



## Request for Applications Court Pandemic Response and Recovery

Pursuant to the State Justice Institute Act of 1984 ([42 U.S.C. 10701](#), et seq.), the State Justice Institute (SJI) is authorized to award grants, cooperative agreements, and contracts to state and local courts, nonprofit organizations, and others for the purpose of improving the quality of justice in the state courts of the United States.

### ELIGIBILITY

SJI is authorized by Congress to award grants, cooperative agreements, and contracts to the following entities and types of organizations:

- State and local courts and their agencies (42 U.S.C. 10705(b)(1)(A)).
- National nonprofit organizations controlled by, operating in conjunction with, and serving the judicial branches of state governments (42 U.S.C. 10705(b)(1)(B)).
- National nonprofit organizations for the education and training of judges and support personnel of the judicial branch of state governments (42 U.S.C. 10705(b)(1)(C)). An applicant is considered a national education and training applicant under section 10705(b)(1)(C) if:
  1. The principal purpose or activity of the applicant is to provide education and training to state and local judges and court personnel; and
  2. The applicant demonstrates a record of substantial experience in the field of judicial education and training.
- Other eligible grant recipients (42 U.S.C. 10705 (b)(2)(A)–(D)).
  - a. Provided that the objectives of the project can be served better, the Institute is also authorized to make awards to:
    - a. Nonprofit organizations with expertise in judicial administration
    - b. Institutions of higher education
    - c. Individuals, partnerships, firms, corporations (for-profit organizations must waive their fees)
    - d. Private agencies with expertise in judicial administration
  - b. SJI may also make awards to state or local agencies and institutions other than courts for services that cannot be adequately provided through nongovernmental arrangements (42 U.S.C. 10705(b)(3)).

SJI is prohibited from awarding grants to federal, tribal, and international courts.

## **Funding Categories**

Eligible applicants may apply for funding based on the categories below.

Category 1-Local Court: Eligible local court applicants may apply for up to \$50,000 for a period of up to 12 months.

Category 2-State or Territory Supreme Court and/or the Administrative Office of the Courts: Eligible state (or territory) supreme courts and/or administrative court office applicants may apply for up to \$100,000 for a period of up to 12 months. They may also submit applications on behalf of one or more local courts for up to \$50,000 per locality for up to 12 months and must agree that all funds will go directly to the local court(s).

Category 3-Non-profit, For-profit Organizations and Institutions of Higher Education: Eligible non-profit, for-profit organizations, or institutions of higher education applicants may apply for up to \$150,000 for a period of up to 18 months.

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## PROJECT SPECIFIC INFORMATION

### Courts and the Pandemic

The COVID-19 pandemic has deeply impacted the U.S. justice system. Courts, attorneys, court staff, and all justice-involved people have drastically altered the way they conduct business due to the pandemic. As courthouses closed and court systems moved to virtual interactions, the court community rallied to respond to the ever growing demands of justice-involved people, as any slowdown or restrictions on court operations would have significant implications for essential services and urgent matters such as detainees and inmates, victims of violence, parents/guardians with custody issues, and tenants facing evictions. Courts at all levels across the country have implemented strategies to continue providing access to justice.

In response to the pandemic, the [Conference of Chief Justices](#) (CCJ) and the [Conference of State Court Administrators](#) (COSCA) established the Pandemic Rapid Response Team (RRT) in March 2020. With funding from SJI, this group of chief justices and state court administrators created a roadmap for court operations during and after the pandemic and continue to provide critical guidance and resources to the court community.

Previously, SJI funded a first of its kind [National Pandemic Summit](#) at the University of Nebraska Medical Center in May 2019. The summit included court leaders, public health officials, legislators, and executive branch officials from 25 states and three territories. The summit focused the need for states to plan and prepare for a pandemic.

SJI has identified *Emergency Preparedness and Cybersecurity* as one of its [Priority Investment Areas](#) and has invested considerable resources into supporting the courts in pandemic planning, response, and recovery activities. Through this solicitation, SJI seeks to support projects that look to the future of judicial service delivery by identifying and replicating innovations and alternate means of conducting court business because of the pandemic.

### Areas of Focus

SJI is seeking to fund projects that assist state courts in their response to, and recovery from, COVID-19, with a look towards the future of court operations. In addition to meeting all other application requirements, SJI will give priority consideration for funding to projects that focus on institutionalizing and/or replicating practices that were implemented during the pandemic. SJI values a system change approach (as opposed to the replication of narrowly focused programs or projects) that emphasizes the use of case triage to match cases and parties to appropriate resources and services both within and outside the courthouse, and supports increased information for self-represented litigants. This also includes the use of technology for innovations such as online dispute resolution (ODR), portal development, virtual hearings, and other efforts to allow court business to be conducted outside of the courthouse. It is also vital that proposed projects take into account both access and fairness. Finally, since many practices have not yet been measured or evaluated, proposed projects should include a review of costs and benefits, not only to the courts, but also to court users.

## APPLICATION AND SUBMISSION INFORMATION

This section describes in detail what an application should include. An applicant should anticipate that if it fails to submit an application that contains all the specified project components, it may negatively affect the review of the application. In addition, SJI may have additional requirements should the project(s) be funded. SJI's [Grant Guideline](#) will govern any award(s). The project(s) will be funded as a [Strategic Initiatives Grant](#) (SIG). It is anticipated that awards will be made beginning September 1, 2020.

**Applications, along with all required forms and attachments, are due to SJI via email to [contact@sjj.gov](mailto:contact@sjj.gov) by August 14, 2020 to be eligible for consideration for the first round of review. Applications received after August 14, 2020 will be reviewed, and if approved, awarded on a rolling basis in FY2021.** Please use the subject line "Pandemic Response and Recovery Application" in your email submission.

All forms required for submission are accessible at <https://www.sjj.gov/forms/>.

Visit the [Virtual Learning](#) section of the *Funding Toolkit for State Courts and Justice System Partners* to learn more about SJI funding, including an upcoming podcast about this funding opportunity.

If you have questions regarding this solicitation, please email [contact@sjj.gov](mailto:contact@sjj.gov).

### Application Components

Applicants should provide the following items:

- 1. Application Form (Form A):** The application form requests basic information regarding the proposed project, the applicant, and the total amount of funding requested from SJI. It also requires the signature of an individual authorized to certify on behalf of the applicant that the information contained in the application is true and complete; that submission of the application has been authorized by the applicant; and that if funding for the proposed project is approved, the applicant will comply with the requirements and conditions of the award, including the assurances set forth in Form D below.
- 2. Certificate of State Approval (Form B):** An application from a state or local court must include a copy of Form B signed by the state's chief justice or state court administrator. The signature denotes that the proposed project has been approved by the state's highest court or the agency or council it has designated. It denotes further that, if applicable, a cash match reduction has been requested, and that if SJI approves funding for the project, the court or the specified designee will receive, administer, and be accountable for the awarded funds. *Category 3 applicants do not submit this form.*

3. **Budget Form (Form C):** Applicants must provide a detailed budget and upload a budget narrative providing an explanation of the basis for the estimates in each budget category. If funds from other sources are required to support other aspects of the project, the source, status of the request, and anticipated decision date must be provided.
4. **Assurances (Form D):** Form D lists the statutory, regulatory, and policy requirements with which recipients of SJI funds must comply.
5. **Disclosure of Lobbying Activities (Form E):** Applicants other than units of state or local government are required to disclose whether they, or another entity that is part of the same organization as the applicant, have advocated a position before Congress on any issue, and to identify the specific subjects of their lobbying efforts.
6. **Project Abstract:** The abstract should highlight the purposes, goals, methods, and anticipated benefits of the proposed project. It should not exceed 1 single-spaced page.
7. **Project Description:** The project description may not exceed 25 double-spaced pages on 8½ by 11-inch paper with 1-inch margins, using a standard 12-point font. The pages should be numbered. This page limit does not include the forms, the abstract, the budget narrative, and any additional attachments such as resumes. The program narrative should address the following:
  - a. **Statement of Need:** The applicant must explain the critical need facing the applicant, and how SJI funds will enable the applicant to meet this critical need. The applicant must also explain why state or local resources are not sufficient to fully support the costs of the project.

The applicant must provide a verified source for the data that supports the statement of the problem (i.e., federal, state, and local databases). The discussion should include specific references to the relevant literature and to the experience in the field. SJI continues to make all grant reports and most grant products available online through the [National Center for State Courts \(NCSC\) Library and Digital Archive](#). Applicants are required to conduct a search of the NCSC Library and Digital Archive on the topic areas they are addressing. This search should include SJI-funded grants, and previous projects not supported by SJI. Searches for SJI grant reports and other state court resources begin with the NCSC Library section. Applicants must discuss the results of their research; how they plan to incorporate the previous work into their proposed project; and if the project will differentiate from prior work.

Applicants should provide a detailed description about the issue the proposed project will address, including any data, evaluations, reports, resolutions, or other data to support the need statement. Details should be provided about the impact

that COVID-19 had on the court or more broadly on general court operations if the proposed project is statewide or national in scope.

- b. **Project Objectives:** The applicant should include a clear, concise statement of what the proposed project is intended to accomplish and how those objectives will be met. The applicant should delineate the tasks to be performed in achieving the project objectives and the methods to be used for accomplishing each task.
- c. **Dissemination Plan:** The application must explain how and to whom the products would be disseminated; describe how they would benefit the state courts, including how they could be used by judges and court personnel; identify development, production, and dissemination costs covered by the project budget; and present the basis on which products and services developed or provided under the grant would be offered to the court community and the public at large (i.e., whether products would be distributed at no cost to recipients, or if costs are involved, the reason for charging recipients and the estimated price of the product). Ordinarily, applicants should schedule all product preparation and distribution activities within the project period.

The type of product to be prepared depends on the nature of the project. For example, in most instances, the products of a research, evaluation, or demonstration project should include an article summarizing the project findings that is publishable in a journal serving the courts community nationally, an executive summary that would be disseminated to the project's primary audience, or both. Applicants proposing to conduct empirical research or evaluation projects with national import should describe how they would make their data available for secondary analysis after the grant period.

The curricula and other products developed through education and training projects should be designed for use by others and again by the original participants in the course of their duties. Applicants proposing to develop web-based products should provide for sending a notice and description of the document to the appropriate audiences to alert them to the availability of the website or electronic product (i.e., a written report with a reference to the web site).

Applicants must submit a final draft of all written grant products to SJI for review and approval at least 30 days before the products are submitted for publication or reproduction. For products in website or multimedia format, applicants must provide for SJI review of the product at the treatment, script, rough-cut, and final stages of development, or their equivalents. No grant funds may be obligated for publication or reproduction of a final grant product without the written approval of SJI. Project products should be submitted to SJI electronically in HTML or PDF format.

Applicants must also include in all project products a prominent acknowledgment that support was received from SJI and a disclaimer paragraph such as “This [document, film, videotape, etc.] was developed under [grant/cooperative agreement] number SJI–[insert number] from the State Justice Institute. The points of view expressed are those of the [author(s), filmmaker(s), etc.] and do not necessarily represent the official position or policies of the State Justice Institute.” The “SJI” logo must appear on the front cover of a written product, or in the opening frames of a website or other multimedia product, unless SJI approves another placement. The SJI logo can be downloaded from SJI’s website: [www.sji.gov](http://www.sji.gov).

- d. **Staff Capability and Organizational Capacity:** An applicant that is not a state or local court and has not received a grant from SJI within the past three years should indicate whether it is either a national non-profit organization controlled by, operating in conjunction with, and serving the judicial branches of state governments, or a national non-profit organization for the education and training of state court judges and support personnel. If the applicant is a non-judicial unit of federal, state, or local government, it must explain whether the proposed services could be adequately provided by non-governmental entities.

Applicants that have not received a grant from SJI within the past three years should include a statement describing their capacity to administer grant funds, including the financial systems used to monitor project expenditures (and income, if any), and a summary of their past experience in administering grants, as well as any resources or capabilities that they have that would particularly assist in the successful completion of the project.

Unless requested otherwise, an applicant that has received a grant from SJI within the past three years should describe only the changes in its organizational capacity, tax status, or financial capability that may affect its capacity to administer a grant. If the applicant is a non-profit organization (other than a university), it must also provide documentation of its 501(c) tax-exempt status as determined by the Internal Revenue Service and a copy of a current certified audit report. For purposes of this requirement, “current” means no earlier than two years prior to the present calendar year.

The applicant should include a summary of the training and experience of the key staff members and consultants that qualify them for conducting and managing the proposed project. Resumes of identified staff should be attached to the application. If one or more key staff members and consultants are not known at the time of the application, a description of the criteria that would be used to select persons for these positions should be included. The applicant also should identify the person who would be responsible for managing and reporting on the financial aspects of the proposed project.



- e. **Evaluation:** Projects should include an evaluation plan to determine whether the project met its objectives. The evaluation should be designed to provide an objective and independent assessment of the effectiveness or usefulness of the training or services provided; the impact of the procedures, technology, or services tested; or the validity and applicability of the research conducted. The evaluation plan should be appropriate to the type of project proposed considering the nature, scope, and magnitude of the project.
  - f. **Sustainability:** Describe how the project will be sustained after SJI assistance ends. The sustainability plan should describe how current collaborations and evaluations will be used to leverage ongoing resources. SJI encourages applicants to ensure sustainability by coordinating with local, state, and other federal resources.
8. **Budget (Form C):** Applicants must complete a project budget and a budget narrative. The budget narrative should provide the basis for all project-related costs and the sources of any match, as required. The budget narrative should thoroughly and clearly describe every category of expense listed. SJI expects proposed budgets to be complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities).
- i. *Justification of Personnel Compensation:* The applicant should set forth the percentages of time to be devoted by the individuals who would staff the proposed project, the annual salary of each of those persons, and the number of work days per year used for calculating the percentages of time or daily rates of those individuals. The applicant should explain any deviations from current rates or established written organizational policies. No grant funds or cash match may be used to pay the salary and related costs for a current or new employee of a court or other unit of government because such funds would constitute supplanting state or local funds in violation of [42 U.S.C. 10706\(d\)\(1\)](#); this includes new employees hired specifically for the project. The salary and any related costs for a current or new employee of a court or other unit of government may only be accepted as in-kind match.
  - ii. *Fringe Benefit Computation:* For non-governmental entities, the applicant should provide a description of the fringe benefits provided to employees. If percentages are used, the authority for such use should be presented, as well as a description of the elements included in the determination of the percentage rate.
  - iii. *Consultant/Contractual Services and Honoraria:* The applicant should describe the tasks each consultant would perform, the estimated total amount to be paid to each consultant, the basis for compensation rates (e.g., the number of days multiplied by the daily consultant rates), and the method for selection. Prior written SJI approval is required for any consultant rate in excess of \$800 per day. Honorarium payments must be justified in the same manner as consultant payments.

- iv. *Travel:* Transportation costs and per diem rates must comply with the policies of the applicant organization. If the applicant does not have an established travel policy, then travel rates must be consistent with those established by the federal government. The budget narrative should include an explanation of the rate used, including the components of the per diem rate and the basis for the estimated transportation expenses. The purpose of the travel should also be included in the narrative.
- v. *Equipment:* Grant funds may be used to purchase only the equipment necessary to demonstrate a new technological application in a court or that is otherwise essential to accomplishing the objectives of the project. In other words, grant funds cannot be used strictly for the purpose of purchasing equipment. Equipment purchases to support basic court operations will not be approved. The applicant should describe the equipment to be purchased or leased and explain why the acquisition of that equipment is essential to accomplish the project's goals and objectives. The narrative should clearly identify which equipment is to be leased and which is to be purchased. The method of procurement should also be described.
- vi. *Supplies:* The applicant should provide a general description of the supplies necessary to accomplish the goals and objectives of the grant. In addition, the applicant should provide the basis for the amount requested for this expenditure category.
- vii. *Construction:* Construction expenses are prohibited.
- viii. *Postage:* Anticipated postage costs for project-related mailings, including distribution of the final product(s), should be described in the budget narrative. The cost of special mailings, such as for a survey or for announcing a workshop, should be distinguished from routine mailing costs. The bases for all postage estimates should be included in the budget narrative.
- ix. *Printing/Photocopying:* Anticipated costs for printing or photocopying project documents, reports, and publications should be included in the budget narrative, along with the bases used to calculate these estimates.
- x. *Indirect Costs:* Indirect costs are only applicable to organizations that are not state courts or government agencies. Recoverable indirect costs are limited to no more than 75 percent of a grantee's direct personnel costs, i.e. salaries plus fringe benefits. Applicants should describe the indirect cost rates applicable to the grant in detail. If costs often included within an indirect cost rate are charged directly (e.g., a percentage of the time of senior managers to supervise project activities), the applicant should specify that these costs are not included within its approved indirect cost rate. If the applicant has an indirect cost rate or allocation plan approved by any federal granting agency, a copy of the approved

rate agreement must be attached to the application. Refer to the SJI [Grant Guideline](#) for additional details.

- xi. *Matching Requirements:* SJI has waived the cash match requirement for this application.
9. **Letters of Support:** If the support or cooperation of agencies, funding bodies, organizations, or courts other than the applicant would be needed in order for the consultant to perform the required tasks, written assurances of such support or cooperation should accompany the application letter. Applicants may also submit memorandums of agreement/understanding, as appropriate.
10. **Project Timeline:** A Project Timeline detailing each project objective, activity, expected completion date, and responsible person or organization should be included. The plan should include the starting and completion date for each task; the time commitments to the project of key staff and their responsibilities regarding each project task; and the procedures that would ensure that all tasks are performed on time, within budget, and at the highest level of quality. In preparing the project timeline, applicants should make certain that all project activities, including publication or reproduction of project products and their initial dissemination, would occur within the proposed project period. The timeline must also provide for the submission of Quarterly Progress and Financial Reports within 30 days after the close of each calendar quarter as well as submission of all final closeout documents. The project timeline may be included in the program narrative or uploaded separately as an attachment. *Category 3 applicants must ensure the proposed project will not exceed 18 months.*
11. **Other Attachments:** Resumes of key project staff may also be included. Additional background material should be attached only if it is essential to impart a clear understanding of the proposed project. Numerous and lengthy appendices are strongly discouraged.

## **Application Review Information**

### **Selection Criteria**

In addition to the criteria detailed below, SJI will consider whether the applicant is a state or local court, a national court support or education organization, a non-court unit of government, or other type of entity eligible to receive grants under SJI's enabling legislation; the availability of financial assistance from other sources for the project; the diversity of subject matter, geographic diversity; the level and nature of the match that would be provided; reasonableness of the proposed budget; the extent to which the proposed project would also benefit the federal courts or help state or local courts enforce federal constitutional and legislative requirements; and the level of appropriations available to SJI in the current year and the amount expected to be available in succeeding fiscal years, when determining which projects to support. SIG projects are also reviewed based on the following criteria:

1. Goals and objectives of the proposed project

2. Demonstration of need for the project
3. Responsiveness to the *Areas of Focus*
4. Level of innovation in addressing the identified need
5. Potential impact on the court community
6. Qualifications of the consultant(s) engaged to manage the project, if applicable

## **Review Process**

SJI reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation and with the grant guidelines. Applications must meet basic minimum requirements. The following are requirements applicable to this request for applications:

- Must be submitted by an eligible type of applicant
- Must request funding within funding constraints
- Must be within allowable expenditures based on *Funding Categories*
- Must include all required *Application Components*

SJI's Board of Directors reviews all applications and makes final decisions regarding awards. The decision to fund a project is solely that of the Board of Directors.

## **Notification of Board Decision**

The Chairman of the Board signs grant awards on behalf of SJI. SJI will notify applicants regarding Board decisions to award, defer, or deny their respective applications. If requested, SJI conveys the key issues and questions that arose during the review process. A decision by the Board to deny an application may not be appealed, but it does not prohibit resubmission of a proposal in a subsequent funding cycle.

## **Response to Notification of Award**

Applicants have 30 days from the date notifying them that the Board has grant their award to respond to any revisions requested by the Board. If the requested revisions (or a reasonable schedule for submitting such revisions) have not been submitted to SJI within 30 days after notification, the award may be rescinded, and the application presented to the Board for reconsideration. Special Conditions, in the form of incentives or sanctions, may also be used in other situations.

## **POST AWARD REPORTING REQUIREMENTS**

All required reports and documents must be submitted as outlined below.

### **Quarterly Reporting Requirements**

Recipients of SJI funds must submit Quarterly Progress and Financial Status Reports within 30 days of the close of each calendar quarter (that is, no later than January 30, April 30, July 30, and October 30).

**Programmatic Progress Reports:** Program Progress Reports shall include a narrative description of project activities during the calendar quarter, the relationship between those activities and the task schedule and objectives set forth in the approved application or an approved adjustment thereto, any significant problem areas that have developed and how they will be resolved, and the activities scheduled during the next reporting period. Failure to comply with the requirements of this provision could result in the termination of a grantee's award.

**Financial Reporting:** A Financial Status Report is required from all grantees for each active quarter on a calendar-quarter basis. This report is due within 30 days after the close of the calendar quarter. It is designed to provide financial information relating to SJI funds, state and local matching shares, project income, and any other sources of funds for the project, as well as information on obligations and outlays.

### **Request for Reimbursement of Funds**

Awardees will receive funds on a reimbursable, U.S. Treasury "check-issued" or electronic funds transfer (EFT) basis. Upon receipt, review, and approval of a Request for Reimbursement by SJI, payment will be issued directly to the grantee or its designated fiscal agent. The request for reimbursements form, along with the instructions for its preparation, and the SF 3881 Automated Clearing House (ACH/Miscellaneous Payment Enrollment Form for EFT) are available at <https://www.sji.gov/forms/>.

**Accounting System:** Awardees are responsible for establishing and maintaining an adequate system of accounting and internal controls and for ensuring that an adequate system exists for each of its sub-grantees and contractors. An acceptable and adequate accounting system:

- 1) Properly accounts for receipt of funds under each grant awarded and the expenditure of funds for each grant by category of expenditure (including matching contributions and project income)
- 2) Assures that expended funds are applied to the appropriate budget category included within the approved grant
- 3) Presents and classifies historical costs of the grant as required for budgetary and evaluation purposes
- 4) Provides cost and property controls to assure optimal use of grant funds
- 5) Is integrated with a system of internal controls adequate to safeguard the funds and assets covered, check the accuracy and reliability of the accounting data, promote operational efficiency, and assure conformance with any general or special conditions of the grant
- 6) Meets the prescribed requirements for periodic financial reporting of operations
- 7) Provides financial data for planning, control, measurement, and evaluation of direct and indirect costs

### **Final Progress Report**

The Final Progress Report should describe the project activities during the final calendar quarter of the project and the close-out period, including to whom project products have been

disseminated; provide a summary of activities during the entire project; specify whether all the objectives set forth in the approved application or an approved adjustment have been met and, if any of the objectives have not been met, explain why not; and discuss what, if anything, could have been done differently that might have enhanced the impact of the project or improved its operation. In addition, grantees are required to submit electronic copies of the final products related to the project (e.g., reports, curriculum, etc.). These reporting requirements apply at the conclusion of every grant.