



# Juvenile Drug Court Implementation Program

Program Announcement

Due Date: May 20, 2005

**OJJDP**

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## About the Office of Justice Programs

The Office of Justice Programs (OJP), U.S. Department of Justice (DOJ), was created in 1984 to provide federal leadership in developing the nation's capacity to prevent and control crime, administer justice, and assist crime victims. OJP carries out this mission by forming partnerships with other federal, state, and local agencies, as well as national and community-based organizations. OJP is dedicated to comprehensive approaches that empower communities to address crime, break the cycle of substance abuse and crime, combat family violence, address youth crime, hold offenders accountable, protect and support crime victims, enhance law enforcement initiatives, and support advancements in adjudication. OJP also works to reduce crime in Indian Country, enhance the use of technology within the criminal and juvenile justice systems, and support state and local efforts through technical assistance and training.

## About the Office of Juvenile Justice and Delinquency Prevention

Under the leadership of its Administrator, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) sponsors numerous research, program, and training initiatives; develops priorities and goals and sets policies to guide federal juvenile justice issues; disseminates information about juvenile justice issues; and awards funds to states to support local programming nationwide. OJJDP accomplishes its mission by supporting states, local communities, and tribal jurisdictions in their efforts to develop and implement effective programs for juveniles. The Office also strives to enable the juvenile justice system to better protect public safety, hold offenders accountable, and provide services tailored to the needs of youth and their families.

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# Juvenile Drug Court Implementation Program

## Overview

The goal of the Juvenile Drug Court Implementation Program is to build the capacity of states, state courts, local courts, units of local government, and Indian tribal governments to develop and establish drug courts for substance-abusing juvenile offenders. The program provides seed money and does not provide long-term support. It is expected that successful applicants will develop and begin implementation of a sustainability plan during the course of the grant period in order to continue the operation of the juvenile drug court once the grant period ends.

Applicants must implement a juvenile drug court based on *Juvenile Drug Courts: Strategies in Practice*. ([www.ncjrs.org/pdffiles1/bja/197866.pdf](http://www.ncjrs.org/pdffiles1/bja/197866.pdf)). The term “drug court” means a specially designed court calendar or docket; a separate or special jurisdiction court is neither necessary nor encouraged. Juvenile drug courts funded by this program are required by law to target nonviolent offenders. (For purposes of juvenile drug courts, the term “violent offender” means a juvenile who has been convicted of, or adjudicated delinquent for, an offense that (1) has as an element, the use, attempted use, or threatened use of physical force against the person or property of another, or the possession or use of a firearm; or (2) by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.)

*Funding of qualified applications submitted under this competitive grant announcement is contingent on the availability and amount of FY 2005 funding for the Drug Court Program.*

## Award Information

Requests for funding for juvenile drug court implementation grants may not exceed \$450,000. The project and budget period may not exceed 3 years. The federal share of a grant-funded project may not exceed 75 percent of the total project costs, with a minimum of 25 percent of the total project costs coming from state, local, or private sources.

## Eligibility

For the purposes of this grant announcement, eligible applicants are states, state courts, local courts, units of local government, and Indian tribal governments, acting directly or through agreement with other public or private entities. All applicants must demonstrate that they have the management and financial capabilities to effectively plan and implement projects of the size and scope described in the grant announcement. Faith- and community-based, nonprofit, and for-profit agencies are not eligible applicants, but are encouraged to partner as a community provider of services if applicable and appropriate.

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Those applicants selected for funding will need to submit the following prior to grant award:

- ❖ Applicants must submit a signed letter of support from each of the key drug court team members: judge, prosecutor, defense attorney, treatment provider, evaluator, and drug court coordinator. All letters of support must include the following information:
  - ◆ An expression of support for the project and a statement of willingness to participate and collaborate with the drug treatment court.
  - ◆ A description of the individual's current role and responsibilities in the planning process, and his or her expected responsibilities when the drug court is operational.
  - ◆ An estimate of the percentage of time the individual will devote to both the planning and operation of the juvenile drug court.

Courts applying for grant funds must include a letter from the state court administrator or chief justice of the highest court of the state indicating the highest court has been consulted in connection with this application. The letter should describe how the proposed application would expand or enhance the statewide efforts related to problem-solving courts.

- ❖ Applicants must ensure that the State Information Technology Point of Contact receives written notification regarding any information technology project funded under this grant during the obligation and expenditure period.
- ❖ Applicants must certify that all affected agencies have been consulted and that there will be appropriate coordination with all affected agencies during the implementation of the program. Specific examples of consultation and coordination, as well as the identities of the affected agencies, must be provided.
- ❖ Applicants must certify that participating offenders will be supervised by one or more designated judges with responsibility for the drug court program.
- ❖ Applicants must certify that violent offenders, as defined by 42 U.S.C. § 3797u-2(a), will be excluded from drug court programs that receive funds under this program.
- ❖ Applicants must certify that all treatment programs and providers used in the drug court program are licensed, certified, or accredited by appropriate state government or professional agencies.
- ❖ Applicants must certify that federal funds will be used to supplement existing funds for program activities and will not replace (supplant) nonfederal funds that otherwise would be available for the same purpose. Potential supplanting will be subject to monitoring and audits. Violations can result in a range of penalties, including suspension of future funds under this program, suspension or debarment from federal grants, recoupment of monies provided under this grant, and civil and criminal penalties. (See 42 U.S.C. § 3797u-3(d)(5).)

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- ❖ Applicants must provide a copy of the consent form that will be used to ensure patient confidentiality, as required by 42 U.S.C. § 290dd-2, and the regulations implementing this law in 42 C.F.R. Part 2.
  - ❖ Applicants must certify an inability to fund the program adequately without federal assistance and specify plans for obtaining necessary support and continuing the proposed program following the conclusion of federal support.

Further information is available in the *Drug Court Resource Series: Practical Guide for Applying Federal Confidentiality Laws to Drug Court Operations* (U.S. Department of Justice, 1999, NCJ 176977).

## Review Process

OJJDP is committed to ensuring a competitive and standardized process for awarding grants. Applications will be screened initially to determine whether the applicant meets all the eligibility requirements. Only applications submitted by eligible applicants and that meet all other requirements (e.g., application is complete, meets formatting requirements, and is responsive to the programmatic requirements of the solicitation, etc.) will be evaluated, scored, and rated by a peer review panel. All applications that proceed to peer review will be rated on a 100-point scale. (Note: No appendixes will be reviewed other than those required in the solicitation.) Point values for individual selection criteria are presented below.

Peer reviewers' ratings and any resulting recommendations are advisory only. All final grant award decisions will be made by the U.S. Department of Justice, which may also give consideration to geographic distribution and regional balance when making awards. Detailed information about OJJDP's peer review process can be found on the OJJDP Web site ([ojjdp.ncjrs.org/funding/peerreview.html](http://ojjdp.ncjrs.org/funding/peerreview.html)).

To ensure that an individual drug court does not receive grant funds from both agencies for overlapping drug court services and/or populations, the U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, and the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Center for Substance Abuse Treatment will coordinate their FY 2005 drug court awards. This coordination also will ensure that grants awarded to current drug court grant recipients who apply in FY 2005 do not provide funding for overlapping drug court services and/or populations.

## GMS Registration

All applications responding to this program announcement must be submitted online through OJP's Grants Management System (GMS) (<https://grants.ojp.usdoj.gov>).

Applicants must register for this solicitation by selecting "Juvenile Drug Court Implementation Program" from the Funding Opportunities page in GMS. To register, applicants must select "Apply Now," read the warning message that appears, and select "Continue." **The deadline for applicants to register on GMS is May 18, 2005.**

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## Application for Federal Assistance (SF-424)

Applicants must complete the Overview, Applicant Information, and Project Information sections of GMS. These sections provide the information needed to generate the Application for Federal Assistance (SF-424), a standard form used by most federal agencies.

Applicants will need to provide the following information to complete the SF-424:

- ❖ *DUNS Number.* Applicants can request a free DUNS number by calling 800-333-0505. Applicants must have a DUNS number *before* beginning the application process.
- ❖ *CFDA Number.* The Catalog of Federal Domestic Assistance (CFDA) number for this solicitation is 16.585, titled “Drug Court Discretionary Grant Program.”
- ❖ *Type of Application.* Select “New” in the drop-down menu for “Type of Application.”

## Assurances and Certifications

Applicants are required to review and accept the “Assurances” and “Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and the Drug-Free Workplace Requirement” in order to receive federal funds under this program. To accept the Assurances and Certifications in GMS, select the Assurances and Certifications link and click the “Accept” button at the bottom of the screen. Please verify that the contact information (name, address, phone number, fax number, and e-mail address) for the applicant’s authorizing official is correct.

## Budget Detail Worksheet (Attachment #1)

The Budget Detail Worksheet—which must be submitted as a Microsoft Word document (.doc), Excel worksheet (.xls), PDF file (.pdf), or text document (.txt)—must include both a detailed worksheet itemizing all costs and a narrative explaining and justifying each budget item. *Be sure that the file name of the attachment includes the words “budget detail worksheet” (e.g., budget\_detail\_worksheet.doc).* Applicants will be evaluated and rated according to the following criteria.

### Budget (5 points)

Applicants must provide a budget that: (1) is complete, allowable, and cost effective in relation to the proposed activities; (2) shows the cost calculations demonstrating how the applicant arrived at the total amount requested; (3) includes both the federal request and match requirement, including in-kind contributions (see below for more information about the match requirement); and (4) provides a brief supporting narrative to link costs with project activities.

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## Budget Format

Applicants must submit a budget that includes *both* a detailed worksheet itemizing all costs and a narrative explaining and justifying each budget item:

- ❖ *Budget Worksheet.* The worksheet should provide the detailed computation for each budget line item. The worksheet must list the cost of each item and show how the cost was calculated. For example, costs for personnel should show the annual salary rate and the percentage of time devoted to the project for each employee to be paid through grant funds. The budget worksheet should present a complete and detailed itemization of all proposed costs.
- ❖ *Budget Narrative.* The narrative should describe each budget item and relate it to the appropriate project activity. It should closely follow the content of the budget worksheet and provide justification for all proposed costs. In the budget narrative, the applicant should explain how fringe benefits were calculated, how travel costs were estimated, why particular items of equipment or supplies must be purchased, and how overhead or indirect costs (if applicable) were calculated. The budget narrative should justify the specific items listed in the budget worksheet (particularly supplies, travel, and equipment) and demonstrate that all costs are reasonable.

A sample Budget Detail Worksheet form is available on the Grants/Funding section of OJP's Web site ([www.ojp.usdoj.gov/forms.htm](http://www.ojp.usdoj.gov/forms.htm)).

*Please note: total costs specified in the complete budget must match the amount provided in the Estimated Funding section of the Project Information screen in GMS. All funds listed in the budget will be subject to audit.*

## Match Requirement

This program requires a local match of at least 25 percent of the total program costs. To calculate the amount of the required match, divide the Federal Request by 0.75, then multiply this amount by 0.25:

$$(\text{Federal Request}/0.75) \times 0.25 = \text{Required Local Match}$$

For example, if the request for federal support is \$200,000, the minimum local match requirement would be \$66,667, making the total project budget \$266,667:

$$\begin{aligned} \$200,000 \text{ divided by } 0.75 & \text{ equals } \$266,667 \\ \$266,667 \text{ multiplied by } 0.25 & \text{ equals } \$66,667. \end{aligned}$$

Match funds are restricted to the same uses as allowed for federal funds. Within each budget category, the applicant must clearly delineate the individual items as match. (For example, individual items that are match may be indicated with an asterisk.) As required by statute, "cash" contributions must constitute a portion of the nonfederal share of the grant. The remainder of the match may be in-kind. The *OJP Financial Guide* ([www.ojp.usdoj.gov/FinGuide/](http://www.ojp.usdoj.gov/FinGuide/)) provides additional information on the types and sources of match funds.

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## Travel

Applicants are encouraged to allocate a percentage of the funds over the term of the project period to cover travel and associated costs with attending at least two OJP-sponsored trainings and other drug court meetings/trainings.

## Supplanting of Existing Funds

Applicants must certify that federal funds will be used to supplement existing funds for program activities and will not replace (supplant) nonfederal funds that otherwise would be available for the same purpose. Potential supplanting will be subject to monitoring and audits. Violations can result in a range of penalties, including suspension of future funds under this program, suspension or debarment from federal grants, recoupment of monies provided under this grant, and civil and criminal penalties.

## Program Narrative (Attachment #2)

Applicants must submit a program narrative that presents a detailed description of the purpose, goals, objectives, strategies, design, and management of the proposed program. The program narrative—which *must be submitted as a Microsoft Word document (.doc), PDF file (.pdf), or text document (.txt)*—must be double spaced, use a standard 12-point font (Times New Roman is preferred), have 1-inch margins, and not exceed 40 pages. (Please number pages “1 of 40,” “2 of 40,” and so forth.) *Be sure that the file name of the attachment includes the words “program narrative” (e.g., program\_narrative.doc).* Applications that do not adhere to the required format may be deemed ineligible and may not be forwarded to peer review.

Applicants will be evaluated and rated by a peer review panel according to the following criteria.

### Statement of the Problem (10 points)

Applicants must briefly describe the nature and scope of the problem in the jurisdiction to be served by this project. Information should be provided on the rates and patterns of substance abuse among juvenile offenders as well as data on the race/ethnicity, age, and gender of this population. Provide statistics on the volume of arrests and patterns of offenses for juvenile offenders and how it is anticipated that this will impact the capacity of the drug court program. In addition, describe any problems or challenges associated with how the current juvenile court system operates that will be addressed by this program. Provide information on the number of treatment slots available and whether this is sufficient to meet the needs of the target population.

### Goals and Objectives (5 points)

Applicants must briefly describe the goals of the proposed project and identify its objectives. *When formulating the project’s goals and objectives, applicants should be cognizant of the performance measures that will be required of successful applicants (see Appendix B).* Each goal should have a number of specific operational or programmatic objectives associated with it. Objectives are stated in

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concrete terms. Generally they specify who or what will change, by how much, and over what period of time.

## Program Design (60 points)

Applicants must describe the drug court program that will be implemented. (Applicants are strongly encouraged to review *Juvenile Drug Courts: Strategies in Practice* ([www.ncjrs.org/pdffiles1/bja/197866.pdf](http://www.ncjrs.org/pdffiles1/bja/197866.pdf)) before completing this section of the application. This publication offers guidance on the strategies or elements that are necessary to achieve an effective juvenile drug court program. It should be used to guide your thinking about the program design that is adopted within your jurisdiction.) Applicants must address each of the nine components outlined below and submit a time/task plan in the Other Attachments (see page 10).

- 1. Collaborative Planning.** Describe the steps that have been undertaken to engage the necessary stakeholders in your jurisdiction. Explain the planning process that has occurred, who participated, and the major milestones to date that have been accomplished. Describe your future plans regarding collaboration and the creation of community partnerships and what you envision as the continuing involvement of these participants. Include any Memorandums of Understanding that have been developed and signed in the Other Attachments (see page 10).
- 2. Target Population, Screening, and Eligibility.** Define a target population and eligibility criteria that is aligned with the program's goals and objectives. Certify that violent offenders will be excluded from the drug court program (see the Overview on page 1 of this program announcement for the definition of a violent offender). Specify the drugs of choice and the substance abuse patterns of the target population. Explain how and by whom eligible clients are identified, screened, and referred to drug court. Identify the screening instrument that will be used. Explain what triggers a substance abuse screening, if not all arrestees or drug arrestees are routinely screened. Indicate the average length of time between arrest and first appearance in drug court, and between arrest and enrollment in treatment. Describe how the targeted capacity of the drug court was determined and what process will be used to ensure that the capacity will be reached and maintained.
- 3. Substance Abuse Assessment.** Explain the substance abuse assessment process and identify the agency that will be responsible for conducting the assessment. Identify the instrument(s) that will be used and explain the role of the family, if any, in the assessment process. Describe the way that the assessment will be used to develop the treatment plan and match treatment needs with services.
- 4. Structure and Length of Program.** Describe how the drug court will be structured (e.g., deferred prosecution, postadjudication, or a combination) and the anticipated average length of participation. Describe the various phases of the program that the client will progress through and the requirements to proceed from one phase to another. Indicate the requirements for successful completion of the program such as sobriety, employment, education, and life skills. Explain under what circumstances a client would be terminated from the program.

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5. **Service Delivery.** Describe how services will be delivered, with specific reference to the following issues:
- a. *Case Management.* Specify who is responsible for providing case management and indicate what services will be provided, how frequently cases will be monitored, and the expected average caseload per case manager.
  - b. *Treatment Services.* Specify the treatment provider(s) that will be used to deliver services and the specific interventions that will be employed (e.g., cognitive-behavioral, group, individual). Describe how individualized treatment plans are developed and the treatment protocol (i.e., phase structure, criteria for progressing through the program, frequency and intensity of treatment). Explain how interventions will be tailored to the individual needs of the youth, be developmentally and gender appropriate and culturally competent. Specify the methods to be used to engage the family in the juvenile's substance abuse treatment and what services they will receive. Explain how frequently written progress reports are submitted to the court and the minimum data elements that are required in these reports. Describe any training that is provided to the treatment professionals related to drug offenders and the integration of treatment services with the juvenile court. Explain how the drug court will monitor the quality and effectiveness of the treatment services.
  - c. *Educational Linkages.* Describe the role of the local education community with the drug court. Explain to what extent available community resources are being utilized by the drug court to provide educational and vocational services.
  - d. *Community Partnerships.* Describe how the client's primary and mental health care needs will be assessed. Describe the role of the medical and mental health community with the drug court and how the available community resources will be used to provide for the medical and mental health needs of enrolled youth. Describe the relationship the court has established to meet the clients' needs for additional services such as housing, transportation, mentoring, and community service. Specify who will be responsible for arranging for these services and how available community resources will be used to meet the clients' needs in these areas.
6. **Judicial Supervision.** Specify how frequently the client appears before the judge. Describe how the initial schedule or frequency of hearings is linked to a client's needs or risk assessment. Explain what criteria are used to determine whether to increase or decrease the frequency of hearings. Indicate whether the drug court team meets before scheduled status hearings to review and discuss the progress of clients. If not, explain how this information is communicated to the judge and the team. Indicate who, in addition to the client and judge, participates in the status hearings and explain their role(s). Explain the role of the parent in the status hearing.
7. **Drug Testing.** Indicate how frequently the clients are tested for drug use and explain the randomization process that will be used. Specify what methods of analysis will be used for the initial testing and for confirmation testing (e.g. test cups, EMIT, GCMS). Who will be responsible for administering the drug tests and what procedures will be used to guard against tampering.? Specify the turnaround time for results and explain the rationale for determining the drugs for which to test. Also, indicate whether a family member can be tested for drugs.

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8. **Incentives and Sanctions.** Describe the incentives and sanctions used in the program and the guidelines for applying them. Indicate the behaviors (e.g., positive urine tests, missed counseling sessions) that are eligible for incentives or sanctions during each phase of the program. Indicate the methods that were used to develop the incentives and sanctions for the program and whether consideration was given to research that demonstrates what is effective for the target population.
  9. **Management Information System and Evaluation.** Describe the methods planned for collecting, storing, and maintaining data to support the drug court's operations as well as the process and outcome evaluations. Discuss plans for data-sharing agreements with treatment service providers and other agencies and explain how applicable local, state, and federal confidentiality guidelines and requirements will be met. Specify the specific data elements to be collected and analyzed for the process evaluation and how these data will be used to improve the court's operation and management. Indicate the data elements that will be collected for the outcome evaluation and describe the plan for how this data will be collected. Identify a comparison group that will be used to measure the relative change in postprogram outcome measures. Provide a rationale for selecting this group and your plans for collecting the necessary data elements for these comparison group participants.

*Grant recipients are required to conduct both a process and an outcome evaluation. Applicants who receive an award are required to submit an evaluation plan for review and approval. Applicants must either identify an independent evaluator who will conduct the process and outcome evaluation or describe the steps the drug court will take to solicit and select the evaluator and how the court will work with the evaluator to design the data collection process, collect and maintain the data, analyze the data, and prepare evaluation reports. Specify the projected timeline for the completion of the process and outcome evaluations. Applicants should note the Performance Measures listed in Appendix B that are required to be reported to OJJDP on a semi-annual basis when designing the Management Information System.*

## **Roles and Responsibilities of the Drug Court Team (15 points)**

Applicants must explain how an interdisciplinary, nonadversarial work team will be developed and maintained. Describe the mechanisms that will be established to insure effective communication and coordination among the team. Each member of the drug court team must be identified and his/her role and responsibilities must be described. (Key drug court members include the judge, prosecutor, defense attorney, treatment provider, coordinator, and evaluator).

## **Sustainability Plan (5 points)**

Applicants must certify an inability to fund the program adequately without federal assistance and specify plans for obtaining the necessary support to continue the proposed program following the conclusion of federal support. Applicants must provide a plan detailing how court operations will be maintained after federal assistance ends, and how current collaborations and evaluations will be used to leverage ongoing resources.

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## Other Attachments (Attachments #3–5)

Applicants must submit the following materials as attachments to their GMS application. *Be sure that the file name for each attachment is descriptive of its contents (e.g., timeline.doc, memorandums.doc, etc.).* The three attachments—which must be submitted as a Microsoft Word document (.doc), Excel worksheet (.xls), PDF file (.pdf), or text document (.txt)—are described below:

- ❖ **Time/Task Plan (Attachment #3).** All applicants must submit a time task plan, including a detailed schedule for implementing the project. This plan must cover the entire grant period and include program goals, the specific objectives and activities associated with each goal, the time frame associated with each activity, and the person(s) responsible for ensuring that the activities are completed. *This time/task plan will be evaluated by the peer reviewers when they assess the Program Design section of the application.*
- ❖ **Memorandums of Understanding (Attachment #4).** Any Memorandums of Understanding that have been executed with collaborating agencies should be submitted. *The memorandums of understanding will be considered by the peer reviewers when assessing the collaborative planning section of the Program Design section of the application.*
- ❖ **Consent Form(s) and Certification of Treatment Programs (Attachment #5).** Applicants must provide a copy of the consent form that will be used to ensure patient confidentiality. Applicants also must certify that all treatment programs and providers used in the drug court program are licensed, certified, or accredited by appropriate state government or professional agencies.

Peer reviewers will *not* review any additional information other than that specified above.

## Due Date

Applicants must register for this funding opportunity by May 18, 2005, and completed applications must be submitted online through OJP's Grants Management System (<https://grants.ojp.usdoj.gov>) by 8:00 P.M. ET, May 20, 2005.

## For Additional Information

If you have questions about this program announcement, please contact Donn Davis at [donn.davis@usdoj.gov](mailto:donn.davis@usdoj.gov).

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## Appendix A: Other Requirements

### Anti-Lobbying Act

Applicants should be aware that the Anti-Lobbying Act, 18 U.S.C. § 1913, recently was amended to expand significantly the restriction on use of appropriated funding for lobbying. This expansion also makes the anti-lobbying restrictions enforceable via large civil penalties, with civil fines between \$10,000 and \$100,000 per each individual occurrence of lobbying activity. These restrictions are in addition to the anti-lobbying and lobbying disclosure restrictions imposed by 31 U.S.C. § 1352. The Office of Management and Budget (OMB) is currently in the process of amending the OMB cost circulars and the common rule (codified at 28 C.F.R. part 69 for U.S. Department of Justice grantees) to reflect these modifications. However, in the interest of full disclosure, all applicants must understand that no federally appropriated funding made available under this grant program may be used, either directly or indirectly, to support the enactment, repeal, modification or adoption of any law, regulation, or policy, at any level of government, without the express approval by OJP. Any violation of this prohibition is subject to a minimum \$10,000 fine for each occurrence. This prohibition applies to all activity, even if currently allowed within the parameters of the existing OMB circulars.

### Civil Rights Compliance

All recipients of federal grant funds are required to comply with nondiscrimination requirements contained in various federal laws. In the event that a court or administrative agency makes a finding of discrimination on grounds of race, color, religion, national origin (see also “Services to Limited English Proficient (LEP) Persons”), gender, disability, or age against a recipient of funds after a due process hearing, the recipient must agree to forward a copy of the finding to the Office of Civil Rights, Office of Justice Programs. All applicants should consult the Assurances required to be submitted with the application to understand the applicable legal and administrative requirements.

### Confidentiality and Human Subjects Protection

Applicants should be aware of the U.S. Department of Justice’s requirements for privacy and confidentiality in research and statistical efforts. These requirements are stipulated by 42 U.S.C. § 3879g. The U.S. Department of Justice has issued a specific regulation concerning the implementation of this statutory requirement in 28 CFR Part 22. In accordance with 28 CFR Part 22, applicants requesting funds for research or statistical activities must submit a Privacy Certificate with the application. The purpose of the Privacy Certificate is to ensure that the applicant has appropriate policies and procedures in place to protect the confidentiality of data identifiable to private persons. Specifically, the Privacy Certificate must be in compliance with the requirements of 28 CFR § 22.23. OJJDP has developed guidelines for preparing a Privacy Certificate in accordance with the confidentiality regulation. Copies of the Privacy Certificate Guidelines, a Privacy Certificate Face Sheet, and a Sample Attachment for a Privacy Certificate are available on the OJJDP Web site ([ojjdp.ncjrs.org/funding/privacy.pdf](http://ojjdp.ncjrs.org/funding/privacy.pdf)).

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Applicants are further advised that any project that will involve the use of human research subjects must be reviewed by an institutional review board<sup>1</sup> (IRB), in accordance with U.S. Department of Justice regulations at 28 CFR Part 46. IRB review is not required prior to submission of the application. However, if an award is made and the project involves research using human subjects, OJJDP will place a special condition on the award requiring that the project be approved by an appropriate IRB before federal funds can be disbursed for human subjects activities. Applicants should include plans for IRB review, where applicable, in the project timeline submitted with the proposal. A copy of “Confidentiality of Identifiable Research and Statistical Information (28 CFR Part 22)” is available on the OJJDP Web site ([ojjdp.ncjrs.org/funding/confidentiality.pdf](http://ojjdp.ncjrs.org/funding/confidentiality.pdf)).

## Coordination of Federal Efforts

To encourage better coordination among federal agencies in addressing state and local needs, the U.S. Department of Justice requests that applicants provide information on the following: (1) active federal grant award(s) supporting this or related efforts<sup>2</sup>, including awards from the U.S. Department of Justice; (2) any pending application(s) for federal funds for this or related efforts; and (3) plans for coordinating any funds described in items (1) or (2) with the funding sought by this application. For each federal award, applicants must include the program or project title, the federal grantor agency, the amount of the award, and a brief description of its purpose.

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<sup>1</sup> Institutional Review Boards (IRBs) are the governing bodies that assure that data collection efforts are in accordance with all relevant local, state, and federal laws to protect human subjects. Background information on IRBs is available from the National Institute of Justice ([www.ojp.usdoj.gov/nij/humansubjects/index.html](http://www.ojp.usdoj.gov/nij/humansubjects/index.html)) and the U.S. Department of Health and Human Services ([www.hhs.gov/ohrp/](http://www.hhs.gov/ohrp/)).

Most local and state governments, colleges and universities, hospitals, and private contract research firms have IRBs in place. Agencies that might be able to help you find an IRB to review your data collection plans for the purpose of the application include a local jail, hospital, mental health treatment facility, public health agency, community college, or four-year college or university. Try calling these agencies, explain that you are submitting an application for federal funding and are required to collect data on the children that you serve, and you therefore need IRB clearance and ask if they have ever encountered this situation and what they did about it. It is likely that at least one of these agencies will have some experience they would be willing to share.

IRB reviews are now available from for-profit organizations, if the potential applicant does not have access to an IRB through his/her own institution. They cost about \$6,000-\$10,000, and those costs would need to be built into the first year's budget. One could find those firms by querying the term “Institutional Review Board” with any Internet search engine.

You do not need to have IRB clearance at the time your application is submitted to OJJDP. In your application, you can outline the process for getting IRB clearance in your community. If possible, you should start the process, so that you could say in your application that your study/plan/design was under review by an IRB and give the expected date for final clearance. Applicants are not required to get final clearance until/if you are funded. In fact, some IRBs won't review a study until after funding is secured.

<sup>2</sup> “Related efforts” is defined for these purposes as one of the following: efforts for the same purpose (i.e., the proposed award would supplement, expand, complement, or continue activities funded with other federal grants); another phase or component of the same program or project (e.g., to implement a planning effort funded by other federal funds or to provide a substance abuse treatment or education component within a criminal justice project); or services of some kind (e.g., technical assistance, research, or evaluation) rendered to the program or project described in the application.

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## Faith-Based and Community Organizations

It is OJP policy that faith-based and community organizations that statutorily qualify as eligible applicants under OJP programs are invited and encouraged to apply for assistance awards. Faith-based and community organizations will be considered for an award on the same basis as any other eligible applicants and, if they receive assistance awards, will be treated on an equal basis with non faith-based and community organization grantees in the administration of such awards. No eligible applicant or grantee will be discriminated against on the basis of its religious character or affiliation, religious name, or the religious composition of its board of directors or persons working in the organization.

## Financial and Government Audit Requirements

Discretionary grants are governed by the provisions of the Office of Management and Budget (OMB) circulars applicable to financial assistance and the OJP's *Financial Guide* available from the OJP Web site ([www.ojp.usdoj.gov/oc](http://www.ojp.usdoj.gov/oc)). The Guide includes information on allowable costs, methods of payment, audit requirements, accounting systems, and financial records. This document will govern the administration of funds by all successful applicants.

Audits of state and local units of government, institutions of higher education, and other nonprofit institutions must comply with the organizational audit requirements of OMB circular A-133, which states that recipients who expend \$500,000 or more of federal funds during their fiscal year are required to submit an organizationwide financial and compliance audit report within 9 months after the close of each fiscal year during the term of the award to their cognizant federal agency.

Grantees must comply with the following OJP reporting requirements:

- ❖ *Financial Status Reports (SF-269)*. Financial Status Reports should be completed and provided to the Office of the Comptroller's Control Desk within 45 days after the end of each calendar quarter during the grant period.
- ❖ *Categorical Assistance Progress Reports (OJP Form 4587/1)*. Categorical Assistance Progress Reports should be completed and provided to the Office of the Comptroller's Control Desk within 30 days after the end of the June 30 and December 31 semiannual reporting periods.

## Services to Limited English Proficient (LEP) Persons

Recipients of Office of Justice Programs (OJP) financial assistance are required to comply with several Federal civil rights laws, including Title VI of the Civil Rights Act of 1964 ("Title VI") and the Omnibus Crime Control and Safe Streets Act of 1968 ("Safe Streets Act"), as amended. These laws prohibit discrimination on the basis of race, color, religion, national origin, and sex in the delivery of services.

National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI and the Safe Streets Act, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary.

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*Grantees are encouraged to consider the need for language services for LEP persons served or encountered both in developing their proposals and budgets and in conducting their programs and activities. Reasonable costs associated with providing meaningful access for LEP individuals are considered allowable program costs.*

The U.S. Department of Justice has issued guidance for grantees to assist them in complying with Title VI requirements. The guidance document can be accessed on the Internet at [www.lep.gov](http://www.lep.gov), by contacting OJP's Office for Civil Rights at (202) 307-0690, or by writing to the following address: Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 7th Street, NW., 8th Floor, Washington, D.C. 20531.

## Single Point of Contact Review

Executive Order 12372 requires applicants from state and local units of government or other organizations providing services within a state to submit a copy of the application to the state Single Point of Contact (SPOC) if one exists and if this program has been selected for review by the state. A list of state SPOCs is available on the Office of Management and Budget Web site ([www.whitehouse.gov/omb/grants/spoc.html](http://www.whitehouse.gov/omb/grants/spoc.html)). Applicants must contact their state SPOCs to determine whether their programs have been selected for state review. The date that the application was sent to the SPOC or the reason such submission is not required should be entered in Block 3 of the Overview section of the GMS application.

## Suspension or Termination of Funding

OJJDP may suspend funding in whole or in part, terminate funding, or impose other sanctions on a recipient for the following reasons:

- ❖ Failing to comply substantially with the requirements or statutory objectives of the appropriate Act, program guidelines issued thereunder, or other provisions of federal law.
- ❖ Failing to make satisfactory progress toward the goals, objectives or strategies set forth in the application.
- ❖ Failing to adhere to the requirements in the agreement, standard conditions, or special conditions.
- ❖ Proposing or implementing substantial plan changes to the extent that, if originally submitted, the application would not have been selected for funding.
- ❖ Failing to submit reports.
- ❖ Filing a false certification in this application or other report or document.

Before imposing sanctions, OJJDP will provide reasonable notice to the recipient of its intent to impose sanctions and will attempt informally to resolve the problem. Hearing and appeal procedures will follow those in U.S. Department of Justice regulations in 28 CFR Part 18.

## Appendix B: Performance Measures

To ensure compliance with the Government Performance and Results Act (GPRA), Public Law 103–62, grantees are required to collect and report data that measure the results of program performance. All applicants are required to address the performance measures listed below. In addition to incorporating this information into their narrative, applicants are required to address the type of information they will collect, who will collect the information, and the methods of collection. Grant recipients will be required to collect the following information and provide interim data to OJJDP in their semiannual progress reports and submit project results as part of their final progress report.

Juvenile Drug Court Implementation Program		
Program Objective	Performance Measures	Data To Be Provided by Grantees
To develop and establish drug courts for nonviolent substance-abusing offenders.	<p><i>Output Measures</i></p> <p>Number of participants arrested for drug charges while participating in the drug court.</p> <p>Number of graduates (participants who have completed all treatment).</p>	<p>Number of participants arrested for technical violations and nondrug-related charges while participating in program.</p> <p>Number of participants successfully graduating the program.</p> <p>Anticipated capacity of the drug court program.</p> <p>Number of individuals who are eligible and referred to the drug court program.</p> <p>Number of individuals accepted in the drug court program.</p> <p>Number of individuals who declined participation in the drug court program.</p> <p>Number of participants terminated:</p> <ul style="list-style-type: none"> <li>◆ Number of participants returning to regular court processing.</li> <li>◆ Number of participants with outstanding bench warrants.</li> </ul> <p>Number and type of services available to participants.</p> <p>Number of participants in each type of service.</p>

In addition, OJP requires that implementation grant recipients conduct both process and outcome evaluations and is collaborating with the National Institute on Drug Abuse (NIDA) to develop a web-based reporting system. OJP anticipates piloting the system in 2006, and all grant recipients will be required to report specific outcomes when this system is operational.

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# Appendix C: Application Checklist

## Juvenile Drug Court Implementation Program

All applications must be submitted electronically through the Office of Justice Programs' Grants Management System (GMS).

- GMS Registration must be completed no later than May 18, 2005.
- Application for Federal Assistance (SF-424) is generated by completing the Overview, Applicant Information, and Project Information screens in GMS.
- Assurances and Certifications must be reviewed and accepted online by the applicant's authorizing official.
- Budget Detail Worksheet (Attachment #1) must include a worksheet that identifies and a narrative that justifies all proposed costs.
- Program Narrative (Attachment #2) must present a statement of the problem, outline the project's goals and objectives, describe the program design, explain the roles and responsibilities of the drug court team, and present a sustainability plan.
- Other Attachments (Attachments #3-5) must include the following: a time/task plan, memorandums of understanding, and consent form(s) and certification of treatment programs.

*Files attached to your GMS application must be submitted as a Microsoft Word document (.doc), Excel worksheet (.xls), PDF file (.pdf), or text document (.txt). Refer to the program announcement for detailed descriptions of these items.*

### Deadlines

- Applicants must register on GMS by May 18, 2005.
- Applicants must submit completed applications by 8 P.M. ET May 20, 2005.

*Applications will only be accepted through the GMS online application system. Mailed or faxed applications will not be considered.*

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GMS: <https://grants.ojp.usdoj.gov>

GMS Help Desk: 888-549-9901

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