

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



The [U.S. Department of Justice](#), [Office of Justice Programs \(OJP\)](#), [Bureau of Justice Assistance \(BJA\)](#) is pleased to announce that it is seeking applications for funding under the Capital Case Litigation Initiative. This program furthers the Department's mission by providing capital litigation training to improve the quality of representation and reliability of verdicts in state capital cases.

Capital Case Litigation Initiative FY 2010 Competitive Grant Announcement

Eligibility

For Category 1, applicants are limited to state agencies in states that authorize capital punishment and that conduct, or will conduct, prosecutions in which capital punishment is sought. For the state agency to be eligible, it must have an "effective system" for providing competent legal representation for indigent defendants in capital cases. An "effective system" is defined in 42 U.S.C. § 14163(e) as a system that invests the responsibility for appointing qualified attorneys to represent indigent defendants in capital cases:

- (A) In a public defender program that relies on staff attorneys, members of the private bar, or both, to provide representation in capital cases;
- (B) In an entity established by statute or by the highest state court with jurisdiction in criminal cases, which is composed of individuals with demonstrated knowledge and expertise in capital cases, except for individuals employed as prosecutors; or
- (C) Pursuant to a statutory procedure enacted before the date of the enactment of this Act [October 30, 2002] under which the trial judge is required to appoint qualified attorneys from a roster maintained by a state or regional selection committee or similar entity.

Applicants must identify in the program abstract (see page 6) which "effective system" their state has in place. Applicants that do not identify an "effective system" in their abstract will NOT be eligible for an award. Grants awarded under this solicitation may not be used to fund, directly or indirectly, representation or prosecution of specific cases.

For Category 2, applicants are limited to public and nonprofit organizations and for-profit entities that agree to waive all profits and fees that have experience and expertise in forensic evidence.

For Categories 3 and 4, applicants are limited to public and nonprofit organizations and for-profit entities that agree to waive all profits and fees that have expertise in litigating death penalty cases as well as providing training to prosecutors and defense attorneys respectively.

Deadline

Registration with Grants.gov is required prior to application submission. (See “How to Apply,” page 4.)

All applications are due by 8:00 p.m. eastern time on April 27, 2010.
(See “Deadlines: Registration and Application,” page 1.)

NOTE: Applicants who have already submitted applications on or before the March 11, 2010 deadline do not need to resubmit their applications. However, applicants who wish to submit a revised or updated application may do so by the deadline above.

Contact Information

For technical assistance with submitting the application, contact the Grants.gov Customer Support Hotline at 1–800–518–4726 or via e-mail to support@grants.gov.

Note: The Grants.gov Support Hotline hours of operation are 24 hours, 7 days a week, except federal holidays.

For assistance with the requirements of this solicitation, contact: Danica Szarvas-Kidd, BJA Policy Advisor for Adjudication, at 202–305–7418 or danica.szarvas-kidd@usdoj.gov.

BJA encourages stakeholder feedback on its solicitations and award processes. Send feedback on this solicitation to askbj@usdoj.gov.

Grants.Gov number assigned to announcement: **BJA-2010-2466**

Release Date: March 25, 2010

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Capital Case Litigation Initiative

CFDA #16.746

Overview

The purpose of the Capital Case Litigation Initiative (CCLI) (supported by 42 U.S.C. §14163 *et seq.*) is to provide high-quality training on death penalty issues to improve legal representation provided to indigent defendants and to enhance the ability of prosecutors to effectively represent the public in state capital cases.

Deadlines: Registration and Application

Registration is required prior to submission. OJP strongly encourages registering with Grants.gov several weeks before the deadline for application submission. The deadline for applying for funding under this announcement is 8:00 eastern time on April 27, 2010. Please see the “How to Apply” section, page 4 for more details.

Eligibility

Please refer to the cover page of this solicitation for eligibility under this program.

CCLI—Specific Information

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

The purpose of CCLI is to provide training on death penalty issues to prosecutors representing the public, and defense attorneys representing indigents, in state capital cases. Because capital case litigation is governed by unique evidentiary rules and processes, this training is essential to improve the quality of legal representation provided to indigent defendants, enhance the ability of prosecutors to effectively represent the public, and ensure reliable jury verdicts in state capital cases.

The goals of this initiative are to: 1) increase the number of capital litigation attorneys trained in capital case procedures and strategies; and 2) improve the quality of legal representation provided to indigent defendants in state capital cases through a state-based training program that serves to improve an “effective system” (as defined in 42 U.S.C. §14163(e)).

Award Categories, Award Amounts, and Length of Awards

There are four categories of funding under this solicitation.

Note: Applications that do not respond to the identified categories will not be peer reviewed or considered for funding under this solicitation. Applications for Categories 2, 3, and 4 must also be national in scope.

In FY 2010, BJA is focusing CCLI funding on making available high-quality training to capital case litigators in death penalty states with established “effective systems.” This decision is

based on multiple factors, including, but not limited to, a desire to have immediate impact upon improving capital case litigation and having comparatively limited available funds. BJA's goal is to ensure that the limited funds available are used in the most productive ways possible to improve justice for all and to work in close coordination with representatives from both prosecution and defense perspectives to best accomplish this goal.

CATEGORY 1: STATE-BASED TRAINING FOR CAPITAL LITIGATORS. Competition ID: BJA-2010-2467

BJA is seeking applications from state agencies to implement a training program for capital case litigants. Funds awarded must be allocated equally between trainings to improve the quality of legal representation provided by capital case defense counsel **AND** prosecutors. CCLI grants will serve as seed money to help create opportunities for states to begin or enhance a training program that will be sustained with state funding after grant funds are expended. Funds used to train defense counsel must be used only for the purpose of training in the effective representation of indigents charged with an offense subject to capital punishment and not for training in appellate or collateral relief issues. Previous-year funding for CCLI was used to develop curricula for training defense counsel by the National Association of Criminal Defense Lawyers and for prosecutors by the National District Attorneys Association; applicants are required to use these curricula (agendas can be found at www.ojp.usdoj.gov/BJA/pdf/CCLltraining.pdf).

Applicants may request up to \$250,000 in funding, and the project period may be 12 to 24 months. Up to \$100,000 may be requested for each prosecution and defense (both must receive equal amounts) and up to \$50,000 may be requested by the state to cover administrative costs related to the administration of the grants, including compliance with reporting requirements. Any state agency receiving a grant under this solicitation **must allocate the funds equally between training for capital case defense counsel and capital prosecutors. Awards may not be used to fund, directly or indirectly, representation in specific capital cases.**

CATEGORY 2: NATIONAL FORENSIC EVIDENCE TRAINING. Competition ID: BJA-2010-2468

BJA is seeking applications from public and nonprofit organizations and for-profit entities (that agree to waive all profits and fees) that have experience and expertise in forensic science evidence specifically in capital cases. Applicants should also have experience and expertise in training litigators about forensic science evidence. The successful applicant will develop and deliver two (one on the east coast and one on the west coast) 2-day forensic trainings for prosecutors and defense attorneys who may try capital cases. The trainings will only be open to litigators from states with the death penalty. The training will focus on teaching litigators about scientific evidence and expert witnesses, researching forensic sources, and specific forensic topical areas. The sessions will also discuss the evidence necessary for trial, what needs to be sent to the laboratory for analysis, and judicial perceptions.

Applicants may request up to \$375,000 in funding, and the project period may be 12 to 24 months.

CATEGORY 3: NATIONAL TRAINING FOR CAPITAL PROSECUTORS. Competition ID: BJA-2010-2469

BJA is seeking applications from public and nonprofit organizations and for-profit entities (that agree to waive all profits and fees) that have expertise in prosecuting death penalty cases as well as providing training to prosecutors. Successful applicants will provide two national

trainings for capital prosecutors based on the above curricula discussed under Category I. Applicants should have demonstrated expertise in prosecuting capital cases and should be competent to provide expert training and technical assistance to all states prosecuting capital cases.

Applicants may request up to \$100,000 in funding, and the project period may be 12 to 24 months.

CATEGORY 4: NATIONAL TRAINING FOR CAPITAL DEFENSE ATTORNEYS. Competition ID: BJA-2010-2470

BJA is seeking applications from public and nonprofit organizations and for-profit entities (that agree to waive all profits and fees) that have expertise in litigating death penalty cases as well as providing training to defense attorneys. Successful applicants will provide technical assistance and two national trainings for capital defense attorneys based on the above curricula discussed under Category I. Applicants should have demonstrated expertise in providing representation to defendants in capital cases and should be competent to provide expert training and technical assistance to all states litigating capital cases.

Applicants may request up to \$100,000 in funding, and the project period may be 12 to 24 months.

Budget Information

Limitation on Use of Award Funds for Employee Compensation; Waiver: With respect to any award of more than \$250,000 made under this solicitation, federal funds may not be used to pay total cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110 percent of the maximum annual salary payable to a member of the Federal Government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (The 2010 salary table for SES employees is available at www.opm.gov/oca/10tables/indexSES.asp.) Note: A recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Any such additional compensation will not be considered matching funds where match requirements apply.)

The limitation on compensation rates allowable under an award may be waived on an individual basis at the discretion of the Assistant Attorney General (AAG) for the Office of Justice Programs. An applicant that wishes to request a waiver must include a detailed justification in the budget narrative of its application. Unless the applicant submits a waiver request and justification with the application, the applicant should anticipate that OJP will request that the applicant adjust and resubmit their budget.

The justification should include: the particular qualifications and expertise of the individual, the uniqueness of the service being provided, the individual's specific knowledge of the program or project being undertaken with award funds, and a statement explaining that the individual's salary is commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work that is to be done.

Supplanting: Federal funds received under this program must be used to supplement and not supplant non-federal funds that would otherwise be available for the same purpose

Performance Measures

To assist in fulfilling the Department’s responsibilities under the Government Performance and Results Act (GPRA), P.L. 103-62, applicants who receive funding under this solicitation must provide data that measures the results of their work. **Additionally, applicants must discuss in their application their methods for collecting data for performance measures. Please refer to “What An Application Must Include” (below), for additional information on applicant responsibilities for collecting and reporting data.** Grantees are required to provide the data requested in the “Data Grantee Provides” column so that OJP can calculate values for the “Performance Measures” column. Performance measures for this solicitation are as follows:

Objective	Performance Measures	Data Grantee Provides
Provide training on death penalty issues to attorneys who litigate death penalty cases.	<p>Number of attorneys trained.</p> <p>Percent increase in the number of capital litigation attorneys trained in capital case procedures and strategies.</p>	<p>Number of prosecutors trained during the reporting period.</p> <p>Number of defense attorneys trained who represent indigent defendants, during the reporting period.</p>
Increase the knowledge of criminal justice practitioners through in-person training.	<p>Percentage of in-person trainees who successfully completed the program.</p> <p>Percentage of in-person trainees who completed the training who rated the training as satisfactory or better.</p> <p>Percentage of in-person trainees who completed the training whose post-test indicated an improved score over their pre-test.</p>	<p>For the current reporting period: Number of individuals who:</p> <ul style="list-style-type: none"> • Attended each training. • Completed each training. • Completed an evaluation at the conclusion of the training. • Rated the training as satisfactory or better. • Completed a pre- and post-test.

How to Apply

Applications will be submitted through Grants.gov. Grants.gov is a “one-stop storefront” that provides a unified process for all customers of federal grants to find funding opportunities and apply for funding. Complete instructions on how to register and submit an application can be found at www.grants.gov. If you experience difficulties at any point during this process, please call the Grants.gov Customer Support Hotline at **1-800-518-4726**, 24 hours, 7 days a week, except federal holiday. Registering with Grants.gov is a one-time process; however, **processing delays may occur and it can take up to several weeks** for first-time registrants to receive confirmation and a user password. The Office of Justice Programs highly recommends that applicants start the registration process as early as possible to prevent delays in submitting an application package by the application deadline specified.

All applicants are required to complete the following.

1. **Acquire a DUNS Number.** A DUNS number is required for [Grants.gov](http://www.grants.gov) registration. The Office of Management and Budget requires that all businesses and nonprofit applicants for Federal funds include a DUNS (Data Universal Numbering System) number in their applications for a new award or renewal of an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Obtain a DUNS number by calling 1-866-705-5711 or by applying online at <http://www.dunandbradstreet.com>. Individuals are exempt from this requirement.
2. **Acquire or Renew Registration with the Central Contractor Registration (CCR) Database.** OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the Central Contractor Registration (CCR) database. An applicant must be registered in the CCR to successfully register in Grants.gov. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Please note, however, that applicants must update or renew their CCR registration at least once per year to maintain an active status. Information about CCR registration procedures can be accessed at www.ccr.gov.
3. **Acquire an Authorized Organization Representative (AOR) and a Grants.gov Username and Password.** Complete your AOR profile on Grants.gov and create your username and password. You will need to use your organization's DUNS Number to complete this step. For more information about the registration process, go to www.grants.gov/applicants/get_registered.jsp.
4. **Acquire Authorization for your AOR from the E-Business Point of Contact (E-Biz POC).** The E-Biz POC at your organization must login to Grants.gov to confirm you as an AOR. Please note that there can be more than one AOR for your organization.
5. **Search for the Funding Opportunity on Grants.gov.** Please use the following identifying information when searching for the funding opportunity on Grants.gov. The Catalog of Federal Domestic Assistance (CFDA) number for this solicitation is #16.746, titled "Capital Case Litigation Initiative," and the funding opportunity number is BJA-2010-2466.
6. **Select the Correct Competition ID.** Some OJP solicitations posted to Grants.gov contain multiple purpose areas, denoted by the individual Competition ID. If you are applying to a solicitation with multiple Competition IDs, you must select the appropriate Competition ID for the intended purpose area of your application. **The application will be peer reviewed according to the requirements of the purpose area under which it is submitted.**
7. **Submit an Application Addressing All of the Requirements Outlined in this Solicitation.** Within 24-48 hours after submitting your electronic application, you should receive an email validation message from Grants.gov. The validation message will tell you whether the application has been received and validated or rejected, with an explanation. **Important:** You are urged to submit your application at least 72 hours prior to the due date of the application to allow time to receive the validation message and to correct any problems that may have caused a rejection notification.

Note: Grants.gov will forward the application to OJP's Grants Management System (GMS). GMS does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: ".com," ".bat," ".exe," ".vbs," ".cfg," ".dat," ".db," ".dbf," ".dll," ".ini," ".log," ".ora," ".sys," and ".zip."

Experiencing Unforeseen Grants.gov Technical Issues

If you experience unforeseen Grants.gov technical issues beyond your control which prevent you from submitting your application by the deadline, you must contact Bureau of Justice Assistance staff within **24 hours after the deadline** and request approval to submit your application. At that time, Bureau of Justice Assistance staff will require you to email the complete grant application, your DUNS number, and provide a Grants.gov Help Desk tracking number(s). After the program office reviews all of the information submitted as well as contacts the Grants.gov Help Desk to validate the technical issues you reported, OJP will contact you to either approve or deny your request to submit a late application. If the technical issues you reported cannot be validated, your application will be rejected as untimely.

To ensure a fair competition for limited discretionary funds, the following conditions are not valid reasons to permit late submissions: (1) failure to begin the registration process in sufficient time; (2) failure to follow Grants.gov instructions on how to register and apply as posted on its website; (3) failure to follow all of the instructions in the OJP solicitation; and (4) technical issues experienced with the applicant's computer or information technology (IT) environment.

Notifications regarding known technical problems with Grants.gov are posted on the OJP funding web page, www.ojp.usdoj.gov/funding/solicitations.htm.

What an Application Must Include

OJP strongly recommends use of appropriately descriptive file names (e.g., "Program Narrative," "Budget and Budget Narrative," "Timelines," "Memoranda of Understanding," "Resumes") for all required attachments. Where resumes are required, OJP recommends that all resumes be included in a single file.

Standard Form 424

Please see www07.grants.gov/assets/SF424Instructions.pdf for instructions on how to complete your SF 424. When selecting "type of applicant," if the applicant is a for-profit entity, please select "For-Profit Organization" or "Small Business" (as applicable) in the Type of Applicant 1 data field. For-profit applicants also may select additional applicable categories (e.g., "Private Institution of Higher Education").

Program Abstract (Attachment 1)

Applicants must provide an abstract identifying the applicant's name, title of the project, category under which applicant is applying, and dollar amount requested. The abstract must include goals of the project, a listing of key/major deliverables (e.g., conferences, training, materials for dissemination, curricula), coordination plans, and which "effective system" (see "Eligibility," cover page) your state employs to appoint representation to indigents in capital cases. Applicants must use a standard 12-point font (Times New Roman is preferred) with 1-inch margins. The abstract must not exceed 1 page and does not count as part of the program narrative's 5-page limit. **If the abstract does not identify the "effective system" used in its state, it will not be reviewed or funded.**

Program Narrative (Attachment 2)

The program narrative must respond to the solicitation and the Selection Criteria (1–3, 5) listed below in the order given. The program narrative must be double-spaced, using a standard 12-point font (Times New Roman is preferred) with 1-inch margins, and must not exceed 5 pages. Please number pages “1 of 5,” “2 of 5,” etc. Submissions that do not adhere to the format will be deemed ineligible.

Budget and Budget Narrative (Attachment 3)

Applicants must provide a budget in response to Selection Criteria 4. A sample budget worksheet can be found at www.ojp.gov/funding/forms/budget_detail.pdf. If you submit a different format, you must include the budget categories as listed in the sample budget worksheet. When using this form, you must also include a budget narrative, in MS Word or PDF format, as a separate attachment. Both the budget detail worksheet and narrative explanation of costs can be provided in a single document using this acceptable MS Word Budget template, available at www.ojp.usdoj.gov/BJA/funding/Budget_Worksheet_Narrative_Template.doc.

Applicants may submit the budget and budget narrative in a different format (i.e., Excel spreadsheet), but it must contain all categories listed within the budget detail worksheet. Applicants can use up to 10 percent of the award amount for administrative costs related to the grant project (e.g., conference preparation, reporting requirements, personnel hiring for grant administrative functions). Funds cannot be used to hire defense counsel and/or prosecutors to litigate capital cases.

Please see the OJP Financial Guide for questions pertaining to budget including allowable and unallowable costs at www.ojp.gov/financialguide/index.htm.

Project Timeline, Position Descriptions/Résumés, State Statute, and Fund Allocation Statement (Attachment 4)

Attach a project timeline with each project goal, related objective, activity, expected completion date, and responsible person or organization; position descriptions for key positions and résumés for current staff; a copy of the state statute that authorizes capital punishment; and a brief statement from an authorized agent of the state (as defined by the state), which may include the State Administering Agency, that federal funds will be allocated equally between training for capital case defenders and prosecutors.

Selection Criteria

1. Statement of the Problem (20 percent of 100)

For Category 1, state the number of death penalty cases charged and tried in the 2008 and 2009 calendar years in your state (excluding appellate-level cases). Include within those figures a statement of the number of death penalty cases in your case that involve indigent defendants (identified again by the number of that category of death penalty cases by the number charged and tried in a calendar year). Provide a brief description of existing capital defender training services and capital prosecution training programs and their assets and/or challenges. Identify with specificity how the project will improve the quality of trial-level legal representation provided to indigent defendants in capital cases in the state. Identify whether the project will target particular areas of the state or the entire state. Attach a brief statement from an authorized agent of the state (as defined by the state), which may include the State Administering Agency, that federal funds will be allocated equally between training for capital case defenders and prosecutors (Attachment 4). This statement must also include an

assurance that federal funds received under this program will be used to supplement and not supplant non-federal funds that would otherwise be available for the same purpose.

- If your state qualifies defense and/or prosecuting attorneys to try death penalty cases, explain the qualification process.
- If your state law requires trial judges to appoint qualified defense attorneys for indigent defendants from a roster maintained by the state, have an appropriate officer of the state, as defined by the state, certify that the state is in substantial compliance with that state law.

For Categories 2, 3, and 4, provide a description of existing **national** training opportunities for capital litigators and explain how your training program will fill an existing gap in this national training.

2. Program Design and Implementation (40 percent of 100)

For Category 1, provide a long-term statewide strategy and implementation plan that includes the interests of the judiciary, bar, and state and local prosecutor and defender organizations that establishes as a priority improvement in the quality of trial-level representation of indigents charged with capital crimes. Provide a brief description of the trainings to be delivered and how the curricula developed by the CCLI national partners (see page 2) will be used. Identify how these trainings address your training needs detailed in the Statement of the Problem, including how the training will improve an “effective system” (see “Eligibility,” cover page). Be sure to discuss both training programs (for capital case defense attorneys and for capital case prosecutors). List all the organizations that will support the trainings and their roles, and identify whom you will serve and training locations.

For Categories 2, 3, and 4, provide a description of the national trainings to be delivered, including a discussion of the specific curricula/topic areas to be used for said trainings. Identify how these trainings will address national training needs detailed in the Statement of the Problem.

3. Capabilities/Competencies (15 percent of 100)

Describe the management structure for implementation of the strategy, including staffing and examples of past experience of trainings the applicant has administered. Specifically identify who will serve as the training coordinator. Demonstrate the ability and capability to implement the project successfully, including a strategy for working with key partner agencies. Provide position descriptions outlining the roles and responsibilities of key positions and if applicable, résumés for current staff or resumes for key roles at partner agencies (Attachment 4). Note: Attachment of position descriptions and resumes as part of Attachment 4 will not count toward the 5-page Program Narrative limit.

4. Budget (10 percent of 100)

Provide a proposed budget that is complete, allowable, cost-effective, and clearly tied to the program strategy (Attachment 3).

5. Impact/Outcomes, Evaluation, Sustainment, and Plan for the Collecting Data for Performance Measures (15 percent of 100)

Provide a brief description of how you will collect the required information on performance measures (see page 4) and how this information will be used. Explain how you will assess the impact of the initiative’s efforts on your long-term statewide strategy. Provide a short

outline for a strategy for sustaining the project when the federal grant ends, discussing how the key partner agencies will be leveraged to sustain the project.

Reporting Requirements

In addition to OJP's reporting requirements, the authorizing statute for this program ([42 U.S.C. §14163, et seq.](#)) requires that each state receiving funds under this solicitation submit reports that detail how a state appoints, maintains, trains, and monitors qualified representation for indigent defendants in a capital case; and for capital prosecutors, how the state qualifies and assesses capital prosecutors, identifies and implements potential legal reform to minimize error in capital cases, systemically reviews capitol cases where post-conviction DNA testing may be appropriate, and provides support and assistance for victims.

All grant recipients are subject to the following reporting requirements:

For capital defenders grants, thoroughly review these requirements (42 U.S.C. §14163c(b)) at: www.ojp.usdoj.gov/BJA/pdf/42USC14163c.pdf.

For capital prosecutor grants, thoroughly review these requirements (42 U.S.C. §14163c(c)) at: www.ojp.usdoj.gov/BJA/pdf/42USC14163c.pdf.

Review Process

OJP is committed to ensuring a fair and open process for awarding grants. The Bureau of Justice Assistance reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with basic minimum program or legislative requirements as stated in the solicitation (including, but not limited to, requirements as to timeliness, proper format, and responsiveness to the scope of the solicitation).

Peer reviewers will be reviewing the applications submitted under this solicitation that meet basic minimum requirements. The Bureau of Justice Assistance may use either internal peer reviewers, external peer reviewers or a combination to review the applications under this solicitation. An external peer reviewer is an expert in the field of the subject matter of a given solicitation who is NOT a current U.S. Department of Justice employee. An internal reviewer is a current U.S. Department of Justice employee who is well-versed or has expertise in the subject matter of this solicitation. Eligible applications will be evaluated, scored, and rated by a peer review panel. Peer reviewers' ratings and any resulting recommendations are advisory only. In addition to peer review ratings, considerations for award recommendations and decisions may include, but are not limited to, underserved populations, strategic priorities, past performance, and available funding.

The Office of the Chief Financial Officer (OCFO), in consultation with the Bureau of Justice Assistance, conducts a financial review of applications for potential discretionary awards and cooperative agreements to evaluate the fiscal integrity and financial capability of applicants; examines proposed costs to determine if the budget and budget narrative accurately explain project costs; and determines whether costs are reasonable, necessary, and allowable under applicable federal cost principles and agency regulations.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final grant award decisions will be made by the Assistant Attorney General (AAG), who may also

give consideration to factors including, but not limited to, underserved populations, geographic diversity, strategic priorities, past performance, and available funding when making awards.

Additional Requirements

Applicants selected for awards must agree to comply with additional legal requirements upon acceptance of an award. We strongly encourage you to review the information pertaining to these additional requirements prior to submitting your application. Additional information for each can be found at http://www.ojp.usdoj.gov/funding/other_requirements.htm.

- Civil Rights Compliance
- Faith-Based and Other Community Organizations
- Confidentiality and Human Subjects Protection (if applicable)
- Anti-Lobbying Act
- Financial and Government Audit Requirements
- National Environmental Policy Act (NEPA) (if applicable)
- DOJ Information Technology Standards (if applicable)
- Single Point of Contact Review
- Non-Supplanting of State or Local Funds
- Criminal Penalty for False Statements
- Compliance with [Office of Justice Programs Financial Guide](#)
- Suspension or Termination of Funding
- Non-Profit Organizations
- For-Profit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006
- Awards in excess of \$5,000,000 – federal taxes certification requirement

Application Checklist

FY 2010 Capital Case Litigation Initiative

The application checklist has been created to aid you in developing your application.

Eligibility

_____ Meets eligibility requirements for specific category

The Federal Request is within Allowable Limits:

_____ Category 1: \$250,000

_____ Category 2 \$375,000

_____ Category 3: \$100,000

_____ Category 4 \$100,000

The application contains:

_____ Statement of the Problem

_____ Project Design and Implementation

_____ Capabilities/Competencies

_____ Budget Narrative

_____ Budget Detail Worksheet

_____ Impact/Outcomes and Evaluation/Plan for Collecting Data for Performance Measures

Program Narrative/Abstract Format:

_____ Double-spaced

_____ 12-point standard font

_____ 1" standard margins

_____ Abstract is 1 page or less

_____ Narrative is 5 pages or less

Other Required Components:

_____ Standard 424 Form

_____ DUNS number

_____ Abstract

_____ Effective system identified

_____ Project Timeline

_____ Position Descriptions/Resumes

_____ State Statute