Guide](#) for information on award notifications and instructions.

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

If selected for funding, in addition to implementing the funded project consistent with the OJP-approved application, the recipient must comply with all award conditions and all applicable requirements of federal statutes and regulations, including the applicable requirements referred to in the assurances and certifications executed in connection with award acceptance. For additional information on these legal requirements, see the “Administrative, National Policy, and Other Legal Requirements” section in the [OJP Grant Application Resource Guide](#).

### **Information Technology Security Clauses**

An application in response to this solicitation may require inclusion of information related to information technology security. See the [OJP Grant Application Resource Guide](#) for more information.

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

In addition to the deliverables described in the “Program Description” section, all award recipients under this solicitation will be required to submit certain reports and data.

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

See the [OJP Grant Application Resource Guide](#) for additional information on specific post-award reporting requirements, including performance measure data.

Performance Report Frequency (Select one)

quarterly  
semi-annual  
annual-calendar  
annual-fiscal  
annual-other

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

For OJP contact(s), contact information for Grants.gov, and contact information for JustGrants, see the solicitation cover page.

### **Other Information**

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

See the [OJP Grant Application Resource Guide](#) for information on the Freedom of Information and Privacy Act (5 U.S.C. §§ 552 and §§ 552a).

#### **Provide Feedback to OJP**

See the [OJP Grant Application Resource Guide](#) for information on how to provide feedback to OJP.

#### **Performance Measures**

A list of performance measure questions for this program can be found at:  
<https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/TreatmentCourt-Measures.pdf>.

## Application Checklist

### BJA FY 2023 Adult Treatment Court Discretionary Grant Program

This application checklist has been created as an aid in developing an application. For more information, reference [The OJP Application Submission Steps in the OJP Grant Application Resource Guide](#) and the [DOJ Application Submission Checklist](#).

#### Pre-Application

##### ***Before Registering in Grants.gov:***

- Acquire or renew your Entity's [System Award Management \(SAM\) Registration Information](#) (see [OJP Grant Application Resource Guide](#))

##### ***Register in Grants.gov***

- Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password (see [OJP Grant Application Resource Guide](#))
- Acquire AOR confirmation from the E-Business Point of Contact (E-Biz POC) (see [OJP Grant Application Resource Guide](#))

##### ***Find the Funding Opportunity***

- Search for the funding opportunity in Grants.gov using the opportunity number, assistance listing number, or keyword(s)
- Select the correct Competition ID: for Category 1: C-BJA-2023-00008-PROD, Category 2: C-BJA-2023-00009-PROD, and Category 3: C-BJA-2023-00010-PROD
- Access the funding opportunity and application package (see Step 7 in the [OJP Grant Application Resource Guide](#))
- Sign up for Grants.gov email [notifications](#) (optional) (see [OJP Grant Application Resource Guide](#))
- Read [Important Notice: Applying for Grants in Grants.gov](#)
- Read OJP policy and guidance on conference approval, planning, and reporting available at <https://www.ojp.gov/funding/financialguidedo/iii-postaward-requirements#6g3y8> (see [OJP Grant Application Resource Guide](#))

##### ***Review the Overview of Post-Award Legal Requirements***

- Review the "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2023 Awards](#)" in the [OJP Funding Resource Center](#).

##### ***Review the Scope Requirement***

- The federal amount requested is within the allowable limit(s) of \$900,000 for Category 1, \$1,000,000 for Category 2, and \$2,500,000 for Category 3.

##### ***Review Eligibility Requirement:***

- Review the Eligibility section on the cover page and Eligibility Information section in the solicitation.

#### Application Step 1

Submit the SF-424 and **SF-LLL** in Grants.gov

- In Section 8F of the SF-424, include the name and contact information of the individual **who will complete the application in JustGrants. and SF-LLL in Grants.gov**

Within 48 hours after the SF-424 and SF-LLL submission in Grants.gov, receive four (4) Grants.gov email notifications:

- a submission receipt
- a validation receipt
- a grantor agency retrieval receipt
- an agency tracking number assignment

If no Grants.gov receipt and validation email is received, or if error notifications are received:

- Contact Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, [Grants.gov customer support](#), or [support@grants.gov](mailto:support@grants.gov) regarding technical difficulties (see [OJP Grant Application Resource Guide](#))

Within 24 hours after receipt of confirmation emails from Grants.gov, the individual in Section 8F of the SF-424 will receive an email from JustGrants with login instructions.

- Proceed to Application Step 2 and complete application in JustGrants

## Application Step 2

Submit the following information in JustGrants

### Application Components

- Standard Applicant information (SF-424 information from Grants.gov)
- **Proposal Abstract\***
- **Proposal Narrative\***

### Budget and Associated Documentation

- **Budget Web-Based form\***
- Indirect Cost Rate Agreement (if applicable) (see [OJP Grant Application Resource Guide](#))
- Financial Management and System of Internal Controls Questionnaire (see [OJP Grant Application Resource Guide](#))
- Disclosure of Process related to Executive Compensation (see [OJP Grant Application Resource Guide](#))

### Additional Application Components

- State Substance Abuse Agency Director or Designee Letter (recommended)
- Memorandum of Understanding Signed by Key Treatment Court Team Members or by a Designated Agency Representative (recommended)
- Fiscal Agent Memorandum of Understanding Signed by Applicant and Treatment Court Administrator (recommended)
- Chief Justice, State Court Administrator or Designee Letter (recommended)
- Tribal Authorizing Resolution (if applicable) (see [OJP Grant Application Resource Guide](#))
- Research and Evaluation Independence and Integrity (see [OJP Grant Application Resource Guide](#))
- Statewide Applicants Managing Subawards (if applicable)
- **Timeline web-based form \***
- Résumés of key personnel (if applicable)

### Disclosures and Assurances

- [Disclosure of Lobbying Activities \(SF-LLL\)](#) (see [OJP Grant Application Resource Guide](#))



- Applicant Disclosure of Duplication in Cost Items (see [OJP Grant Application Resource Guide](#))
- DOJ Certified Standard Assurances (see [OJP Grant Application Resource Guide](#))
- DOJ Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements (see [OJP Grant Application Resource Guide](#))
- Applicant Disclosure and Justification – DOJ High Risk Grantees (if applicable) (see [OJP Grant Application Resource Guide](#))

***\*Note: Items designated with an asterisk must be submitted for an application to meet the basic minimum requirements review. If OJP determines that an application does not include the following elements, it will neither proceed to peer review, nor receive further consideration.***

#### Review, Certify and Submit Application in JustGrants

- Any validation errors will immediately display on screen after submission.
- Correct validation errors, if necessary, and then return to the “Certify and Submit” screen to submit the application. Access the [Application Submission Validation Errors Quick Reference Guide](#) for step-by-step instructions to resolve errors prior to submission.
- Once the application is submitted and validated, a confirmation message will appear at the top of the page. Users will also receive a notification in the “bell” alerts confirming submission.

*If no JustGrants application submission confirmation email or validation is received, or if error notification is received:*

- Contact the JustGrants Service Desk at 833-872-5175 or [JustGrants.Support@usdoj.gov](mailto:JustGrants.Support@usdoj.gov) regarding technical difficulties. See the [OJP Grant Application Resource Guide](#) for additional information.

## Standard Solicitation Resources

[OJP Grant Application Resource Guide](#) provides guidance to assist OJP grant applicants in preparing and submitting applications for OJP funding.

[DOJ Grants Financial Guide](#) serves as the primary reference manual to assist award recipients in fulfilling their fiduciary responsibility to safeguard grant funds and to ensure funds are used for the purposes for which they were awarded. It compiles a variety of laws, rules and regulations that affect the financial and administrative management of DOJ awards. This guide serves as a starting point for all award recipients and subrecipients of DOJ grants and cooperative agreements in ensuring the effective day-to-day management of awards.

[JustGrants Resources Website](#) is an entryway into information about JustGrants and the grants management system itself. Through this portal both award recipients and applicants can access training resource and user support options, find frequently asked questions and sign-up for the [JustGrants Update e-newsletter](#).

[JustGrants Application Submission Training Page](#) offers helpful information and resources on the application process. This training page includes e-learning videos, reference guides, checklists and other resources to help applicants complete an application.

[Virtual Q&A Sessions](#) are advertised here and provide opportunities for users to receive topic-specific training, direct technical assistance and support on JustGrants system functionality.