



*Office of Criminal Justice Services*

American Rescue Plan Act (ARPA)

Court Backlog Reduction

**2022**

REQUEST FOR PROPOSALS

Deadline: July 29, 2022

OFFICE OF CRIMINAL JUSTICE SERVICES

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Apply for ARPA online using the OCJS Grants Management System





# OFFICE OF CRIMINAL JUSTICE SERVICES

ARPA Court Backlog Reduction Grant

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## **OCJS AND ARPA**

The Ohio Office of Criminal Justice Services ([OCJS](#)) is a division of the Ohio Department of Public Safety. By statute, OCJS is the lead justice planning and assistance office for the state, administering millions of dollars in state and federal criminal justice funding every year. OCJS also evaluates programs and develops technology, training, and products for criminal justice professionals and communities. House Bill 169 of the 134<sup>th</sup> General Assembly appropriated a total of \$175 million to provide grants to support communities that have experienced an increase in violent crime, more difficulty providing services to respond to or mitigate the effects of violence during the COVID-19 pandemic, or both. Governor Mike DeWine designated OCJS to administer this portion of American Rescue Plan Act (ARPA) funding. As such, all funding is subject to ARPA guidelines and the final rule for Coronavirus State & Local Fiscal Recovery Funds [[SLFRF-Final-Rule.pdf \(treasury.gov\)](#)].

## **WHAT TO EXPECT**

**Application.** For technical assistance on the narrative and budget pieces of the ARPA application, email OCJS at [arpa@dps.ohio.gov](mailto:arpa@dps.ohio.gov).

For technical assistance with [www.ocjsgrants.com](http://www.ocjsgrants.com), please contact your grant coordinator by email. You can find your OCJS Regional Contact here: [www.ocjs.ohio.gov/grants.stm](http://www.ocjs.ohio.gov/grants.stm).

**Review.** OCJS and Supreme Court of Ohio staff will review ARPA proposals. Reviewers will ensure that project budget costs are allowable and directly relate to the program. The OCJS Executive Director makes final funding recommendations, and the Director of the Ohio Department of Public Safety approves them.

## **AWARD NOTIFICATIONS AND EXPECTATIONS**

Projects will be notified and required to complete all forms and pre-award conditions electronically through the [Online Grants Management System](#). Forms and assurances included with pre-award conditions include, but are not limited to:

- Special Conditions Form
- Fidelity/Surety Bond (Note: only applicable for non-profit applicants)
- Proof of Tax-Exempt Status (Note: only applicable for non-profit applicants)
- Registration in the System for Award Management ([www.sam.gov/www.sam.gov/SAM/](http://www.sam.gov/www.sam.gov/SAM/)).

In addition to the above requirements and this Request for Proposal, all subrecipients are bound by the [Federal Subgrant Conditions Handbook](#). Please note that projects will be required to submit Quarterly Subgrant Reports through the online grants management system as well as meet the requirements of the grant including but not limited to performance reporting requirements as described in the Pre-Award Conditions.

## **ELIGIBLE APPLICANTS**

All ARPA applicants must have an organization, or subrecipient, that will serve as the fiduciary agent and assume overall responsibility for the grant. As this is a court backlog grant the subrecipient must be partnered with a court on the proposed project. Eligible ARPA implementing

agencies include a municipal or county court, court of common pleas, general, domestic relations, juvenile, or probate divisions, and appellate courts. The subrecipient will be the fiduciary agent for the court (i.e., the city or county).

\*Note: applications may include research or evaluation components if the applicant is partnering with an established college, university, or credentialed researcher for up to 10% of the funding awarded.

For an applicant and project to be eligible, the application must be accompanied by a completed Court Backlog Summary that demonstrates eligibility in one or more of the purpose areas on the tool. See Format and Submission, below, for more information on this demonstration.

### **APPLICANT TRAINING**

A voluntary bidder’s conference training webinar for the American Rescue Plan Act Funding will take place July 11, 2022 from 10 am to 11 am. The training will provide information helpful for both the application preparation and review process. **Please register for the webinar at:** <https://attendee.gotowebinar.com/register/7847932892469866256>

### **PROGRAM PURPOSE**

The purpose of this ARPA funding is to address the negative impacts of the coronavirus pandemic and all proposals must demonstrate how the pandemic has negatively impacted the community, judicial system, or courts and how the proposed response will mitigate that negative impact. Specifically, applicants can use these funds to address case backlogs—or challenges in addressing caseload management—that have increased because of the coronavirus pandemic in any one of the following Program Purpose Areas:

- Pre-Trial Services**
- Pre-Sentencing and Pre-Dispositional Services**
- Post-Adjudication or Post-Dispositional Services & Activities**
- Warrant Prevention, Reduction, and Removal**
- Hiring and Payroll**

### **LENGTH OF FUNDING**

Projects may apply for 12 months or 24 months of funding. Funding may be back-dated to April 1, 2022.

### **FISCAL CONSIDERATIONS**

All budget items must be related to the purpose of addressing the negative impacts of the coronavirus pandemic.

#### *Unallowable Costs*

- Deposit into any pension fund - *does not include the payment to a pension fund as part of covered benefits for eligible personnel charged to the fund.*
- Contribute to rainy day funds, financial reserves, budget stabilization, or similar funds – the revenue reduction amounts must be applied to general government services.
- Offset a reduction in net tax revenue.

- Pay interest or principal on outstanding debt instruments, including short-term revenue or tax anticipation notes, or other debt service costs.
- Satisfy a settlement agreement, judgment, consent decree, or judicially confirmed debt restructuring plan in a judicial, administrative, or regulatory proceeding.
- Serve as non-federal match for other federal grant programs.

*Fiscal Compliance Review*

- OCJS is required to perform a funding pre-risk assessment on all grant applicants resulting in a risk assessment of low risk, moderate risk, or high risk.
- Moderate or high risk subrecipients will receive a fiscal compliance review. OCJS staff will be monitoring fiscal and programmatic activities to ensure federal subawards are being used for authorized purposes and financial and performance goals are being achieved.
- Reviewing performance and financial reports and following up on noted deficiencies are required activities per the Office of Management and Budget Uniform Guidance 200.331-333 Subrecipient Management and Monitoring and Subpart F Audit.

**POST AWARD REPORTING REQUIREMENTS**

All ARPA subgrantees are required to comply with any reporting requirements set forth by the Office of Criminal Justice Services.

**PROPOSAL COMPONENTS CHECKLIST**

Use the following checklist as a general guide for submitting proposals to OCJS. Read the entire ARPA RFP before completing and submitting proposals.

- Title Page
- ARPA Eligibility Screening Tool
- Narrative
- Budget
- External Audit or Fiscal Report (this should be uploaded as an attachment in the narrative section.)

**FORMAT AND SUBMISSION**

OCJS will accept applications through its online grant system. Please visit [www.ocjsgrants.com](http://www.ocjsgrants.com) to apply. The deadline is 5pm on July 29, 2022. Applications received prior to this date may be reviewed earlier.

**IMPORTANT:** Applications must be in the “APPLICATION SUBMITTED” status in the Online Grants Management System to be considered for funding. Designated Project Directors will receive an email confirmation that the application has been submitted.

Agencies that registered for the Online Grants Management System previously should use the same username and password information for this application. OCJS will deny duplicate

registration requests. For more information on how to access the application portion of the Online Grants Management System, use the application manual located at [www.ocjsgrants.com](http://www.ocjsgrants.com).

For technical assistance on narrative and budget pieces of the ARPA application, please email [arpa@dps.ohio.gov](mailto:arpa@dps.ohio.gov). For assistance with [www.ocjsgrants.com](http://www.ocjsgrants.com) please contact your grants coordinator. You can find your OCJS Regional Contact here: [www.ocjs.ohio.gov/grants.stm](http://www.ocjs.ohio.gov/grants.stm)

## **AMERICAN RESCUE PLAN ACT FUNDING (ARPA) GOALS AND PRIORITIES**

### **Responding to the Pandemic and its Negative Impacts**

The purpose of the court backlog reduction ARPA funding is to respond to the impacts of the pandemic by reducing time-to-disposition of pending cases, removing barriers to timely resolving cases, and creatively applying solutions to improve court's case flow as related to problems caused or exacerbated by the pandemic.

Below is a non-exhaustive list of potential projects that address this purpose. Note: for projects that relate to improvements in the technology of case management systems, the applicant must commit to exploring the use of eWarrants.

### **Purpose: Pre-Trial Services for the 2-year Grant Period**

Reducing backlogs exacerbated by the pandemic require efficient processing of courts' newly filed cases, otherwise additional backlogged cases will accumulate. Using pre-trial triage programs, dispute resolution solutions, and diversion programs can remove cases from the active docket to disposition.

- Purchase of technology as part of a larger case backlog reduction strategy, including case management system upgrades or modules, online dispute resolution systems, kiosks, virtual meeting conference licensing, software, hardware, and others.
- Training on backlog reduction strategy.
- Court and prosecutor partnership efforts to create diversion programs.
- Virtual or in-person self-help centers.
- System-wide partnership efforts to improve communication among courts, jails, mental health providers, child welfare, higher education colleges and universities, legal aid, and other partners.
- Use of house arrest / GPS monitoring to prioritize reducing court case backlog while not creating a backlog of new cases.
- Court staff payroll costs to staff new programs or offices created to reduce court backlogs.

### **Purpose: Pre-Sentencing and Pre-Dispositional Services for the 2-year Grant Period**

- Reduce delay using a virtual mental health assessment team. This team may meet with individuals to complete competency assessment, pre-sentence investigation services, and other mental health assessments.
- Collaborative approaches to diversion programs such as specialized dockets, youth crime and violence education, and community mentoring models.

- Extend court hours through the use of evening, weekend, or night court sessions.
- Use of house arrest / GPS monitoring to prioritize reducing court case backlog while not creating a backlog of new cases.
- Court staff payroll costs to staff new programs or offices created to reduce court backlogs.

**Purpose: Post-Adjudication or Post-Dispositional Services & Activities for the 2-year Grant Period**

- Part-time magistrates and support staff in processing the estimated backlog of criminal and civil cases including eviction cases.
- Court initiated, partner supported, employment-based services as an alternative to adjudication to connect individuals with workforce development for the purposes of preventing/reducing future violence.
- Use of house arrest / GPS monitoring to prioritize reducing court case backlog while not creating a backlog of new cases.
- Court staff payroll costs to staff new programs or offices created to reduce court backlogs.

**Purpose: Warrant Prevention, Reduction, and Removal for the 2-year Grant Period**

- Reduce the number of bench warrants issued for failure to appear by using technology or innovative programs to remind individuals of upcoming hearings, court events, payments due or other activities which could result in the issuance of a warrant for failing to appear and increase court backlog.
- Dismiss nonviolent misdemeanor or traffic warrants after a clear failure to prosecute, removing cases from the docket to allow the court to focus resources on current backlog, including staffing and facilities for court amnesty programs.
- Audit, recall, and clear or set-aside outstanding warrants that are not timely served; this allows the court and law enforcement to focus resources where there is an immediate or imminent threat to public or personal safety.
- Court staff payroll costs to staff new programs or offices created to reduce court backlogs.

**Purpose: Hiring and Payroll**

- Court staff recruitment costs.
- Court staff payroll costs to (1) replace vacant or eliminated positions from the pandemic or to (2) return to pre-pandemic levels. Whichever reason for hiring is used must be justified and demonstrated by using option 1. or 2. Under "PURPOSE: HIRING AND PAYROLL" on the ARPA Screening Tool. ARPA funds must be used within 2 years and will not be extended; future planning to maintain staffing is expected.

## AMERICAN RESCUE PLAN ACT FUNDING (ARPA) APPLICATION REQUIREMENTS

### **Narrative** (limited to 8000 characters)

Describe the project to be implemented with grant funding. Narratives must respond to the following:

- State the problem that has been created or made worse by the pandemic (e.g. criminal case backlog, decrease in staffing).
- Provide statistics to support the problem statement above; use January 27, 2020 as the ARPA-recognized start of the pandemic, so data should demonstrate that the problem began or worsened after that date. A template is provided to courts through the [eStats Portal](#). Contact [casemgmt@sc.ohio.gov](mailto:casemgmt@sc.ohio.gov) for assistance. Upload the statistics through the OCJS grants system as an attachment in the narrative section of the application.
- Clearly describe the proposed activities and approach to be taken to address the problem that was stated.
- Describe how the activities will be reasonably achieved.
- Provide details of the organization and staff responsible for implementing the project.
- Provide a description of how the proposed activities will engage with the community and any community partners that will be involved, if applicable.
- State if the proposed approach is evidence-based and, if so, provide supporting research references.

### *Project Objectives*

Project objectives measure the changes that will result from implementing the proposed project. Applicants should describe these changes (or outcomes). At least one objective is required for each project. Each objective should include at least two performance indicators that identify how change will be measured. Objectives and indicators should be specific, measurable, achievable and within pre-set timeframes. This section should identify the following:

- Project objectives, such as the following examples:
  - To reduce overage rates of a specific case type, in a specific courthouse, by a specified percentage.
  - To decrease the number of defendants who fail to appear in a specific court by a specified percentage; or to increase appearance rates in a specific community by a specified percentage.
  - To increase the number of pre-trial program enrollment due to an increase of services available.
  - To restore agency staffing to pre-pandemic levels.
- Performance indicators, such as the following examples:
  - The number of cases disposed within time standards.
  - The percentage of overage cases in a court.
  - The percentage of courthouse staffing capacity generated by retention and recruiting.
  - The number of warrants issued.
  - The number of continuances issued.
  - The number of staff hired during the project period.

- The number of FTE (full time equivalent) staff in the court.
- Any baseline data that exists related to the indicators being used.

### **Budget**

Describe any costs associated with implementing the activities described in the narrative.

- Present a clear and detailed budget with a narrative that explains and justifies the budget information.
- Justify the costs of the proposed program and that the costs are considered reasonable and cost-effective in view of the types and range of activities to be conducted, the number of participants to be served, and the expected results and benefits.
- Include information on related funding the court may be applying for or receiving.

There is not a match requirement for this award; please leave this section of the budget blank.

### **External Audit or Financial Report**

Please upload a copy of your organization's most recent external audit or most recent financial report as part of your application packet. This allows OCJS to ensure requirements are met for 2 C.F.R. § 200.331(f). Single Audit Act Amendment of 1996, and the OMB Circular A-133.