

U.S. Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance



---

## Adult Drug Court and Veterans Treatment Court Discretionary Grant Program FY 2020 Competitive Grant Solicitation

CFDA # 16.585

**Grants.gov Solicitation Number:** BJA-2020-17098

**Solicitation Release Date:** February 24, 2020

**Application Deadline:** 11:59 p.m. eastern time on May 14, 2020

---

The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Assistance](#) (BJA) is seeking applications to enhance drug court services, to include coordination, management of drug court participants, and recovery support services. This program furthers the Department's mission by providing resources to state, local, and federally recognized tribal governments to enhance drug court programs and systems for nonviolent offenders and veterans with addictions, including opioid abuse and overdose.

This solicitation incorporates the [OJP Grant Application Resource Guide](#) by reference. It provides guidance to applicants on how to prepare and submit applications for funding to OJP. 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.

### **Eligibility** (Who may apply):

#### **For Category 1: Implementation of Veterans Treatment Courts and Category 2: Enhancement of Adult Drug Courts and Veterans Treatment Courts:**

- states and territories,
- state and local courts,
- counties,
- units of local government, and
- federally recognized Indian tribal governments (as determined by the Secretary of the Interior)

on behalf of a single jurisdiction drug court or veterans treatment court.

#### **For Category 3: Statewide Strategies to Support Adult Drug Courts and Veterans Treatment Courts:**

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

State agencies may also include state criminal justice agencies and other state agencies involved with the provision of substance abuse and/or mental illness services, or related services, to criminal substance abusers.

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

For additional information on eligibility, see [Section C. Eligibility Information](#).

### **Contact information**

For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800-518-4726 or 606-545-5035, at <https://www.grants.gov/web/grants/support.html>, or at [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.

An applicant that experiences unforeseen Grants.gov technical issues beyond its control that prevent it from submitting its application by the deadline must email the contact identified below **within 24 hours after the application deadline** to request approval to submit its application after the deadline. Additional information on reporting technical issues appears under “Experiencing Unforeseen Grants.gov Technical Issues” in the How To Apply (Grants.gov) section in the [OJP Grant Application Resource Guide](#).

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

### **Deadline Details**

Applicants must register with Grants.gov at <https://www.grants.gov/web/grants/register.html> prior to submitting an application. All applications are due by 11:59 p.m. eastern time on May 14, 2020.

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

An applicant must use the **Add Attachment** button to attach a file to its application. Do not click the paperclip icon to attach files. This action will not attach the files to the application. After adding an attachment, select the **View Attachment** button to confirm you attached the correct file. To remove the file, select the **Delete Attachment** button.

OJP encourages all applicants to read this [Important Notice: Applying for Grants in Grants.gov](#).  
For additional information, see the How to Apply (Grants.gov) section in the [OJP Grant Application Resource Guide](#).

# Contents

<b>A. Program Description</b> .....	5
Overview .....	5
Program-specific Information .....	5
Objectives .....	5
Evidence-based Programs or Practices.....	9
Information Regarding Potential Evaluation of Programs and Activities .....	10
<b>B. Federal Award Information</b> .....	10
Type of Award .....	10
Financial Management and System of Internal Controls .....	11
Budget Information.....	11
Cost Sharing or Match Requirement.....	11
Pre-agreement Costs (also known as Pre-award Costs).....	11
Limitation on Use of Award Funds for Employee Compensation; Waiver .....	11
Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs.....	11
Costs Associated With Language Assistance (if applicable) .....	11
<b>C. Eligibility Information</b> .....	11
<b>D. Application and Submission Information</b> .....	12
What an Application Should Include .....	12
How To Apply (Grants.gov).....	18
Registration and Submission Steps .....	18
<b>E. Application Review Information</b> .....	18
Review Criteria .....	18
Review Process .....	19
<b>F. Federal Award Administration Information</b> .....	29
Federal Award Notices .....	29
Administrative, National Policy, and Other Legal Requirements .....	29
Information Technology (IT) Security Clauses.....	29
General Information About Post-Federal Award Reporting Requirements.....	29
<b>G. Federal Awarding Agency Contact(s)</b> .....	29
<b>H. Other Information</b> .....	29
Freedom of Information and Privacy Act (5 U.S.C. 552 and 5 U.S.C. 552a).....	29
Provide Feedback to OJP .....	29
Appendix: Application Checklist .....	30

# ADULT DRUG COURT AND VETERANS TREATMENT COURTS DISCRETIONARY GRANT PROGRAM CFDA #16.585

## A. Program Description

### Overview

The Adult Drug Court (ADC) and Veterans Treatment Court (VTC) Discretionary Grant Program provides financial and technical assistance to states, state courts, local courts, units of local government, and federally recognized Indian tribal governments to enhance the operations of drug courts or to implement new veterans treatment courts.

For the purposes of this solicitation, an adult “drug court” is defined as a court program managed by a multidisciplinary team that responds to the offenses and treatment needs of participants who are diagnosed with a substance use disorder. This definition explicitly excludes drug offenders who have committed acts of violence.

**Statutory Authority:** 34 U.S.C. § 10611, et seq, and Consolidated Appropriations Act, 2020, Pub. L. No. 116-93, 133 Stat 2317, 2409.

### Program-specific Information

BJA’s ADC and VTC Program supports efforts by state, local, and tribal courts to address the needs of individuals in the criminal justice system with substance abuse issues. These courts effectively integrate evidence-based substance abuse treatment, random drug testing, equitable sanctions and incentives, and transitional services in judicially-supervised court settings with jurisdiction over offenders to reduce recidivism, substance abuse, and prevent overdoses.

BJA provides ADC Program applicants the flexibility to identify the most appropriate court model on which to base their drug courts in order to accommodate the needs and available resources of their jurisdictions, **so long as the model conforms to NADCP’s 10 key components for drug courts**. All adult drug courts must be operated based on the following BJA and NADCP publication: *Defining Drug Courts: The Key Components*, found at <https://www.ncjrs.gov/pdffiles1/bja/205621.pdf>.

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

Eligible drug court types are: adult drug courts; driving while intoxicated (DWI)/driving under the influence (DUI) courts; co-occurring courts (participants possess both a substance abuse and mental illness diagnosis); veterans treatment courts (VTCs) (Types A and B); and tribal healing to wellness courts (THWCs). Court programs that combine or propose to combine drug court

types with other court programs or dockets are also eligible for funding, although the funding under this program must be used to address only those clients eligible for drug court services. Applicants should refer to their relevant local statutes for definitions of the legal age of an “adult.”

Under the ADC Program authorization, BJA funds under this program may not be used to serve persons who are “violent offenders.” ([34 U.S.C. § 10613](#)).<sup>1</sup> This prohibition applies to programs or activities that are funded by the BJA grant award, including match funds contributed by the grantees. Grantees that use both ADC Program and other funds for a program must be able to track these expenses to ensure the separation of funds, and they must maintain documentation that they can show to an auditor if necessary. Note, however, that an applicant can serve veterans charged with violent or nonviolent offenses using veterans treatment court funds under Type B. Applicants should clearly identify in their project abstract whether they are applying under Type A or B, as described below:

**Veterans Treatment Courts, Type A**, may only serve veterans who are nonviolent offenders, pursuant to the definition included in the Drug Court Program authorizing legislation (34 U.S.C. § 10613).

**Veterans Treatment Courts, Type B**, may serve veterans who are charged with violent or nonviolent offenses.

The National Drug Court Resource Center (NDCRC), available at <http://ndcrc.org/>, is a BJA-funded resource for the drug court field that serves as a clearinghouse for drug court training, technical assistance, publications, funding resources, and other practitioner-specific resources. Applicants are encouraged to visit <http://ndcrc.org/grant-solicitation-resources/> for useful information regarding this solicitation.

The focus of the ADC and VTC Discretionary Grant Program is to reduce opioid, stimulant, and substance abuse. In the program narrative, all applicants are required to describe a plan to serve offenders with substance addictions..

The FY 2020 ADC and VTC Discretionary Grant solicitation offers the following three grant categories:

### **CATEGORY 1: IMPLEMENTATION OF VETERANSTREATMENT COURTS** **Competition ID: BJA-2020-17099**

Implementation grants are available to eligible jurisdictions that have completed a substantial amount of planning and are ready to implement an evidence-based veterans treatment court that supports core capacity and provides critical treatment, case management and coordination,

---

<sup>1</sup> For purposes of the Adult Drug Court Program, a “violent offender” is defined at 34 U.S.C. § 10613(a) as “a person who (1) is charged with or convicted of an offense that is punishable by a term of imprisonment exceeding one year, during the course of which offense or conduct: (A) the person carried, possessed, or used a firearm or dangerous weapon; (B) there occurred the death of or serious bodily injury to any person; or (C) there occurred the use of force against the person of another, without regard to whether any of the circumstances described in subparagraph (A) or (B) is an element of the offense or conduct of which or for which the person is charged or convicted; or (2) has 1 or more prior convictions for a felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm.”

judicial supervision, sanctions and incentive services and other key resources, such as transitional housing, relapse prevention and employment, that can reduce recidivism.

**Deliverable:**

- Document that grantee has implemented a new drug court program that adheres to the requirements of this solicitation, including the National Association of Drug Court Professionals (NADCP) best practice standards and consistent with the 10 Key Components.

**CATEGORY 2: ENHANCEMENT OF ADULT DRUG COURTS AND VETERANSTREATMENT COURTS. BJA-2020-17100**

Enhancement grants are available to eligible jurisdictions with a fully-operational adult drug court or veterans treatment court (i.e., those operating for at least one year as of September 30, 2020). Funding may assist a jurisdiction to scale up the drug court program's capacity; provide access to or enhance treatment capacity or other critical support services; enhance court operations; expand or enhance court services; or improve the quality and/or intensity of services based on needs assessments.

Note that an entity (i.e., unit of local government or county) applying to either Category 1: Implementation or Category 2: Enhancement on behalf of a drug court must attach a fiscal agent memorandum of understanding (MOU). [See 12.c, Fiscal Agent – Memorandum of Understanding, under Section D. Application and Submission Information.](#)

**Deliverables:**

- Document that grantee has enhanced and/or expanded the operations of the drug court program requirements of this solicitation, including the National Association of Drug Court Professionals (NADCP) best practice standards and consistent with the 10 Key Components.

**CATEGORY 3: STATEWIDE STRATEGIES TO SUPPORT ADULT DRUG COURTS AND VETERANSTREATMENT COURTS. Competition ID: BJA-2020-17101**

Under this category, state applicants may apply for funding to improve, enhance, or expand drug court and veterans treatment court services statewide. Activities include expanding treatment and services; audits of practice and technical assistance for adherence to standards; data collection and analysis to assess practice and track recidivism; and training and technical assistance (TTA). In FY 2020, priority will be placed on proposals that develop or expand a state-based TTA program that enhance the capacity of states to support local ADC and VTC TTA needs, including training to address staff turnover and offer operational skills updates; and to expand treatment resources in locations with critical substance abuse needs. These are intended to be one-time projects to enhance capacity that can be sustained. In addition, states are also encouraged to submit applications that seek funds for smaller, short-term projects to support statewide training conferences, scholarships to attend key training events including national drug court conferences, and other operational training to support local capacity.

**Deliverable:**

- Document that grantee has enhanced and/or expanded the state’s capacity to coordinate activities that support the needs of drug courts in the state, consistent with the requirements of this solicitation, including the National Association of Drug Court Professionals (NADCP) best practice standards and consistent with the 10 Key Components.

## **Objectives**

- Ensure drug court practitioners have tools to effectively provide judicial and community supervision, mandatory and random drug testing, substance abuse and mental health treatment, and appropriate incentives and sanctions.
- Utilize evidence-based practices and principles, which are incorporated into the NADCP drug court standards.
- Build and maximize the capacity of jurisdictions to ensure that all potential participants are identified and assessed for risk and need.
- Enhance the provision of recovery support services, including transitional clean and sober housing assistance to reduce recidivism.

The Objectives are directly related to the performance measures that demonstrate the results of the work completed, as discussed under [What an Application Should Include](#).

## **OJP Priority Areas**

In FY 2020, and in addition to executing any statutory prioritization that may be applicable, OJP will give priority consideration to applications under Category 1 and Category 2 as follows:

- Applications that address specific challenges that rural communities face.
- Applications that demonstrate that the individuals who are intended to benefit from the requested grant reside in high-poverty areas or persistent-poverty counties.
- Applications that offer enhancements to public safety in economically distressed communities (Qualified Opportunity Zones).

To receive priority consideration under the rural priority, applicants must describe what makes the geographic service area rural (using U.S. Census or other appropriate government data; for assistance, applicants may wish to refer to <https://www.census.gov/programs-surveys/geography/guidance/geo-areas/urban-rural.html>), how isolated the area is from needed services, and how they will address specific challenges in rural communities.

To receive priority consideration under the poverty priority, the applicant must provide information to demonstrate that the individuals who are intended to benefit from the requested grant reside in high-poverty areas or persistent poverty counties. For purposes of this priority consideration, the term “high-poverty area” means any census tract with a poverty rate of at least 20 percent as measured by the 2013–2017 5-year data series available from the American Community Survey of the Census Bureau (applicants may search by census tract at <https://www.census.gov/acs/www/data/data-tables-and-tools/narrative-profiles/2017/>) and the

term “persistent poverty counties” means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates (applicants may search by county at <https://www.census.gov/data/tables/time-series/dec/census-poverty.html> and at <https://www.census.gov/programs-surveys/saipe.html>).

To receive priority consideration under the Qualified Opportunity Zones priority, applicants must include information that specifies how the project will enhance public safety in the specified QOZs. For resources on QOZs, and for a current list of designated QOZs, see the U.S. Department of the Treasury’s resource webpage, accessible at <https://www.cdfifund.gov/pages/opportunity-zones.aspx>.

### **Evidence-based Programs or Practices**

OJP strongly emphasizes the use of data and evidence in policymaking and program development in 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](#).

### Drug Court Standards

NADCP has identified 10 best practice standards for ADCs. BJA strongly encourages applicants, and particularly those proposing to enhance existing drug courts, to design their proposed programs with the intention of moving toward the full incorporation of NADCP’s adopted standards, which represent the most current evidence-based principles and practices. For more information on the NADCP-identified 10 best practice standards, volumes I and II, visit: <https://www.ndci.org/standards/>.

These standards represent the cumulative body of the most current evidence-based practices available to drug courts to effectively operationalize the drug court 10 key components. For more information on the drug court 10 key components, visit: <https://www.ncjrs.gov/pdffiles1/bja/205621.pdf>.

Each program design must function in accordance with the corresponding court types indicated in the links referenced below. For tribal healing to wellness courts: <https://www.ncjrs.gov/pdffiles1/bja/188154.pdf>; veterans treatment courts: <https://justiceforvets.org/resource/ten-key-components-of-veterans-treatment-courts/>; and DWI Courts: [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).

### Medication-assisted Treatment

Medication-assisted treatment (MAT) is an evidence-based substance abuse treatment protocol, and BJA supports making it available to individuals under the care and prescription of a physician. For more information regarding BJA’s provisions on MAT, visit: <https://www.bja.gov/Funding/adf-faq-medication-assisted-treatment.pdf>

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.* Programs or activities funded under a BJA adult drug court and veterans treatment court award must ensure that drug court

participants are tested periodically for the use of controlled substances, including medical marijuana. See 34 U.S.C. § 10611, *et seq.*

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

Applicants should note that OJP may conduct or support an evaluation of the programs and activities funded under this solicitation. For additional information, see the [OJP Grant Application Resource Guide](#) section titled Information Regarding Potential Evaluation of Programs and Activities.

## **B. Federal Award Information**

BJA expects to make up to 96 grant awards for varying amounts depending on the category under which the application is awarded (see below). For all categories, the proposed projects should have a start date of October 1, 2020.

**Category 1: Implementation of Veterans Treatment Courts.** Grant maximum: \$500,000. Period of performance: 36.

**Category 2: Enhancement of Adult Drug Courts and Veterans Treatment Courts.** Grant maximum: \$500,000. Period of performance: 36 months.

**Category 3: Statewide Strategies to Support Adult Drug Courts and Veterans Treatment Courts.** Grant maximum: \$750,000. Period of performance: 36 months.

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 (programmatic and policy) priorities, a recipient's overall management of the award, and progress of award-funded work, when making continuation-award decisions.

BJA may elect to fund applications submitted under this FY 2020 solicitation in future fiscal years, dependent on, among other considerations, the merit of the applications and the availability of appropriations.

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

### **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 additional information.

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

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities) must, as described in the Part 200 Uniform Requirements<sup>2</sup> 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 allowable 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
- Vehicles
- Food and beverages

Federal funds may also not be used to replace (supplant) nonfederal dollars that are appropriated for the same purpose. For a definition of supplanting, visit: <https://ojp.gov/grants101/definitions.htm>.

## **Cost Sharing or Match Requirement**

This solicitation requires a 25 percent nonfederal **cash or in-kind match**.<sup>3</sup> See the [OJP Grant Application Resource Guide](#) for additional information on this match requirement. (“Match” funds may be used only for purposes that would be allowable for the federal funds.)

Please see the [OJP Grant Application Resource Guide](#) for information on the following:

[Pre-agreement Costs \(also known as Pre-award Costs\)](#)

[Limitation on Use of Award Funds for Employee Compensation; Waiver](#)

[Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs](#)

[Costs Associated with Language Assistance \(if applicable\)](#)

## **C. Eligibility Information**

Under this solicitation, only one application by any particular applicant entity will be considered. An entity may, however, be proposed as a subrecipient (subgrantee) in more than one application. For additional information on subawards, see the [OJP Grant Application Resource Guide](#).

---

<sup>3</sup> The "Part 200 Uniform Requirements" means the DOJ regulation at 2 C.F.R Part 2800, which adopts (with certain modifications) the provisions of 2 C.F.R. Part 200.

An eligible applicant currently receiving federal funding for a part of its drug court program may apply to the BJA ADC and VTC Discretionary Grant Program; however, it will be ineligible if the request is for the same focus area and/or court type as its active federally funded drug court program. An eligible applicant may also apply to fund the same focus area and/or court type as a current grant if its end date is before the start date of this grant.

Public and private nonprofit organizations are considered ineligible applicants; therefore, they are restricted from applying, although they may serve in a key supporting role to the drug court program as a subrecipient (subgrantee).

For additional eligibility information, see title page.

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

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

This solicitation expressly modifies the OJP Grant Application Resource Guide by not incorporating the “Disclosure of Process Related to Executive Compensation” provisions in the “Application Attachments” section of the [OJP Grant Application Resource Guide](#).

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

The following application elements **MUST** be included in the application submission for an application to meet the basic minimum requirements (BMR) to advance to peer review and receive consideration for funding: Program Narrative, Budget Detail Worksheet and Budget Narrative, Time Task Plan, and Fiscal Agent MOU, if applicable.

See the Application Elements and Formatting Instructions section of the [OJP Grant Application Resource Guide](#) for information on what happens to an application that does not contain all of the specified elements or that is nonresponsive to the scope of the solicitation.

### **1. Application for Federal Assistance (Standard Form (SF)-424)**

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

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

### **2. Project Abstract**

Include a abstract that summarizes the proposed program in 800 words or fewer. Project abstracts should be:

- Written for a general public audience.
- Submitted as a separate attachment with “Project Abstract” as part of its file name.
- Single-spaced, using a standard 12-point Times New Roman font with 1-inch margins.

- Clearly describe the following for each court:
  - Category of funding requested: Category 1: Implementation of Veterans Treatment Courts, Category 2: Enhancement of Adult Drug Courts and Veterans Treatment Courts, and Category 3: Statewide Strategies to Support Adult Drug Courts and Veterans Treatment Courts
  - Whether the court is pre- or post-adjudication
  - Type of drug court(s) funds requested:
    - ADC
    - DWI/DUI court
    - Co-occurring substance abuse and mental health court
    - VTC Type A or Type B (see page 5 for requirements associated with each type)
    - THWC
    - If combining request to fund activities with a combination of any of the five courts indicated above, please include percentage of funding requested for each court if the combination includes a VTC.
  
- State the total federal amount requested for the duration of the grant. 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 (if awarded) over the life of the grant period. Identify the minimum, maximum, and average length of program participation.
- Briefly describe the target population and the jurisdiction's access to MAT services.
  
- Briefly describe the plan to provide treatment and services to address opioid, stimulant and substance abuse reduction.
  
- Indicate which of the [NADCP Adult Drug Court Best Practice Standards](#) will be addressed and the page numbers where each item is discussed in the application.
  
- Indicate whether the jurisdiction is leveraging any other federal funding sources (e.g., Second Chance Act, Justice Reinvestment, or Justice Assistance Grant Program) to support the drug court.
  
- Indicate whether the applicant jurisdiction has ever received a Drug Court grant from OJP (include grant number).

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

### 3. Program Narrative

The program narrative must respond to the solicitation and the review criteria (a–d) listed below in the order given. The program narrative should be double-spaced, using a standard 12-point Times New Roman font with 1-inch margins, and should not exceed 20 pages. Number pages “1 of 20,” “2 of 20,” etc.

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

The following sections should be included as part of the program narrative (See section E for more details)<sup>7</sup>:

- a. Statement of the Problem
- b. Program Design and Implementation
- c. Capabilities and Competencies
- d. Evaluation, Continued Care and Health Care Integration, Sustainment, and Plan for Collecting the Data Required for this Solicitation’s Performance Measures

OJP will require each successful applicant to submit regular performance data that demonstrate the results of the work carried out under the award. The performance data directly relate to the objectives and deliverables identified under "Objectives and Deliverables" in [Section A. Program Description](#).

Applicants should 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. **Note:** Any quantitative and statistical data provided in the program narrative must be verifiable and recorded in an official record. BJA will utilize data reported in the program narrative to determine the applicant’s level of need, program capacity, and capability to manage the grant.

The application should demonstrate the applicant’s understanding of the performance data reporting requirements for this grant program and detail how the applicant will gather the required data.

Please note that applicants are **not** required to submit performance data with the application. Performance measures information is included as an alert that successful applicants will be required to submit performance data as part of the reporting requirements under an award.

Award recipients will be required to provide the relevant data by submitting quarterly performance metrics through BJA’s online Performance Measurement Tool (PMT) located at: <https://bjapmt.ojp.gov>. Applicants should review the complete list of ADC Discretionary Grant Program performance measures by category:

- [Category 1: Implementation of Veterans Treatment Courts](#)
- [Category 2: Enhancement of Adult Drug Courts and Veterans Treatment Courts](#)
- [Category 3: Statewide Strategies to Support Adult Drug Courts and Veterans Treatment Courts](#)

**Note on Project Evaluations**

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

Please see the [OJP Grant Application Resource Guide](#) for information on the following:

4. [Budget Information and Associated Documentation](#) in the Budget Preparation and Submission Information section

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

5. [Indirect Cost Rate Agreement](#)
6. [Tribal Authorizing Resolution](#) (if applicable)

The following two paragraphs in this solicitation expressly modify the Tribal Authorizing Resolution provisions in the [OJP Grant Application Resource Guide](#). An applicant is to follow the guidance in these two paragraphs instead of the guidance stated under the Tribal Authorizing Resolution heading in the Guide.

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

An applicant unable to submit an application that includes a fully executed (i.e., signed) copy of legal appropriate documentation, as described above, consistent with the applicable tribe's governance structure, should submit an unsigned, draft version of such legal documentation as part of its application (except for cases in which, with respect to a tribal consortium applicant, consortium bylaws allow action without the support of all consortium

member tribes). If selected for funding, OJP will make use of and access to award funds contingent on receipt of the fully executed legal documentation.

7. [Financial Management and System of Internal Controls Questionnaire \(including applicant disclosure of high-risk status\)](#)
8. [Disclosure of Lobbying Activities](#)
9. [Applicant Disclosure of Pending Applications](#)
10. [Applicant Disclosure and Justification – DOJ High Risk Grantees](#)<sup>4</sup> (if applicable)
11. [Research and Evaluation Independence and Integrity](#)
12. **Additional Attachments**

- a. **Time Task Plan (required)**

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

- b. **Memorandum of Understanding Signed by Key Drug Court Team Members or by a Designated Agency Representative (recommended)**

Attach an MOU signed by either each key drug court team member 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 drug court coordinator.

- c. **Fiscal Agent Memorandum of Understanding (MOU) Signed by Applicant and Drug Court Administrator (required, if applicable)**

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

---

<sup>4</sup> A “DOJ High Risk Grantee” is a 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, or noncompliance with award terms and conditions on prior awards, or that is otherwise not responsible.

on behalf of the court.

**d. 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. 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\\_12-03-2018\\_final\\_508.pdf](https://www.samhsa.gov/sites/default/files/ssa_directory_12-03-2018_final_508.pdf).

**e. 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 drug or problem-solving court coordinator) describing how the proposed application would enhance statewide efforts related to problem-solving courts and/or is part of the state's problem-solving court strategy. The letter should be addressed to the BJA Director. A listing of the state drug and problem-solving court coordinators can be found at the National Drug Court Resource Center at <https://ndcrc.org/state-coordinators/>.

**f. Applicant Disclosure of Proposed Subrecipients**

Attach a list of proposed subrecipients of grant funding, if applicable, that includes their name, organizational affiliation, and location.

**a. Documentation of Rural Challenges (if applicable)**

As is mentioned above, OJP will give priority consideration in award decisions to applications that address specific challenges that rural communities face. Each applicant proposing to receive priority consideration under the rural priority should provide a sufficient narrative to include what makes the geographic service area rural (using U.S. Census or other appropriate government data), how isolated the area is from needed services, and how it will address specific challenges in rural communities.

**b. Documentation of High-Poverty Areas or Persistent-Poverty Counties (if applicable)**

As mentioned above, OJP will give priority consideration in award decisions to applications that demonstrate that the individuals who will benefit from the requested grant reside in high-poverty areas or persistent-poverty counties as defined above. Each applicant proposing to receive consideration under the High-Poverty Areas or Persistent Poverty Counties priority should provide a sufficient narrative explanation to identify each specific High-Poverty Area (by census tract number(s)) and/or each specific Persistent-Poverty County where individuals are intended to benefit from the requested grant and how the requested grant will address specific challenges in each such identified area and/or county.

c. **Documentation of Enhanced Public Safety in Qualified Opportunity Zones (if applicable)**

As is mentioned above, OJP will give priority consideration in award decisions to designated Qualified Opportunity Zones (QOZs). Each applicant proposing to receive priority consideration under the under the Qualified Opportunity Zones priority should provide a sufficient narrative explanation in order for OJP to identify clearly the public safety benefit the applicant anticipates that its project will have on a specified QOZ(s). The narrative and the list of affected QOZs (by census tract number) must be included as an attachment that is clearly labeled as addressing QOZs. The applicant may also include tables, charts, graphs, or other relevant illustrations that may be useful in comprehending the manner in which the proposed project is anticipated to benefit a QOZ(s).

### **How To Apply (Grants.gov)**

Applicants must register in and submit applications through [Grants.gov](https://www.grants.gov), a primary source to find federal funding opportunities and apply for funding. Find information on how to apply in response to this solicitation in the [OJP Grant Application Resource Guide](#).

### **Registration and Submission Steps**

Applicants will need the following identifying information when searching for the funding opportunity on Grants.gov.

- 1. CDFA #16.585 Drug Court Discretionary Grant Program**
- 2. Funding Opportunity #: BJA-2020-17098**
- 3. Select the correct Competition ID.** Some OJP solicitations posted to Grants.gov contain multiple purpose areas, denoted by the individual Competition ID. If applying to a solicitation with multiple Competition IDs, select the appropriate Competition ID for the intended purpose area of the application.

**Category 1:** Competition ID: BJA-2020-17099

**Category 2:** Competition ID: BJA-2020-17100

**Category 3:** Competition ID: BJA-2020-17101

For information on each registration and submission step, see the [OJP Grant Application Resource Guide](#).

## **E. Application Review Information**

### **Review Criteria**

Applications that meet basic minimum requirements will be evaluated by peer reviewers using the following review criteria.

- 1. Statement of the Problem**

Within this section, the applicant should explain its inability to fund the program adequately without federal assistance.

For each category, the applicant must provide verified sources for the data that support

the statement of the problem (i.e., U.S. Census or other federal, state, and local databases).

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

- Describe the nature and scope of the substance abuse problem for veterans in the jurisdiction. Include data on race, ethnicity, age, gender, arrest volume (i.e., specifics of the general arrestee population, including the percentage screened for drug court and what percentage of those are admitted into drug court), and crime patterns for adult defendants.
- Explain the problems with the current court's response to cases involving substance abuse; 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 the proposed veteran target population, including criminogenic risk level (high, medium, low), substance abuse treatment need, 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 (36 months).

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

- Describe the immediate issues that the enhancement grant will address. The applicant is encouraged to incorporate the evidence-based program principles included in the NADCP Adult Drug Court Best Practice Standards, and to specify which standard(s) will be addressed and how the standard(s) will be implemented. The applicant should also refer to the allowable uses of funds on page 11. In addition, the proposed enhancements should include criminal justice-related needs and can also include enhancements related to enhancing treatment and relapse prevention support services.
- Describe the current operation of the drug court, addressing:
  - Referral, screening, and assessment process
  - Eligibility requirements
  - Target population
  - Current capacity
  - Length and phases of the program
  - Case management process
  - Community supervision
  - Recovery support services delivery plan, including vocational and/or educational and transitional housing services
  - Judicial supervision
  - Process for randomized drug testing
  - Incentives and sanctions

- Graduation requirements and expulsion criteria (include what drug 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 need, including persons with repeat criminal justice involvement and substance abuse.
- Identify the treatment service(s) and/or practice(s) available for drug court participants, including access to MAT services, and how those services are currently monitored for quality and effectiveness. Discuss the evidence that shows that the drug 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 (20 percent)**

- Describe the enhancements being proposed to support drug court(s), veterans treatment courts, and other problem-solving courts with jurisdiction over substance abusers operating in your state.
- Describe the extent to which the state and these courts meet the needs of the eligible population as defined in the solicitation; if they are operating at capacity; and the nonbudgetary reasons if they are not operating at capacity.
- Provide information about the extent to which the enhancement proposed incorporates evidence-based treatment practices and/or services.
- Describe the issue or need that the statewide grant seeks to address.
- Provide state data and any evaluation findings that demonstrate the state drug court program's impact with regard to offender and community outcomes.
- Describe the distinct TTA needs of drug courts statewide. Needs may be different based on the geographical location of the drug court program (i.e., urban, suburban, or rural). Provide the target number of drug courts for which TTA services will be provided. This number will serve as the target number, and BJA will measure the grantee against this target number, if the applicant is selected to receive an award. Include the data source used to determine the target number.

## **2. Program Design and Implementation**

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

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

- The ADC and VTC Discretionary Grant Program authorizing statute requires participants to pay for treatment and restitution; however, it does not allow imposing a fee on a client 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.
- Demonstrate that the drug court for which funds are being sought will not deny any eligible client access to the program because of their use of U.S. Food and Drug Administration-approved medications for the treatment of substance abuse. Please refer to page 9 for additional information.
- Discuss the applicant's commitment to admit and provide evidence-based interventions to participants with opioid and/or other substance abuse, including strategies for early assessment and entry into treatment to prevent overdose.
- Describe the plan to provide treatment and services to address opioid, stimulant, and substance abuse reduction.

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

- Describe the veterans treatment court program, to include the following:
  - Referral, screening, and assessment process
  - Eligibility requirements
  - Structure of the drug court (pre-, post-, plea, etc.)
  - Length and phases of the program
  - Case management process
  - Community supervision
  - Availability of evidence-based treatment services
  - Recovery 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 abuse recovery process and is taken into consideration in the development of incentives and sanctions.
  - Graduation requirements and expulsion criteria
  - Restitution costs and all fees required for program participation, 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.
- Describe which, if any, evidence-based principles and practices included in the NADCP drug court standards will be implemented (see page 9).
- Describe how the treatment provider(s) will be selected and address the frequency

with which key drug court team members will monitor the providers. Monitoring should ensure that the treatment is effective. Describe the evidence base for the drug and other treatment intervention(s) to be used and how it is responsive to the needs of the target population.

- Describe the range of treatment modalities that will be provided to address the substance abuse, mental illness, and cognitive behavioral needs of participants.
- Describe how the court will identify, assess, and prioritize participation and services for high-risk/high-need persons. Identify the validated assessment tool that will be used. Provide information on why the specific assessment tool was selected, and identify who will administer the tool.
- If a post-adjudication drug court model is proposed, discuss how the concept of “early intervention” will be implemented.
- Discuss how the community has been engaged in the planning process and describe the community partnerships available to support the drug court program.
- Discuss how the court will make efforts to engage and support participants’ families.
- If trauma-informed care is proposed, discuss how the model will be implemented.
- Demonstrate how the proposal conforms to the framework of the state drug court strategy, if one exists.
- Describe how participant treatment will be funded.
- Describe the plan to provide treatment and services to address opioid, stimulant, and substance abuse reduction.
- For VTCs serving violent offenders, describe the availability of anger management and domestic violence treatment.

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

- Describe the proposed enhancement and its specific objectives, including how they tie to the criminal justice purpose of the program.
- Describe which, if any, evidence-based principles and practices included in the NADCP Adult Drug Court Best Practice Standards described on page 9 will be implemented with the requested funds.
- Describe how the court will identify, assess, and prioritize participation and services for high-risk/high-need persons. Identify the validated assessment tool used and provide information on why the specific assessment tool was selected.
- Provide the target number of people for whom services will be provided. Explain how this target number was derived. This number will serve as the target service number, and BJA will measure the grantee’s success using this target number, if the applicant is selected to receive an award. Describe the focus of the drug court (pre-, post-, plea, etc.)
- Identify the enhancement options discussed on page 7 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 court will use to ensure coverage and coordination of drug testing among all available agencies associated with clients.
- Describe the proposed frequency of judicial status hearings and related criteria in the program. Describe how the program will ensure consistent procedures in the status hearings.
- Describe the process the court will use to ensure a perception of procedural fairness throughout all court and program operations.
- Describe the evidence base for the treatment intervention(s) to be used and how it is responsive to the needs of the target population. Describe the range of treatment modalities that will be provided to address participants' substance abuse, mental illness, and cognitive behavioral needs.
- Describe the plan to provide treatment and services to address opioid, stimulant, and substance abuse reduction.
- Discuss how the 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.
- Demonstrate how the proposal conforms to the framework of the state drug court strategy, if one exists.
- For VTCs serving violent offenders, describe the availability of anger management and domestic violence treatment.

**Category 3: Statewide Applicants (40 percent):**

- Describe the specific design and objectives for the proposed statewide enhancement program.
- Describe which, if any, evidence-based principles and practices included in the NADCP drug court standards will be implemented (see page 9) 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.
- Provide a program strategy identifying how one or more of the following statewide initiatives will be accomplished: supporting state or local implementation of a new drug court; best practice standards implementation; a TTA program and/or strategy for operational drug court teams; tracking or compiling state drug court information and resources; disseminating statewide drug court information to enhance or strengthen drug court programs; increasing communication, coordination, and information sharing among drug court programs; conducting a statewide drug court evaluation; or establishing an automated drug court data collection system.
- Describe the statewide, data-driven drug court strategy, including the plan to expand the capacity of problem-solving courts to divert nonviolent substance-abusing

defendants from incarceration, which may include state or local implementation of new drug courts and/or scaling up existing drug courts to better meet the existing and eligible defendant population that is high risk/high need. Demonstrate how this proposal will assist in implementing that state strategy.

- Describe the personnel required to coordinate the state-based TTA program. Describe the system and process for coordinating TTA to drug courts statewide. Detail how the state will assess, implement, and monitor the TTA needs of drug courts. Plans may include support from BJA's TTA providers (e.g., National Association of Drug Court Professionals, Center for Court Innovations, and Tribal Law and Policy Institute).
- Describe the state's plan to coordinate treatment and services statewide to address opioid, stimulant, and substance abuse reduction.
- 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 court will use to ensure coverage and coordination of drug testing among all available agencies associated with clients.
- Describe the proposed frequency of judicial status hearings and related criteria in the program. Describe how the program will ensure consistent procedures in the status hearings.
- Describe the process the court will use to ensure a perception of procedural fairness throughout all court and program operations.
- Describe the plan for sustaining drug court programming after federal funding has ended.
- For VTCs serving violent offenders, describe the availability of anger management and domestic violence treatment.

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

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

- Indicate whether the current drug court team members have received training through the BJA Veterans Treatment Court Court Planning Initiative or through another opportunity. If not, describe any training received or planning completed.
- Identify each member of the drug court team and briefly describe their roles and responsibilities. Key drug court team members must include a drug court judge, prosecutor, defense attorney, treatment provider, researcher/evaluator/ management information specialist, and drug court coordinator.
- Attach an MOU signed by each key drug court team member with the responsibilities outlined for each.
- Describe how effective communication and coordination among the team members will be implemented throughout the program period.
- Indicate whether the drug court team includes members from local law enforcement and probation departments. If applicable, describe the roles of these members as related to staffing attendance, home visits, and court appearances.

- Describe the drug court program’s proposed treatment partners; describe the history of this partnership and how the court will ensure these substance abuse treatment providers will use evidence-based treatment services, including MAT.

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

- Identify each drug court team member who will have a significant role in implementing the enhancement and describe their roles, responsibilities, and qualifications to ensure success of the proposed enhancement program. Key drug court team members must include a judge, prosecutor, defense attorney, treatment provider, researcher/evaluator/ management information specialist, community supervision representative, and drug court coordinator.
- Identify personnel other than the team members who are critical to the enhancement program’s successful implementation 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 drug court program’s proposed treatment partners, the history of the partnerships, and how the court will ensure that these substance abuse treatment providers use evidence-based treatment services and monitor the quality and effectiveness of service delivery.
- Attach an MOU signed by each key drug court team member, with the responsibilities outlined for each.

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

- Identify personnel who are critical to the enhancement program’s successful implementation 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.

**4. Evaluation, Continued Care and Health Care Integration, Sustainment, and 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 as described in the evidence-based program principles described in this solicitation on pages 8-9. All applicants must indicate their willingness and ability to report aggregated client-level performance and outcome data through BJA’s PMT as well as identify the person responsible for collecting the data. Statewide applicants are expected to report on behalf of their subawardees.

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

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

and referral process, which ensure that participants screened and referred to drug court mirror the jurisdiction's substance abuse arrestee percentages.

- Describe who will be responsible for, and the process of, the quarterly review of the actual number of participants served with grant funds as compared to the projected number of participants to be served. The Time Task Plan should reflect when and how the jurisdiction plans to reach that capacity and should be measured on a quarterly basis.
- Provide a client community reintegration or continued care strategy detailing the step down provisions for reintegration services to assist program graduates as they reintegrate into the community. The applicant should emphasize client access to drug-free or transitional housing. If applicable, the applicant is encouraged to consider and describe how its state's planned Medicaid expansion, as allowed under the Patient Protection and Affordable Care Act, will increase future program capacity or sustainability.
- Provide a sustainability plan detailing how drug court operations will be maintained after federal assistance ends. The sustainability plan should describe how current collaborations and evaluations will be used to leverage ongoing resources. BJA encourages the applicant to ensure sustainability by coordinating with local, state, and other federal resources. Allowable uses of funds under the BJA [Edward Byrne Memorial Justice Assistance Grant \(JAG\) Program](#) are court services and substance abuse treatment.
- Describe how operation and enhancement efforts will be maintained after federal assistance ends and how current collaborations and evaluations will be used to leverage ongoing resources.

### **Category 2: Enhancement Applicants (15 percent):**

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

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

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

- Provide a plan detailing how 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 provided on a quarterly basis.
- Describe how enhancement efforts will be maintained after federal assistance ends and how current collaborations and evaluations will be used to leverage ongoing resources.

**5. Budget (5 percent)**

All applicants must provide a proposed budget for the entire program period that is complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for program activities) and reflects the 25 percent match requirement (noting which budget line items are match amounts). Budget narratives should demonstrate generally how applicants will maximize cost effectiveness of grant expenditures. Budget expenses that are not specifically tied to the courts and criminal justice processes should be reasonable and their use tied specifically back to the objectives of the drug court. Budget narratives should demonstrate cost effectiveness in relation to potential alternatives and the objectives of the program.<sup>5</sup> The total amount being requested must be identified on the SF-424 and program abstract. Applicants must submit the Budget Detail Worksheet and Budget Narrative in one file.

Applicants should budget to have up to three team members attend up to two conferences or trainings per year to support ongoing capacity and success in implementation.

**Review Process**

BJA reviews an application to make sure that the information presented is reasonable, understandable, measurable, achievable, and consistent with the solicitation requirements.

The following five paragraphs in this solicitation expressly modify the “Application Review Information” provisions in the OJP Grant Application Resource Guide. An applicant is to follow the guidance in these five paragraphs instead of the guidance stated under the “Application Review Information” heading in the Guide.

Peer reviewers will review the applications submitted under this solicitation that meet basic minimum requirements. For purposes of assessing whether an application meets basic minimum requirements and should proceed to further consideration, OJP screens applications

---

<sup>5</sup> Generally speaking, a reasonable cost is a cost that, in its nature or amount, does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the costs

for compliance with those requirements. Although specific requirements may vary, the following are common requirements applicable to all solicitations for funding under OJP programs:

- 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.

For a list of the application elements that **MUST** be included in the application submission in order for an application to meet the basic minimum requirements, see [“What an Application Should Include”](#) under Section D. Application and Submission Information.

Peer review panels will evaluate, score, and rate applications that meet basic minimum requirements. BJA may use internal peer reviewers, external peer reviewers, or a combination, to assess applications on technical merit using the solicitation’s review criteria. An internal reviewer is a current DOJ employee who is well-versed or has expertise in the subject matter of this solicitation. An external peer reviewer is an expert in the subject matter of a given solicitation who is not a current DOJ employee. Peer reviewers’ ratings and any resulting recommendations are advisory only, but are considered carefully.

Other important considerations for BJA include geographic diversity, strategic priorities (specifically including, but not limited to, those mentioned above relating to addressing specific challenges that rural communities face, addressing specific challenges presented by poverty, demonstrable potential enhancement to public safety in one or more federally designated Qualified Opportunity Zones), available funding, and the extent to which the Budget Detail Worksheet and Budget Narrative accurately explain project costs that are reasonable, necessary, and otherwise allowable under federal law and applicable federal cost principles.

Pursuant to the Part 200 Uniform Requirements, before award decisions are made, OJP also reviews information related to the degree of risk posed by the applicant. Among other things to help assess whether an applicant that has one or more prior federal awards has a satisfactory record with respect to performance, integrity, and business ethics, OJP checks whether the applicant is listed in SAM as excluded from receiving a federal award.

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 that appears in the nonpublic segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System, FAPIIS).

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

Absent explicit statutory authorization or written delegation of authority to the contrary, all final award decisions will be made by the Assistant Attorney General, who may take into account not

only peer review ratings and BJA recommendations, but also other factors as indicated in this section.

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

Please see the [OJP Grant Application Resource Guide](#) for information on the following:

### **Federal Award Notices**

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

OJP strongly encourages prospective applicants to review information on post-award legal requirements and common OJP award conditions prior to submitting an application.

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 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 (IT) Security Clauses**

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

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

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

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

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

For OJP contact(s), see page 2.

For contact information for Grants.gov, see page 2.

## **H. Other Information**

Please see the [OJP Grant Application Resource Guide](#) for information on the following:

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

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

**Appendix: Application Checklist**  
**FY 2020 Adult Drug Court and Veterans Treatment Court Discretionary Grant Program**

This application checklist has been created as an aid in developing an application.

**What an Applicant Should Do:**

*Prior to Registering in Grants.gov:*

- Acquire a DUNS Number (see [OJP Grant Application Resource Guide](#))
- Acquire or renew registration with SAM (see [OJP Grant Application Resource Guide](#))

*To Register with Grants.gov:*

- Acquire AOR and Grants.gov username/password (see [OJP Grant Application Resource Guide](#))
- Acquire AOR confirmation from the E-Biz POC (see [OJP Grant Application Resource Guide](#))

*To Find Funding Opportunity:*

- Search for the Funding Opportunity on Grants.gov (see [OJP Grant Application Resource Guide](#))
- Select the correct Competition ID (see page 6)
- Access Funding Opportunity and Application Package (see [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 [ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm](http://ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm) (see [OJP Grant Application Resource Guide](#))

*After Application Submission, Receive Grants.gov Email Notifications That:*

- (1) application has been received,
- (2) application has either been successfully validated or rejected with errors (see [OJP Grant Application Resource Guide](#))

*If No Grants.gov Receipt, and Validation or Error Notifications are Received:*

- Contact BJA regarding technical difficulties (see [OJP Grant Application Resource Guide](#))

**Overview of Post-Award Legal Requirements:**

- Review the "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2020 Awards](#)" in the [OJP Funding Resource Center](#).

**Scope Requirement:**

- The federal amount requested is within the allowable limit(s) and not to exceed:

- \_\_\_\_\_ \$500,000 for Category 1: Implementation of Veterans Treatment Courts
- \_\_\_\_\_ \$500,000 for Category 2: Enhancement of Adult Drug Courts and Veterans Treatment Courts
- \_\_\_\_\_ \$750,000 for Category 3: Statewide Strategies to Support Adult Drug Court and Veterans Treatment Courts

**Eligibility Requirement:** See cover page and Section C.

**What an Application Should Include:**

The following items are critical application elements required to pass Basic Minimum Requirements review. An application that OJP determines does not include the application elements that must be included in the application submission in order for the application to meet the basic minimum requirements, will neither proceed to peer review, nor receive further consideration.

- Program Narrative (see page 14)
  - Budget Detail Worksheet (including Narrative) (see [OJP Grant Application Resource Guide](#))
  - Time Task Plan (see page 16)
  - Fiscal Agent Memorandum of Understanding (MOU), if applicable (see page 16)
- 
- Application for Federal Assistance (SF-424) (see [OJP Grant Application Resource Guide](#))
  - Project Abstract (see page 12)
  - Indirect Cost Rate Agreement (if applicable) (see [OJP Grant Application Resource Guide](#))
  - Tribal Authorizing Resolution (if applicable) (see [OJP Grant Application Resource Guide](#))
  - Financial Management and System of Internal Controls Questionnaire (see [OJP Grant Application Resource Guide](#))
  - Disclosure of Lobbying Activities (SF-LLL) (see [OJP Grant Application Resource Guide](#))
  - Applicant Disclosure of Pending Applications (see [OJP Grant Application Resource Guide](#))
  - Applicant Disclosure and Justification – DOJ High Risk Grantees (see [OJP Grant Application Resource Guide](#))

- Research and Evaluation Independence and Integrity (see [OJP Grant Application Resource Guide](#))
- Request and Justification for Employee Compensation; Waiver (if applicable)  
(see [OJP Grant Application Resource Guide](#))

#### Additional Attachments

- Time Task Plan (see page 16)
- Fiscal Agent-Memorandum of Understanding (MOU), if applicable (see page 16)
- Memorandum of Understanding Signed by Key Drug Court Team Members or by a Designated Agency Representative (see page 16)
- State Substance Abuse Agency Director or Designee Letter (see page 17)
- Chief Justice, State Court Administrator, or Designee Letter (see page 17)
- Policies and Procedures Manual (see page 17)
- Applicant Disclosure of Proposed Subrecipients (see page 17)
- Documentation of rural challenges (if applicable) (see page 17)
- Documentation of high-poverty areas or persistent poverty counties (if applicable)  
(see page 17)
- Documentation of enhanced public safety in federally designated Qualified Opportunity Zones (if applicable) (see page 18)