

U.S. Department of Justice
Office on Violence Against Women (OVW)



OVW Fiscal Year 2012 Court Training and Improvements Program

Eligibility

Applicants are limited to Federal, State, Tribal, Territorial,
or local courts or court-based programs.
(See "Eligibility," page 5)

Deadline

All applications are due by 11:59 p.m. E.T. on April 11, 2012.
(See "Deadline: Application," page 5)

To assist OVW in planning for the independent peer review process, letters of intent to apply should be submitted to OVW.CourtsProgram@usdoj.gov by March 28, 2012. Please note, however, that letters of intent are optional. Interested applicants who do not submit a letter of intent by the deadline are still eligible to apply.

To ensure all applicants have ample time to complete the registration process through Grants.gov, applicants should register online with Grants.gov by March 28, 2012.

Contact Information

For assistance with the requirements of this solicitation, contact OVW at (202) 307-6026.

In Fiscal Year 2012, OVW applications will be submitted through Grants.gov. For technical assistance with the Grants.gov contact the Grants.gov Customer Support Hotline at 1-800-518-4726.

Grants.gov Number assigned to announcement OVW-2012-3148

It is anticipated that all applicants will be notified of the outcome of their applications by September 30, 2012.

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OVW Court Training and Improvements Program (CFDA 16.013)

Overview

The Office on Violence Against Women (OVW) is a component of the United States Department of Justice (DOJ). Created in 1995, OVW implements the Violence Against Women Act (VAWA) and subsequent legislation and provides national leadership on issues of sexual assault, domestic violence, dating violence, and stalking. Since its inception, OVW has supported a multifaceted approach to responding to these crimes through implementation of grant programs authorized by VAWA. By forging State, local and tribal partnerships among police, prosecutors, judges, victim advocates, health care providers, faith leaders, and others, OVW grants help provide victims with the protection and services they need to pursue safe and healthy lives, while improving communities' capacity to hold offenders accountable for their crimes. For general information on OVW grant programs please see the OVW Fiscal Year 2012 Grant Program Solicitation Reference Guide (Reference Guide) at <http://www.ovw.usdoj.gov/docs/resource-guidebook.pdf>.

About the OVW Court Training and Improvements Program

The Court Training and Improvements Program (Courts Program), created by the Violence Against Women Act of 2005 (VAWA 2005)¹, recognizes that judicial education and specialized court processes play an integral role in effective responses to the crimes of sexual assault, domestic violence, dating violence, and stalking.² As knowledge about violence against women has grown, it has become clear that the most effective response is created when all parts of the justice system coordinate and collaborate to address this issue.³ The successful and effective prosecution of domestic violence is augmented in jurisdictions where courts have consolidated domestic violence calendars, developed specialized domestic violence courts, and increased both pre- and post-conviction supervision of defendants.⁴ A critical element in the success of specialized courts is the involvement of all parts of the justice system working together to examine the system's response to sexual and domestic violence, including promoting cooperation between the courts, other criminal justice agencies, and community programs through coordinated community response initiatives.⁵

¹ Codified at 42 U.S.C. §14043 et seq.

² The terms domestic violence, dating violence, sexual assault and stalking are defined in 42 U.S.C. §13925 (a), which can be found on the OVW website at http://www.usdoj.gov.ovw/docs/overarching_definition.pdf.

³ Emily Sack, *Creating A Domestic Violence Court: Guidelines and Best Practices*, Family Violence Prevention Fund (2002).

⁴ 2010 Biennial Report to Congress on the Effectiveness of Grant Programs Under the Violence Against Women Act.

⁵ Id. at 2010 Biennial Report to Congress

In order to significantly improve internal civil and criminal court functions, court-based and court-related personnel must be educated on sexual assault, domestic violence, stalking and dating violence. In cases of domestic violence, research indicates that mandatory and ongoing training for judges enables them to become more sensitive to the needs of victims and understanding of the dynamics of domestic violence.⁶ Judges have also acknowledged that better training on the unique challenges and varying types of adult victim sexual assault cases would significantly improve their decision-making skills when ruling on these matters.⁷ Through specific training, judges and other court personnel can work with their communities to develop specialized practices and utilize educational resources that will result in significantly improved responses to sexual assault, domestic violence, dating violence and stalking cases, ensure offender accountability, and promote informed judicial decision-making.

In addition, courts that have adopted a specialized approach in the handling of domestic violence cases are seeing significant improvements in victim safety, and offender accountability, decreases in re-offenses and re-abuse, and more efficient case-flow processing.⁸ The Unified Family Courts, Coordinated Courts, and the Integrated Domestic Violence Courts are the more visible specialized domestic violence court models. These model courts tend to be a more efficient structure for addressing the comprehensive issues that face families dealing with abuse. Yet, given that sexual assault often co-occurs within domestic violence, there is an increasing need for courts with the capability to operate a centralized or coordinated system for handling non-stranger adult-on-adult sexual assault cases. Therefore, there continues to be a need for stronger case coordination, specialized intake processes, judicial monitoring, and ongoing training for judges handling sexual and domestic violence cases.

This Courts program creates a unique opportunity for Federal, State, Tribal, Territorial, and local courts or court-based programs to significantly improve court responses to sexual assault, domestic violence, dating violence and stalking cases through the creation of dedicated court dockets, specialized courts, and enhanced court procedures, and by providing key opportunities for training to ensure victim safety and offender accountability.

Please read the Courts Program Solicitation in its entirety before beginning your application. It is the responsibility of the applicant to ensure that the application is complete and that all eligibility requirements have been met at the time of application submission. OVW will remove an application from consideration, prior to peer review, if it is incomplete. Final award decisions are not appealable.

Deadlines

Application

The deadline for applying for funding under this grant announcement is 11:59 p.m. E.T. on 11, 2012. Applications submitted after 11:59 p.m. E.T. on April 11, 2012 will not be considered for funding.

⁶ Susan Keilitz, *Specialization of Domestic Violence Case Management in the Courts: A National Survey*, National Institute of Justice (2004).

⁷ Lynn Hecht Schafran, Esq. and Claudia J. Bayliff, Esq., *Judges Tell: What I Wish I Had Known Before I Presided In An Adult Victim Sexual Assault Case*, National Judicial Education Program (2010).

⁸ Andrew Klein, *Practical Implications of Current Domestic Violence Research: For Law Enforcement, Prosecutors and Judges*, National Institute of Justice (June 2009).

Note: For applicants without Internet access who cannot submit an application electronically, please contact Krista Blakeney-Mitchell at (202) 307-6026 no later than April 5, 2012 to request permission to submit an application by alternative means.

Registration

The **Grants.gov** registration deadline is March 28, 2012. It is strongly encouraged that applicants begin the registration process well in advance of the deadline. For more information on the process of registering with **Grants.gov**, please see the [Reference Guide](#).

Letter of Intent

If you intend to apply for Fiscal Year (FY) 2012 funding under this program, we encourage you to submit a letter stating your intent to apply. OVW will use this information to predict the number of panels needed to review applications. The letter should be submitted to OVW at OVW.CourtsProgram@usdoj.gov by March 28, 2012. **This letter will not obligate you to submit an application.** You may submit an application for funding if you do not submit a Letter of Intent.

Eligibility

It is very important that you review this information carefully. Applications that are submitted by ineligible entities will not be considered for funding.

Eligible Entities

Eligible entities for this program are:

- Federal, State, Tribal, Territorial, or local courts; or
- Federal, State, Tribal, Territorial, or local court-based programs.

Program Eligibility Requirements

In addition to meeting the eligible entity requirement outlined above, applications for the Courts Program must also meet the following certification requirements:

Certification of Eligibility

To be eligible to receive funding through this program, applicants must certify, in writing, that:

- (A) any courts or court-based personnel working directly with or making decisions about adult or youth parties experiencing sexual assault domestic violence, dating violence, and stalking have completed or will complete education about sexual assault, domestic violence, dating violence, and stalking; and
- (B) the grantee's internal organizational policies, procedures, or rules do not require mediation or counseling between offenders and victims physically together in cases where sexual assault, domestic violence, dating violence, or stalking is an issue.

The **chief court administrator or chief judicial officer** of the applying Federal, State, Tribal, Territorial, or local court or court-based program must certify in writing that the conditions listed

above are met. Certification must be submitted on agency letterhead and **included with the application. Applications submitted without a certification letter will not be forwarded to peer review.**

Types of Applicants

In FY 2012, OVW will accept applications for the Courts Program from the following:

New: applicants who have neither an open Courts Program award nor an award that was closed within the last 12 months.

Continuation: applicants who have an open Courts Program award and/or an award that was closed within the last 12 months.

Grant recipients who received funding for 36 months in FY 2010, or 24 or 36 months in 2011 are NOT eligible to apply.

Sub-type: In addition to new and continuation applications, OVW has determined that applicants for the Courts Program must also identify as one of the sub-types listed below. Please refer to Appendix A: Application Type Reference Chart and the Program Scope on page 7 of the solicitation for further information about this requirement.

<i>Type of Grant</i>	<i>Type of Project</i>	<i>Budget Period</i>
Development	Sexual Assault or Domestic Violence Docket	36 Months
Development	Dedicated Sexual Assault or Domestic Violence Court	36 Months
Development	Specialized Court Enhancement	36 Months
Supplemental Training	Judicial Education and/or Staff Training	24 Months

In FY 2012, OVW will accept new and continuation applications for the Courts Program from court and court-based applicants proposing specialized court infrastructure development or supplemental judicial and court staff training projects. For the purposes of this program, **applicants proposing development projects are:** 1) courts or court-based program applicants that have no existing specialized court or court docket that exclusively handles sexual assault, domestic violence, dating violence or stalking cases; 2) court programs currently operating under a dedicated domestic violence docket that seek to expand and develop a dedicated domestic violence court; or 3) dedicated domestic violence courts within Federal, State, Tribal, Territorial or local jurisdictions that seek to enhance and expand to a more specialized domestic violence court infrastructure (e.g., Unified, Coordinated or Integrated Court system). In addition, **applicants proposing supplemental training projects are:** court or court-based program applicants who partner with a nonprofit victim service organization and seek funding to develop training curricula and/or provide judicial education resources to court staff at the local, Territorial, Tribal, State or Federal levels.

Award Information

Award Period

The award period for these grants will be 24 months for supplemental training projects and 36 months for development projects. **All budgets must reflect 24 or 36 months of project activity, and the total “estimated funding” (block 15) on the SF-424 must reflect 24 or 36 months.**

Award Amounts

Applicants should carefully consider the resources needed to successfully implement the project proposed and present a realistic budget that accurately reflects project costs. Awards under the Courts Program for FY 2012 will be made between **\$50,000 and up to \$450,000**, depending upon the type of project proposed. Grants may be made for greater or lesser amounts than requested. In addition, OVW may negotiate the scope of work with successful applicants to adjust budgets, prior to granting an award. Awards under the Courts Program for FY 2012 will be made for the following award amounts:

Project Type

<i>Type of Applicant</i>	<i>Type of Project</i>	<i>Total Budget</i>
Development	Sexual Assault or Domestic Violence Docket	\$100,000
Development	Dedicated Sexual Assault or Domestic Violence Court	\$450,000
Development	Specialized Court Enhancement	\$450,000
Supplemental Training	Judicial Education and/or Staff Training	\$50,000

Note: Development applicants are limited to expending no more than \$50,000 in the planning phase of the project as outlined in the budget section on page 21 of the solicitation.

All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. Funding is not guaranteed.

Program Scope

Activities supported by the Courts Program are determined by statute, Federal Regulations, and OVW policies.

The scope of the Courts Program is defined by the following statutory program purpose areas and OVW priority areas. Proposed projects must implement activities consistent with the statutory program purpose areas. Proposed projects must address at least one purpose area, but do not need to address multiple purpose or priority areas in order to receive support.

During the OVW internal review, applications that are partially out of scope will receive up to a 25-point deduction. Applications that propose projects that are substantially outside the scope of the Courts Program statutory purpose areas will be disqualified from further funding consideration.

Purposes Areas

By statute, 42 U.S.C. §14043, funds under the Courts Program may be used for the following purposes:

- Improving internal civil and criminal court functions, responses, practices and procedures;
- Educating court-based and court-related personnel on issues relating to victims' needs, including safety, security, privacy, confidentiality, and economical independence, as well as information about perpetrator behavior and best practices for holding perpetrators accountable;
- Collaborating and training with Federal, State, Tribal, Territorial, and local public agencies and officials and nonprofit, nongovernmental organizations to improve implementation and enforcement of relevant Federal, State, Tribal, Territorial and local law;
- Providing technical assistance to Federal, State, Tribal, Territorial, or local courts wishing to improve their practices and procedures or to develop new programs. Priority consideration will be given to training and technical assistance projects that focus on sexual assault, dating violence and/or stalking; and
- Enabling courts or court-based or court-related programs to develop new or enhance current—
 - Court infrastructure (such as specialized courts, dockets, intake centers or interpreter services);
 - Community-based initiatives within the court system (such as court watch programs, victim assistance, or community based supplementary services);
 - Offender management, monitoring, and accountability programs;
 - Safe and confidential information-storage and -sharing databases within and between court systems;
 - Education and outreach programs to improve community access, including enhanced access for underserved populations; and

- Other projects likely to improve court responses to sexual assault, domestic violence, dating violence, and stalking.⁹

Mandatory Program Requirements

Development Grant Projects:

OVW will consider a court or court-based program applicant seeking funding to develop and implement a specialized court (e.g., domestic violence court model) as a candidate for a development grant. Development grants will be divided into a planning phase and an implementation phase over a 36-month period.

- 1) Planning Phase: Applicants must allocate a set amount of funds (up to \$50,000) for the planning phase of the grant. Jurisdictions selected to develop projects will work with OVW and OVW-designated judicial technical assistance providers to establish the foundation for developing a specialized docket or court infrastructure, or an integrated court system for handling sexual assault, domestic violence, dating violence and/or stalking cases. (See Glossary at p. 43.) Applicants for development funding must set aside no less than 6 but not more than 12 months for the planning phase. Proposed activities must include, but are not limited to, the following:
 - Establishing an advisory/consulting committee comprised of the project partner/s as identified in the MOU or Letters of Support;
 - Coordinating and conducting planning meetings;
 - Hiring a case manager or docket coordinator;
 - Participating in site visits to established OVW-identified sexual assault or domestic violence courts;
 - Participating in OVW-sponsored technical assistance events;
 - Developing specialized court policies and protocols; and
 - Consulting with one or more of the OVW-designated technical assistance providers.
- 2) Implementation Phase: Upon successfully completing the planning phase, grantees will begin implementing specialized court services over the remainder of the project period. During this phase, grantees will continue to work with OVW and OVW-designated judicial technical assistance providers to implement their specialized court projects.

Types of Development Grant Projects:

Below are descriptions of projects types that can be addressed with Courts Program funding. Applicants that choose to propose one or more of these project types must also address the foundational criteria outlined below.

Sexual Assault or Domestic Violence Docket

The protection order¹⁰ docket is often the point of entry for victims into the judicial system, and litigants in these cases frequently appear pro se.¹¹ With this model, **the court docket only addresses orders of protection** for sexual assault and/or domestic

⁹ 42 USC 14043.

¹⁰ See Glossary of Terms.

¹¹ Sack, *supra* note 4 at 24.

violence cases. Petitions for protection orders and the hearings alleging violations of protection orders make up the court's sexual assault or domestic violence docket. In larger jurisdictions, these cases are assigned to one judge who only handles protection orders. In smaller jurisdictions, the assigned judge may have other types of cases, but the protection order caseload is maintained separately as a specialized docket.¹² Together with judges and court personnel trained in sexual assault and/or domestic violence issues, this model promotes victim safety, offender accountability, and informed judicial decision-making. Applicants proposing this project must include a case coordinator to manage scheduling of the court docket/calendar.

This project should also include:

- A weekly or daily dedicated docket or specialized court calendar for handling sexual assault or domestic violence related civil or criminal protection orders;
- Full-time specialized judge or judges (who rotate through the docket) to hear sexual assault or domestic violence cases;
- Effective case monitoring and compliance follow-up;
- On-site victim advocacy services;
- Ongoing judicial education and court personnel training in domestic violence issues and promising practices (in coordination with designated OVW Judicial Technical Assistance Providers); and
- Extensive collaboration with agencies and community-based organizations, in an effort to strengthen the entire community's response to domestic violence.

For the purposes of this program, a domestic violence court project that proposes less than a full-time domestic violence court calendar and/or assigned judicial operating staff will be reviewed as a domestic violence "docket" project.

Dedicated Sexual Assault or Domestic Violence Court

A dedicated sexual assault or domestic violence court exclusively hears these cases, with screening mechanisms established by the prosecutor or court clerks to identify eligible cases. With this model there is a designated schedule for hearing sexual assault or domestic violence related matters on a daily or weekly basis that **includes orders of protection as well as other related matters.**

This project should include:

- A full-time dedicated docket or specialized court calendar for handling sexual assault or domestic violence related civil or criminal protection orders and related family matters;
- Full-time specialized judge or judges (who rotate through the docket) to hear sexual assault or domestic violence cases;
- Effective case monitoring and compliance follow-up;
- Case coordinator to manage scheduling of the court docket/calendar;
- On-site victim advocacy services;
- Ongoing judicial education and court personnel training in domestic violence issues and promising practices; and

- Extensive collaboration with agencies and community-based organizations, in an effort to strengthen the entire community's response to sexual assault or domestic violence.

OVW recognizes that there are several types of domestic violence court models and considers the Unified Family Court model¹³, the Coordinated Court model¹⁴ and the Integrated Court model¹⁵ as examples of ways courts can address the complicated issues that families face, such as visitation and custody, in a more comprehensive manner.

Applicants proposing to implement one of these three court models should plan to incorporate the following activities:

- Establishing a local working group to create policies and procedures to guide planning and implementation of the specialized court;
- Creating an administrative process for identifying eligible (e.g., a State or local domestic violence registry linked with a court database) cases and ensuring individual cases remain distinct and are not consolidated;
- Assigning a single judge to handle civil and/or criminal matters;
- Working closely with legal stakeholders (i.e., prosecutors, defense attorneys, family court attorneys, guardians ad litem, etc.) to ensure representation for all litigants;
- Creating a process of judicial monitoring of offenders in both criminal and civil cases;
- Training and education for judges and court personnel to keep all staff informed of the latest research and best practices in the field in coordination with OVW-designated judicial technical assistance providers (see Appendix B);
- Establishing a unified and comprehensive database that captures information regarding services and compliance;
- Reviewing existing security procedures and protocols to ensure sufficient security personnel, safe waiting areas for victims and separate areas for offenders;
- Ensuring that appropriate levels of confidentiality of court records and proceedings are maintained; and
- Facilitating immediate access to victim advocates who provide victims safety planning, counseling, and access to social services.

Specialized Court Enhancement

Specialized Domestic Violence Courts¹⁶ consist of specific infrastructure and procedural practices for handling sexual assault and/or domestic violence cases. This court model eliminates traditional system of multiple judges and attorneys handling different aspects of a single case.

Specialized processes and services that promote enhanced services for sexual assault and domestic violence victims can include the expansion of an existing domestic violence court that involves developing a specialized process for handling sexual assault

¹³ Unified Family Court model - all civil matters involving the same family are assigned to a single judge. Criminal matters are assigned separately.

¹⁴ Coordinated Court model - both criminal domestic violence and related civil matters are assigned to the same court division but not to the same judge.

¹⁵ Integrated Domestic Violence Court model - one judge handles criminal domestic violence cases and the accompanying civil matters.

¹⁶ Susan Keilitz, *Specialization of Domestic Violence Case Management in the Courts: A National Survey*, National Center for State Courts (2001). In 2000, there were over 150 specialized domestic violence courts nationwide.

cases. Other specialized processes and services that can improve court responses to victims of sexual and domestic violence include but are not limited to:

- Intake units for protection order cases;
- Screening tools to track incidents of sexual assault in domestic violence cases;
- Crisis intervention advocacy;
- Interpreter services with expertise or training in sexual assault and/or domestic violence;
- Case coordination mechanisms to identify, link, and track cases involving the same parties or their children;
- Judicial review calendars or other mechanisms to monitor compliance with court orders; and
- Coordinated data systems with real time access to Federal, State and local civil and criminal case information.

Sexual assault, domestic violence, dating violence and stalking are serious crimes that have life altering impact on victims, for whom inappropriate responses can increase danger or even lead to death. For this reason, OVW considers judicial and court personnel training and technical assistance a vital component of any project that seeks to address sexual assault, domestic violence, dating violence or stalking. Applicants proposing a development project are required to set aside at least \$15,000 of the total budget for OVW training and technical assistance. These funds will be used over the 36-month period of the grant project. Grant recipients who fail to participate in OVW-sponsored training and technical assistance may not be eligible for future funding under this program. Participation includes, but is not limited to, sending judicial officers and other court staff to OVW-sponsored training events.

Supplemental Training Grant Projects:

OVW will consider a court or court-based applicant, who partners with a nonprofit organization and seeks funding to develop training curricula and/or provide judicial education resources to court staff at the local, Tribal, Territorial, State, or Federal levels, as a candidate for a supplemental training grant. The award period for supplemental training projects will be 24 months.

OVW will also consider applications from courts and court-based programs partnering with nonprofit organizations that propose to develop technical assistance targeting one or more of the following areas:

- Sexual assault training for Federal and military judicial personnel; and
- Technical assistance and training on sexual assault and stalking affecting individuals with disabilities and/or the aging.

Applicants for Supplemental Training Grants must include, but are not limited to, the following activities:

- A description of desired training/s and targeted participants (e.g., sexual assault training for judges and court administrators);
- A detailed description of anticipated trainings/educational resources to be developed and whether this requires creating a customized curriculum for a specific region or local jurisdiction; and
- Consultation and coordination with OVW-designated judicial technical assistance providers (this should also be reflected in the proposed budget).

Funding for judicial education and court personnel training will support projects seeking to provide training resources to court staff, including but not limited to, judges, court administrators, advocates, and case managers. Funding will support: 1) court staff participation in national training fora sponsored by OVW; and 2) customized local and statewide trainings in coordination with OVW designated technical assistance providers. (See Appendix B, OVW-designated Judicial Technical Assistance Providers.) Proposed activities should include at least one of the following:

- Coordinating court staff participation in ongoing OVW sponsored trainings and judicial education fora;
- Developing relevant and customized training curricula for Federal, State, tribal or local judges and court personnel in coordination with a designated OVW judicial technical assistance provider; and
- Utilizing OVW designated technical assistance providers to provide onsite assessment and/or assistance to judges and court staff regarding case coordination and database system development for sexual assault, domestic violence, dating violence or stalking cases.

All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. Funding is not guaranteed.

OVW Priority Areas

Applications proposing activities in the following areas will be given special consideration during the review process:

- Addressing victims' linguistic needs through interpreter and translation services;
- Providing comprehensive services to communities that have been traditionally underserved¹⁷; or
- Enhancing judicial decision-making in protection order cases that involve custody issues to facilitate more consistent and appropriate handling of cases involving domestic violence; and/or hiring staff (e.g., court liaison) to better meet the needs of families seeking supervised visitation and/or safe exchange arrangements in which domestic violence, sexual assault, dating violence, and/or stalking is a factor.

Activities that Compromise Victim Safety and Recovery

The following activities have been found to jeopardize victim safety, deter or prevent physical or emotional healing for victims, or allow offenders to escape responsibility for their actions:

- Requiring victims of sexual assault, domestic violence, dating violence or stalking to file for a protection order, cooperate in an investigation or file criminal charges against their abuser as a condition of receiving services;
- Sharing confidential victim information with outside organizations and/or individuals without the documented consent of the victim;

¹⁷ The term "underserved populations" includes populations underserved because of geographic location, underserved racial and ethnic populations, and populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age). 42 U.S.C. 13925(a) (33).

- Referring victims to Child Protection Services solely for failure to protect their minor child when witnessing domestic violence except if required under State law;
- Procedures that exclude victims from receiving assistance based on their age, immigration status, race, religion, sexual orientation, gender identity, mental health condition, physical health condition, criminal record, work in the sex industry, or the age and/or gender of their children¹⁸;
- Internet publication of registration or filing of a protection order, restraining order, or injunction in either the issuing or enforcing State, Tribal or Territorial jurisdiction if such publication would reveal the identity of the party protected by such order;
- Failing to conduct safety planning with victims;
- Crafting policies that deny individuals access to services based on their relationship to the perpetrator; and
- Procedures that would penalize victims of violence for failing to testify against their abusers or impose other sanctions on victims.¹⁹

Applications that propose activities that compromise victim safety and recovery may receive a deduction in points during the review process, or may be eliminated from further consideration entirely.

Confidentiality

Applicants should be cognizant of victims' confidentiality. Please see [Reference Guide](#) p. 17 for more information.

Out-of-Scope Activities

OVW has determined the activities listed below to be out of the program scope. Applications that propose out-of-scope activities may receive a point deduction during the review process. Applications that are determined to be substantially outside the scope of the Courts Program will not be considered for funding. The following activities are out of scope and will not be supported by Courts Program grant funding:

- Research projects (This does not include program assessments conducted only for internal improvement purposes. See the definition of "research" in this solicitation's section on Human Subject Research and Confidentiality Protections for additional information on what activities constitute research.)
- Grant funds may not be used to directly address child abuse, or other family violence issues such as violence perpetrated by a child against a parent, or violence perpetrated by a sibling against another sibling.²⁰
- Funds may not be used to develop court programs to address child sexual abuse cases.

¹⁸ Discrimination on the basis of race, color, and national origin is prohibited in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d.

¹⁹ Rather, procedures that provide victims with the opportunity to make an informed choice about whether to testify are encouraged.

²⁰ For the purposes of this program, family violence issues that can be addressed with grant funds are limited to intimate partner relationships that involve current and former spouses, current and former dating couples, cohabiting couples or people with children in common.

- Mandatory mediation in cases where sexual assault, domestic violence, dating violence, or stalking is an issue.

Unallowable Activities

The following is a list of activities that are unallowable and cannot be supported by the Courts Program grant funding. Applications that propose unallowable activities may receive a point deduction during the review process. Applications that include substantial unallowable activities will not be considered for funding.

- Lobbying
- Fundraising
- Purchase of real property
- Construction
- Physical modifications to building, including minor renovations (such as painting or carpeting)

How To Apply

Applicants should anticipate that failure to submit an application that contains all of the specified elements will negatively affect the review of the application and may result in the application not being considered for funding; and, should a decision be made to make an award, it may result in the inclusion of special conditions that preclude access to or use of award funds pending satisfaction of the conditions.

It is the responsibility of the applicant to ensure that the application is complete and submitted by the deadline.

Formatting and Technical Requirements

Applications must follow the requirements below. Points may be deducted for applications that do not adhere to the following requirements:

- Double spaced (Project Abstract, Summary Data Sheet and charts may be single space)
- 8½ x 11 inch paper
- One inch margins
- Type no smaller than 12 point, Times New Roman font
- Page numbers
- No more than 20 pages for the Project Narrative
- Word processing documents must be in the following formats: Microsoft Word (.doc), PDF files (.pdf), or Text Documents (.txt).
- Headings and sub-headings that correspond to the sections identified in How to Apply

Experiencing Unforeseen Technical Issues

If you experience technical difficulties at any point during the application process, please contact the Grants.gov Customer Support Hotline at 1-800-518-4726.

If you experience unforeseen technical issues that prevent you from submitting your application by the deadline, you must contact the technical support number above prior to the deadline AND contact the Courts Program at 202-307-6026 **within 24 hours after the deadline** to

request approval to submit your application. At that time, you will be required to email the complete grant application, your DUNS number, and provide a grants.gov Help Desk tracking number(s). After OVW reviews all of the information submitted and verifies your technical issues with the Helpdesk, OVW will contact you to either approve or deny your request to submit a late application. If the technical issues you reported cannot be verified, your application will be rejected as untimely.

To ensure a fair competition for limited discretionary funds, the following 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; and (3) failure to follow all of the instructions in the OVW solicitation.

Application Requirements

Applications must include the following documents and demonstrate that the program eligibility requirements have been met. Applications that do not address the following will not be considered for funding.

1. Project Narrative
2. Budget Detail Worksheet and Narrative
3. Memorandum of Understanding or Letters of Support
4. Certification of Eligibility

Applications forwarded for review will be scored on the following:

1. Summary Data Sheet
2. Project Narrative
3. Budget Detail Worksheet and Narrative
4. Memorandum of Understanding or Letters of Support
5. Sustainability Plan

Applications must address each section and include the detailed information outlined below in the specified section of the application.

Summary Data Sheet (2 Points)

The Summary Data Sheet should be one to two pages in length and may be single or double spaced. The Summary Data Sheet does not count toward the 20 page limit for the Project Narrative. Please provide the following information:

- Name, title, address, phone number, and e-mail address for the authorized representative. Please see the [Reference Guide](#) to determine who can be an authorized representative.
- Name, title, address, phone number, and e-mail address for the grant point-of-contact.
- Statement as to whether the agency has expended \$500,000 in Federal funds in the past fiscal year for the applicant. Please specify the end date of the fiscal year.
- Name of Federal, State, local, Tribal or Territorial court or court-based program that will serve as the lead applicant.
- The regional area(s) (city, town, Tribal area, county, parish) where this project will be implemented.

- Name(s) of other collaborating project partners who will be involved in project development and implementation.
- The Courts Program Statutory Purpose Area(s) (see page 8) being addressed by the proposal.
- Program scope (see page 8).
- Type of applicant (see page 6).
- Type of project (see pages 7).
- OVW Priority Areas (if any) addressed by the proposal (see page 13).
- The percentage of grant activities, should the application be approved, that will address each of the following issues:
 - Sexual assault;
 - Domestic violence;
 - Dating/Teen dating violence; and/or
 - Stalking.
- Summary of Current and Recent OVW Projects (if applicable)
 - If the applicant has a current grant award or cooperative agreement under **any** OVW program, or received an award that has been closed within one calendar year, the applicant **must**:
 - Identify each grant by OVW program, award number, and project period.
 - Specify the total funds remaining in each grant as of the date of application.
 - Provide the total funds remaining in each grant in the Personnel, Contracts/Consultants and Travel (OVW sponsored TA events) categories as of the date of application.
 - List the number and titles of all full-time and/or part-time positions funded by the award.

Project Narrative (63 Points Total)

The Project Narrative may not exceed 20 pages in length, double-spaced. The Project Narrative comprises the following 4 sections:

Purpose of Application (10 points)

This section must include:

- How sexual assault, domestic violence, dating violence and/or stalking cases are currently being handled within the relevant Federal, State, Tribal, Territorial or local court system;
- A description of the court jurisdiction in which the project would be implemented, including location, population, and demographic information;
- The target population and how that target population would benefit from the proposed project (please use current demographic information for the court jurisdiction in order to be as specific and detailed as possible when describing the population to be served);
- Current court services and gaps for the targeted population;
- Barriers victims of sexual assault, domestic violence, dating violence, and or stalking experience when attempting to access court services;
- Why the proposed project is not funded by, and describe how the proposed project complements, the State's STOP Violence Against Women 5% set-aside for courts (this is not required for applications from Tribal governments); and

- If the applicant has applied or is applying for multiple OVW grants, a description of how this project complements the applicant's other OVW projects without duplicating efforts.

What Will Be Done (40 points)

This section must include the information below. In doing so, the applicant must provide a clear link between the proposed activities and the need identified in the "Purpose of Application" section.

- Goals and objectives describing the specific tasks and activities necessary to accomplish each;
- Expected outcomes;
- Current practices that address victim safety and autonomy;
- How victim safety and autonomy will be addressed in the project;
- Type of project (pages 9-13) proposed and how it will improve the judicial handling of sexual assault, domestic violence, dating violence and/or stalking cases; ensure offender accountability; and promote informed judicial decision-making;
- A time line that demonstrates how the tasks and activities will be accomplished within the 24- or 36-month grant cycle; and
- Ways additional funding will enhance any existing projects.

If this project includes the development of tangible products (e.g., a video, a brochure, or curriculum), this section should include a description of how the products will be used, and how judicial staff will benefit from their use. However, development of products is not a requirement of the Courts Program.

In addition, if applicants are proposing to use any technology (including, but not limited to, security systems, GPS, hotlines, and databases) they should explain how they plan to address any victim safety concerns that may arise from the use of the technology, such as confidentiality, safety planning, and informed consent.

In addition, all applicants proposing to create a sexual assault or domestic violence docket, sexual assault or domestic violence court, or a specialized court are **required to coordinate with one or more of the following OVW-designated judicial technical assistance providers.**²¹

- Center for Court Innovation;
- Futures Without Violence;
- Institute on Domestic Violence in the African American Community;²²
- Legal Momentum National Judicial Education Program;
- National Center for State Courts; or
- National Council of Juvenile and Family Court Judges.

²¹ See Appendix B for a list of OVW-designated Judicial Technical Assistance Providers and point of contact (POC) information.

²² This is a very targeted technical assistance project and eligibility for grantee/consultant partnership is limited.

Who Will Implement the Project (10 points)

Development Projects:

This section must include the information below. In doing so, the applicant must justify who will be involved in the project and demonstrate that they have the capacity to address the stated need and that they can successfully implement the stated project activities.

- Key personnel; (Position descriptions and resumes that are available should be appended to the application)
- Experience and expertise of the organization who will be directly involved with the project;
- Clearly demonstrate that any partnerships required by the solicitation have been met;
- Agency(ies) or office(s) responsible for implementing the project;
- Intended project partners, specifying their respective roles and responsibilities, and the collaborative relationship to be developed or enhanced;
- A designated single point of contact in the administrative arm of the court; and
- Applicants proposing to develop a dedicated docket or court create a case manager or docket coordinator position.

While there is an important role for community victim advocates to play in the creation of a domestic violence docket or domestic violence court model, this does not preclude applicants from requesting support for government agency victim services. However, the budget and budget narrative must distinguish between the two and should include compensation for the contributions of nonprofit, victim service agencies. In addition, if funding is requested for both governmental victim assistance and non-profit non-governmental advocacy, the project narrative must explain how these different entities will collaborate.

Victim service providers can provide varying degrees of confidentiality, often depending on State, Tribal, and Federal laws. This may affect what information about victims they can share with partners. Other partners may have legal limitations as well. Applicants should explain information sharing between partners, including how they will protect information that is confidential or privileged.

Applicants under this program may not issue a Solicitation/RFP to redistribute these funds after receiving an award.

Supplemental Training Projects:

This section must include the information below. In doing so, the applicant must justify who will be involved in the project and demonstrate that they have the capacity to address the stated need and that they can successfully implement the stated project activities.

- Key personnel; (Position descriptions and resumes that are available should be appended to the application)
- Experience and expertise of the organization who will be directly involved with the project;

- Clearly demonstrate that any partnerships required by the solicitation have been met including the required collaboration with a national, Tribal, State, Territorial, or local victim services provider or coalition;
- Identify the agency(ies) or office(s) responsible for implementing the project;
- Identify all of the intended project partners, specifying their respective roles and responsibilities and the collaborative relationship to be developed or enhanced;
- Identify a training coordinator to arrange and track staff participation in OVW trainings, and/or coordinate with OVW technical assistance providers in developing and delivering a customized training curriculum; and
- In addition, all applicants proposing to develop a judicial education/training program are **strongly encouraged to coordinate with one or more of the following OVW-designated judicial technical assistance providers:**²³
 - Center for Court Innovation;
 - Futures Without Violence;
 - Institute on Domestic Violence in the African American Community²⁴;
 - Legal Momentum National Judicial Education Program;
 - National Center for State Courts; or
 - National Council of Juvenile and Family Court Judges.

Applicants under this program may not issue a Solicitation/RFP redistributing these funds after receiving an award.

Sustainability Plan (3 points)

As this is a competitive, discretionary program, there is no guarantee of continuation funding. Applicants are required to include a plan describing how they would sustain project activities if Federal funding through the Courts Program were no longer available. Applicants must also describe at least one locally, privately, State, Tribal, or Federally funded project that the applicant has sustained in the past.

Budget Detail Worksheet and Narrative (15 Points)

OVW has the discretion to award grants for greater or lesser amounts than requested and to negotiate the scope of work and budget with applicants prior to award of a grant. For guidance on budget requirements please see the [Reference Guide](#). A Sample Budget Detail Worksheet is available at <http://www.ovw.usdoj.gov/docs/budget-detail-worksheet.pdf>. When preparing the Budget Detail Worksheet and Narrative, please use the Sample Budget Detail Worksheet as a guide and be sure to include all necessary budget categories as outlined in the Worksheet.

Award Period and Amount

Since funds are limited, applicants should carefully consider the resources needed to implement a Federal, State, Tribal, Territorial or local court or court-based project and present a realistic budget that accurately reflects the costs involved for a 24 or 36 month budget. The following award limits are firm. Also, OVW has the discretion to make awards for greater or lesser amounts if warranted. Applicants in Alaska, Hawaii, or a United States Territory must set aside additional travel funds (see page 23).

²³ See Appendix A for a list of OVW technical assistance providers and point-of-contact information.

²⁴ This is a very targeted technical assistance project and eligibility for grantee/consultant partnership is limited.

Proposed budgets should not exceed the following limits:

<i>Type of Applicant</i>	<i>Type of Project</i>	<i>Budget Period</i>	<i>Year 1 – Planning²⁵</i>	<i>Travel/TA Funds</i>	<i>Implementation Budget (Approximate)²⁶</i>	<i>Total Budget</i>
Development	Sexual Assault or Domestic Violence Docket	36 Months	Up to \$50,000	\$15,000	\$35,000	\$100,000
Development	Dedicated Sexual Assault or Domestic Violence Court	36 Months	Up to \$50,000	\$15,000	\$385,000	\$450,000
Development	Specialized Court Enhancement	36 Months	Up to \$50,000	\$15,000	\$385,000	\$450,000
Supplemental Training	Judicial Education and/or Staff Training	24 Months	N/A	\$50,000	N/A	\$50,000

Budget Requirements

Applicants are required to submit a budget detail worksheet that is reasonable and cost effective. The budget must adhere to the OVW Financial Grants Management Guide that can be found a <http://www.ovw.usdoj.gov/docs/resource-guidebook.pdf>. The budget detail worksheet must:

- Include a budget narrative that supports and justifies all proposed costs and provides a clear link between specific project activities and proposed budget items;
- Include a budget that reflects all costs related to implementing the proposed project and provides calculations for all costs;

Additional guidance specific to this program is as follows:

- Applicants are strongly discouraged from requesting consultant rates in excess of \$650 per day.
- Applicants may not use any OVW funds for conducting research. However, up to 1% of the budget may be allocated for the purpose of assessing the effectiveness of funded activities. For example, funds may be used to conduct pre- and post-testing of training recipients or victim satisfaction surveys. In conducting such testing or surveys, grantees may not collect, analyze, or disseminate any identifying information to a private person during the course of assessing the effectiveness of funded activities.
- A contribution of non-Federal dollars (“match”) is not required for this program, but applicants are encouraged to maximize the impact of Federal dollars by contributing to the costs of their projects. Supplemental contributions may be cash, in-kind services, or a combination of both. Any non-Federal contributions can be discussed in the project narrative; however, these supplemental contributions should **not** be included in the budget or budget narrative.

²⁵ Planning should take place during the first 6 to 12 months of the grant project period.

²⁶ Unused planning funds may be applied to the implementation budget – and implementation activities may commence during the planning phase, i.e., hiring a project coordinator/case manager.

- Applicants may include per diem for judges serving as substitutes in the absence of regularly assigned judges who are participating in OVW-sponsored trainings.

Food and Beverage/Costs for Refreshments and Meals

OVW funding cannot be used to purchase food and/or beverages for any meeting, conference, training, or other event, except if the following applies:

- The location of the event is not in close proximity to food establishments. It should be a priority to try to secure a location near reasonably priced and accessible commercial food establishments;
- Not serving food will significantly lengthen the day or necessitate extending the meeting to achieve meeting outcomes;
- Special presentation at the conference requires a plenary address where there is no other time for food to be obtained; or
- Other extenuating circumstances which necessitate the provision of food.

Justification for an exception listed above must be included in the budget narrative.

Note: In addition to the requirements above, cooperative agreement or contract recipients must complete and submit a Conference and Events Approval Form to OVW for review and approval prior to entering into a contract for any meeting, conference, training, or other event.

If an exception is made for food/beverages or refreshments, the cost of any individual meal, plus taxes and any hotel service costs (e.g., labor cost for room setup), cannot exceed 150 percent of the General Services Administration (GSA) Meals and Incidental Expenses (M&IE) rate for that meal in that locality per attendee. OVW strongly encourages costs to stay at or below 100% of the applicable per diem rate for any meal provided, including any service costs. The current GSA M&IE rate breakdown by meal and by locality can be found at <http://www.gsa.gov/portal/content/101518>. If OVW funds are used to provide breaks/refreshments, they can only be provided once per day, and any related expenses (food, beverages, plus taxes and any hotel service costs) cannot exceed 11.5% of the current GSA M&IE rate per attendee per day. OVW prefers that such costs fall well below 11.5%. This restriction does not apply to water provided at no cost, but does apply to any and all other refreshments, regardless of the size or nature of the meeting. Additionally, this restriction does not impact direct payment of per diem amounts to individuals in a travel status under your organization's travel policy.

Updated Department of Justice and OVW guidance on conference planning, minimization of costs, and conference cost reporting will be forthcoming and will be accessible on the OVW website.

Training and Technical Assistance

All applicants proposing development projects are required to allocate funds in the amount of \$15,000 to support travel costs associated with technical assistance and capacity-building activities sponsored by OVW-designated technical assistance providers. Applicants from Alaska, Hawaii, and United States Territories should allocate \$25,000 to account for higher travel costs. These specific applicants may exceed the budget caps to account for this increased travel amount. Please see the [Reference Guide](#) at pages 11-12 for more information on this requirement.

All applicants are required to attend the OVW New Grantee Orientation for the Courts Program. Applicants should allocate funds in the budget to support the travel costs associated with this mandatory training requirement.

Accommodations and Language Access

Applicants are encouraged to allocate grant funds to support activities that help to ensure individuals with disabilities and Deaf individuals and persons with limited English proficiency to have meaningful and full access to their programs. For example, grant funds can be used to support American Sign Language (ASL) Interpreter services, language interpretation and translation services, or the purchase of adaptive equipment.

Applicants proposing to use grant funds to create websites, videos and other materials must ensure that they are accessible to persons with disabilities. Grant funds must be allocated for these purposes.

Memorandum of Understanding (MOU) or Letters of Support (20 Points Total)

For purposes of this application, the MOU is a document containing the terms of the partnership, and the roles and responsibilities between two or more parties. The MOU should be a single document and it should be signed and dated by the Authorized Representative of each proposed partner agency during the development of the application.

The MOU must:

- Demonstrate that the applicant has consulted and coordinated in a meaningful way with a Federal, state, tribal or local court or court-based program;
- Clearly identify the partners and provide a brief history of the collaborative relationship among those partners, including when and under what circumstances the relationship began and when each partner entered into the relationship;
- Clearly state the roles and responsibilities each partner will assume to ensure the success of the proposed project;
- Specify the extent of each partner's participation in developing the application;
- Identify the representatives of the planning and development team who will be responsible for developing and implementing project activities and describe how they will work together and with project staff;
- Demonstrate a commitment on the part of all project partners to work together to achieve stated project goals;
- Indicate approval of the proposed project budget by all signing parties; and
- Describe the resources each partner would contribute to the project, either through time, in-kind contributions, or grant funds (e.g., office space, project staff, and training).
- Signatories should be sure to include their titles and entities under their signatures.

Letter(s) of Support

Applicants may elect to submit letters of support in lieu of a Memorandum of Understanding. Each letter of support must clearly identify what service gaps exist, how the project will bridge the gap(s), and how the agency which submitted the letter will be involved with implementing project activities. The letters should clearly demonstrate what role the agency, victim service organizations, or service provider will have in achieving the goals and objectives of the project.

Every letter must:

- Clearly identify the name of the organization;
- Highlight the expertise of the individual or organization's staff that will be affiliated with this project;
- Provide a description of the collaborative relationship with the applicant;
- Specify the extent of the agency or organization's participation in developing the application;
- Clearly state the roles and responsibilities the organization or agency would assume to ensure the success of the proposed project;
- Identify the representatives of the planning and development team who will be responsible for developing and implementing project activities and describe how they will work with the applicant and other project staff;
- Demonstrate a commitment to work with the applicant and its partners to achieve the stated project goals; and
- Describe the resources that would be contributed to the project, either through time, in-kind contributions, or grant funds (e.g., office space, project staff, and training).

Where possible, attach the Letter(s) of Support as an attachment to the application in Grants.gov. The Letter(s) of Support must be current (**i.e., signed and dated during the development of the proposal**) and be created and signed by the individual and/or directors of the organization.

It is not sufficient to provide a letter of support that is vague, does not provide any substance relating to the proposed development or supplemental training project, or where the roles of the personnel involved in the project are not made clear.

Additional Required Information

The following documents will not be scored during the review process but they should be included with your submission. Failure to include any of the information may result in the inability to access funds if your application is selected for funding.

Proposal Abstract

The Proposal Abstract should provide a short and accurate summary of your proposed project including who will be involved with the proposed project, what will be done, the service area where the proposed project will take place and who will be impacted by the proposed project. Please do not summarize past accomplishments in this section.

Application for Federal Assistance (SF-424)

Applicants will complete the SF-424 online.

Standard Assurances and Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements (Form 4061/6)

Forms will be completed online during the submission process. For further information on the Standard Assurances and Certifications please see the [Reference Guide](#).

Letter of Nonsupplanting

Applicants must submit a letter to OVW's Director, signed by the Authorized Representative, certifying that Federal funds will not be used to supplant State or local funds should a grant award be made. Please refer to http://www.ovw.usdoj.gov/docs/nonsup_letter.pdf for a sample letter. This should be a separate attachment to the application in [Grants.gov](http://www.ovw.usdoj.gov).

Financial Accounting Practices

Each applicant must prepare a response to the following questions. OVW will review the applicant's responses to assist in evaluating the adequacy of the organization's financial management system and to identify areas of need for training and technical assistance. This section of your application should be no more than two pages and should be a separate attachment to the online application in [Grants.gov](http://www.ovw.usdoj.gov).

- Will all funds awarded under this program be maintained in a manner that they will be accounted for separately and distinctly from other sources of revenue/funding?
- Does the applicant have written accounting policies and procedures? OVW may request a copy for review during the application/award process or as part of the grant monitoring process.
- Is the applicant's financial management system able to track actual expenditures and outlays with budgeted amounts for each grant or subgrant?
- Does the applicant have procedures in place for minimizing the time elapsing between transfer of funds from the United States Treasury and disbursement for project activities?
- Does the applicant have effective internal controls in place to adequately safeguard grant assets and to ensure that they are used solely for authorized purposes? Please provide a brief description.
- Does the applicant have a documented records retention policy? If so, briefly describe the policy.
- Is the individual primarily responsible for fiscal and administrative oversight of grant awards familiar with the applicable grants management rules, principles, and regulations? If not, the applicant must contact OVW's Grants Financial Management Division at OVW.GFMD@usdoj.gov or 1-888-514-8556 immediately after the organization is notified of their award to coordinate training.

Indirect Cost Rate Agreement (if applicable)

Applicants that intend to charge indirect costs through the use of an indirect cost rate must have a Federally-approved indirect cost agreement. Please include a copy of a current, signed Federally-approved indirect cost rate agreement. If you need additional information on this requirement, you may go to <http://www.ovw.usdoj.gov/docs/gfmd-financial-grants-management-guide.pdf>. This should be a separate attachment to the application in [Grants.gov](http://www.ovw.usdoj.gov). Applicants that do not have a Federally-approved indirect cost rate should budget all project related costs in the direct cost categories. Organizations that wish to negotiate an indirect cost rate may contact OVW's Grants Financial Management Division at OVW.GFMD@usdoj.gov or 1-888-514-8556 for more information.

Selection Criteria

Applications will be scored based on the degree to which the applicant responds to each section and addresses each element contained within the corresponding section. Furthermore, applications will be scored based upon the quality of the response and the level of detail

provided. Each element **must** be addressed in the section in which it is requested. Points may be deducted if the applicant does not include the information in the appropriate section even if it is included elsewhere within the application. Each section will be reviewed as a separate document and will be scored as such.

OVW reserves the right to deduct points for applications that are partially out of scope, that include unallowable activities, for applicants who are out of compliance with a current OVW grant award or cooperative agreement, and for any activities that compromise victim safety or confidentiality.

If an application is deemed to be substantially out of scope, proposes a substantial number of activities that are unallowable, or proposes activities that pose a significant threat to victim safety or a serious breach of confidentiality, it will not be considered for funding.

Review Process

OVW will subject all applications to a review process that is fair and based on the criteria outlined in this solicitation. OVW may utilize internal review, external review, or a combination of both.

Past Performance Review

OVW awards that are current or have been closed within the past 12 months will be reviewed based on the elements listed below. Up to 25 points may be deducted from the application based on this review.

- Progress reports submitted by the applicant, in conjunction with monitoring conducted by OVW, demonstrate the effectiveness of the project, indicating timely progress toward meeting project goals and objectives;
- Timely submission of progress reports;
- The grantee has demonstrated that past activities supported with OVW grant funds have been limited to program purpose areas;
- The grantee has complied with all special conditions;
- The grantee has adhered to programmatic and financial reporting requirements, including timely submission of required reports;
- The grantee has closed-out prior awards in a timely manner;
- The grantee appropriately utilized and actively participated in OVW-sponsored workshops and other technical assistance events as required;
- The grantee has received financial clearances on all current grants from OVW;
- The grantee has acted in a timely manner to resolve issues identified in an audit or an on-site financial or programmatic monitoring visit;
- The grantee has complied with the Office of Management and Budget single-audit requirement; and
- Grant funds have been spent in a timely manner.

OVW grantees with significant past performance issues may not be considered for funding.

Other Requirements

Federal Financial Guidelines and Reporting Requirements

Federal grants are governed by the provisions of the OMB circulars applicable to financial assistance and [OVW's Financial Grants Management Guide](#). The Financial Grants Management Guide includes information on allowable costs, methods of payment, audit requirements, accounting systems, and financial records. This document outlines the successful administration of grant funds.

Any recipient of an award will be responsible for monitoring subgrants/contracts under the grant in accordance with all applicable statutes, regulations, OMB Circulars and guidelines, and the [OVW's Financial Grants Management Guide](#). Primary recipients will be responsible for oversight of subgrantee spending and monitoring specific performance measures and outcomes attributable to the use of OVW funds.

Performance Measures

All OVW grantees are required to submit annual and/or semi-annual progress reports, which will be provided to you should you be selected for an award. For more information, please see the [Reference Guide](#).

Additional Requirements

Applicants selected for awards must agree to comply with additional legal requirements upon acceptance of an award. OVW strongly encourages applicants to review the information pertaining to these additional requirements prior to submitting an application. Additional information for each requirement can be found in the [Reference Guide](#).

- Civil Rights Compliance
- Faith-Based and Other Community
- Confidentiality
- Research and the Protection of Human Subjects (if applicable)
- Anti-Lobbying Act
- Federal Financial Report (SF-425)
- OMB A-133 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 [OVW's Financial Grants Management Guide](#)
- Suspension or Termination of Funding
- Nonprofit 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
- Active CCR Registration

Public Reporting Burden

Paperwork Reduction Act Notice

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated average time to complete and file this form is 30 hours. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Office on Violence Against Women, U.S. Department of Justice, 145 N Street, NE, Washington, DC 20530.

Application Checklist

Applicants must submit a fully executed application to OVW, including all required supporting documentation.

Application Document	Completed?
1. Summary Data Sheet	
Summary of Current OVW Projects	
2. Project Narrative.	
Purpose of the Application	
What Will Be Done	
Who Will Implement	
Sustainability Plan	
3. Budget Detail Worksheet and Narrative	
4. MOU or Letters of Support	
5. Proposal Abstract	
6. Status of Current Project (if applicable)	
7. Application for Federal Assistance: SF 424	
8. Standard Assurances and Certifications	
9. Letter of Nonsupplanting	
10. Financial Accounting Practices	
11. Indirect Cost Rate Agreement (only if the applicant has a current Federally-approved rate)	
12. Certification of Eligibility (see page 5)	

APPENDIX A

Application Type Reference Chart

Application Type Reference Chart

Grant Project Type	Applicant Sub-type	OVW Eligibility Requirements	Mandatory Program Requirements	Out of Scope Activities	Award Period	Award Amount
<i>Development</i>	<p>Sexual Assault or Domestic Violence Docket</p> <p>This type of court docket only addresses orders of protection for sexual assault and/or domestic violence cases. Petitions for protection orders and the hearings alleging violations of protection orders make up the court's sexual assault or domestic violence docket.</p>	<p>Eligible Applicants:</p> <p>Federal, State, Tribal, Territorial, or local courts; or</p> <p>Federal, State, Tribal, Territorial, or local court-based programs.</p>	<p>Applicants must certify, in writing, that:</p> <p>(A) any courts or court-based personnel working directly with or making decisions about adult or youth parties experiencing sexual assault domestic violence, dating violence, and stalking have completed or will complete education about sexual assault, domestic violence, dating violence, and stalking; and</p> <p>(B) the grantee's internal organizational policies, procedures, or rules do not require mediation or counseling between offenders and victims physically together in cases where sexual assault, domestic violence, dating violence, or stalking is an issue.</p> <p>Planning Phase: Applicants must allocate a set amount of funds (up to \$50,000) for the planning phase of the grant. Jurisdictions selected to develop projects will work with OVW and OVW-designated judicial technical assistance providers to establish the foundation for developing a specialized docket or court infrastructure, or an integrated court system for handling sexual assault, domestic violence, dating violence and/or stalking cases. (See Glossary at p. 43.) Applicants for development funding must set aside no less than 6 but not more than 12 months for the planning phase.</p>	<p>The following activities are out of scope and will not be supported by Courts Program grant funding:</p> <p>Research projects (This does not include program assessments conducted only for internal improvement purposes. See the definition of "research" in this solicitation's section on Human Subject Research and Confidentiality Protections for additional information on what activities constitute research.)</p> <p>Grant funds may not be used to directly address child abuse, or other family violence issues such as violence perpetrated by a child against a parent, or violence perpetrated by a sibling against another sibling.</p> <p>Funds may not be used to develop court programs to address child sexual abuse cases.</p>	36 months	\$100,000

			<p><u>Planning Phase Activities:</u> Proposed activities must include, but are not limited to, the following: 1) Establishing an advisory/consulting committee comprised of the project partner/s as identified in the MOU or Letters of Support; 2) Coordinating and conducting planning meetings; 3) Hiring a case manager or docket coordinator; 4) Participating in site visits to established OVW-identified sexual assault or domestic violence courts; 5) Participating in OVW-sponsored technical assistance events; Developing specialized court policies and protocols; and 6) Consulting with one or more of the OVW-designated technical assistance providers.</p> <p><u>Implementation Phase:</u> Upon successfully completing the planning phase, grantees will begin implementing specialized court services over the remainder of the project period. During this phase, grantees will continue to work with OVW and OVW-designated judicial technical assistance providers to implement their specialized court projects.</p> <p>Applicants must include a case coordinator to manage scheduling of the court docket/calendar.</p> <p><u>Technical Assistance</u> Technical assistance (TA) under the Courts Program is proactive and required. TA will be delivered through, but not limited to, frequent, regular contact with the OVW identified TA providers, site visits, tele/video conference calls,</p>	<p>Mandatory mediation in cases where sexual assault, domestic violence, dating violence, or stalking is an issue.</p>		
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			recipient meetings and Web-based technical assistance. Recipients should expect a high level of involvement with the OVW identified TA providers for the duration of the cooperative agreement.			
Development	<p>Dedicated Sexual Assault or Domestic Violence Court</p> <p>A dedicated sexual assault or domestic violence court exclusively hears these cases, with screening mechanisms established by the prosecutor or court clerks to identify eligible cases.</p> <p>With this model there is a designated schedule for hearing sexual assault or domestic violence related matters on a daily or weekly basis that includes orders of protection as well as other related matters.</p>	<p>Eligible Applicants:</p> <p>Federal, State, Tribal, Territorial, or local courts; or</p> <p>Federal, State, Tribal, Territorial, or local court-based programs.</p>	<p>Applicants must certify, in writing, that:</p> <p>(A) any courts or court-based personnel working directly with or making decisions about adult or youth parties experiencing sexual assault domestic violence, dating violence, and stalking have completed or will complete education about sexual assault, domestic violence, dating violence, and stalking; and</p> <p>(B) the grantee's internal organizational policies, procedures, or rules do not require mediation or counseling between offenders and victims physically together in cases where sexual assault, domestic violence, dating violence, or stalking is an issue.</p> <p>Planning Phase:</p> <p>Applicants must allocate a set amount of funds (up to \$50,000) for the planning phase of the grant. Jurisdictions selected to develop projects will work with OVW and OVW-designated judicial technical assistance providers to establish the foundation for developing a specialized docket or court infrastructure, or an integrated court system for handling sexual assault, domestic violence, dating violence and/or stalking cases. (See Glossary at p. 43.) Applicants for development funding must set aside no less than 6 but not more than 12 months for the planning phase.</p> <p>Planning Phase Activities:</p>	<p>The following activities are out of scope and will not be supported by Courts Program grant funding:</p> <p>Research projects (This does not include program assessments conducted only for internal improvement purposes. See the definition of "research" in this solicitation's section on Human Subject Research and Confidentiality Protections for additional information on what activities constitute research.)</p> <p>Grant funds may not be used to directly address child abuse, or other family violence issues such as violence perpetrated by a child against a parent, or violence perpetrated by a sibling against another sibling.</p> <p>Funds may not be used to develop court programs to address child sexual abuse cases.</p> <p>Mandatory mediation in</p>	36 months	\$450,000

			<p>Proposed activities must include, but are not limited to, the following:</p> <ol style="list-style-type: none"> 1) Establishing an advisory/consulting committee comprised of the project partner/s as identified in the MOU or Letters of Support; 2) Coordinating and conducting planning meetings; 3) Hiring a case manager or docket coordinator; 4) Participating in site visits to established OVW-identified sexual assault or domestic violence courts; 5) Participating in OVW-sponsored technical assistance events; Developing specialized court policies and protocols; and 6) Consulting with one or more of the OVW-designated technical assistance providers. <p><u>Implementation Phase:</u> Upon successfully completing the planning phase, grantees will begin implementing specialized court services over the remainder of the project period. During this phase, grantees will continue to work with OVW and OVW-designated judicial technical assistance providers to implement their specialized court projects.</p> <p>Applicants must include a case coordinator to manage scheduling of the court docket/calendar.</p> <p><u>Technical Assistance</u> Technical assistance (TA) under the Courts Program is proactive and required. TA will be delivered through, but not limited to, frequent, regular contact with the OVW identified TA providers, site visits, tele/video conference calls, recipient meetings and Web-based</p>	<p>cases where sexual assault, domestic violence, dating violence, or stalking is an issue.</p>		
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			technical assistance. Recipients should expect a high level of involvement with the OVW identified TA providers for the duration of the cooperative agreement.			
Development	<p>Specialized Court Enhancement</p> <p>Specialized Domestic Violence Courts consist of specific infrastructure and procedural practices for handling sexual assault and/or domestic violence cases. This court model specifically addresses concerns where traditionally multiple judges and attorneys handle different aspects of a case.</p>	<p>Eligible Applicants:</p> <p>Federal, State, Tribal, Territorial, or local courts; or</p> <p>Federal, State, Tribal, Territorial, or local court-based programs.</p>	<p>Applicants must certify, in writing, that:</p> <p>(A) any courts or court-based personnel working directly with or making decisions about adult or youth parties experiencing sexual assault domestic violence, dating violence, and stalking have completed or will complete education about sexual assault, domestic violence, dating violence, and stalking; and</p> <p>(B) the grantee's internal organizational policies, procedures, or rules do not require mediation or counseling between offenders and victims physically together in cases where sexual assault, domestic violence, dating violence, or stalking is an issue.</p> <p>Planning Phase:</p> <p>Applicants must allocate a set amount of funds (up to \$50,000) for the planning phase of the grant. Jurisdictions selected to develop projects will work with OVW and OVW-designated judicial technical assistance providers to establish the foundation for developing a specialized docket or court infrastructure, or an integrated court system for handling sexual assault, domestic violence, dating violence and/or stalking cases. (See Glossary at p. 43.) Applicants for development funding must set aside no less than 6 but not more than 12 months for the planning phase.</p> <p>Planning Phase Activities:</p> <p>Proposed activities must include, but are</p>	<p>The following activities are out of scope and will not be supported by Courts Program grant funding:</p> <p>Research projects (This does not include program assessments conducted only for internal improvement purposes. See the definition of "research" in this solicitation's section on Human Subject Research and Confidentiality Protections for additional information on what activities constitute research.)</p> <p>Grant funds may not be used to directly address child abuse, or other family violence issues such as violence perpetrated by a child against a parent, or violence perpetrated by a sibling against another sibling.</p> <p>Funds may not be used to develop court programs to address child sexual abuse cases.</p> <p>Mandatory mediation in cases where sexual</p>	36 Months	\$450,000

			<p>not limited to, the following:</p> <ol style="list-style-type: none"> 1) Establishing an advisory/consulting committee comprised of the project partner/s as identified in the MOU or Letters of Support; 2) Coordinating and conducting planning meetings; 3) Hiring a case manager or docket coordinator; 4) Participating in site visits to established OVW-identified sexual assault or domestic violence courts; 5) Participating in OVW-sponsored technical assistance events; Developing specialized court policies and protocols; and 6) Consulting with one or more of the OVW-designated technical assistance providers. <p>Implementation Phase: Upon successfully completing the planning phase, grantees will begin implementing specialized court services over the remainder of the project period. During this phase, grantees will continue to work with OVW and OVW-designated judicial technical assistance providers to implement their specialized court projects.</p> <p>Applicants must include a case coordinator to manage scheduling of the court docket/calendar.</p> <p>Technical Assistance Technical assistance (TA) under the Courts Program is proactive and required. TA will be delivered through, but not limited to, frequent, regular contact with the OVW identified TA providers, site visits, tele/video conference calls, recipient meetings and Web-based technical assistance. Recipients should</p>	<p>assault, domestic violence, dating violence, or stalking is an issue.</p>		
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			expect a high level of involvement with the OVW identified TA providers for the duration of the cooperative agreement.			
Supplemental Training	<p>Judicial Education and/or Staff Training</p> <p>Funding for judicial education and court personnel training will support projects seeking to provide training resources to court staff, including but not limited to, judges, court administrators, advocates, and case managers.</p>	<p>Eligible Applicants:</p> <p>Federal, State, Tribal, Territorial, or local courts; or</p> <p>Federal, State, Tribal, Territorial, or local court-based programs.</p>	<p>Applicants must certify, in writing, that:</p> <p>(A) any courts or court-based personnel working directly with or making decisions about adult or youth parties experiencing sexual assault domestic violence, dating violence, and stalking have completed or will complete education about sexual assault, domestic violence, dating violence, and stalking; and</p> <p>(B) the grantee's internal organizational policies, procedures, or rules do not require mediation or counseling between offenders and victims physically together in cases where sexual assault, domestic violence, dating violence, or stalking is an issue.</p> <p>Training Project</p> <p>Applicants for Supplemental Training Grants must include, but are not limited to, the following activities:</p> <ul style="list-style-type: none"> • A description of desired training/s and targeted participants (e.g., sexual assault training for judges and court administrators); • A detailed description of anticipated trainings/educational resources to be developed and whether this requires creating a customized curriculum for a specific region or local jurisdiction; and • Consultation and coordination with OVW-designated judicial technical assistance providers (this should also be reflected in the proposed budget). 	<p>The following activities are out of scope and will not be supported by Courts Program grant funding:</p> <p>Research projects (This does not include program assessments conducted only for internal improvement purposes. See the definition of "research" in this solicitation's section on Human Subject Research and Confidentiality Protections for additional information on what activities constitute research.)</p> <p>Grant funds may not be used to directly address child abuse, or other family violence issues such as violence perpetrated by a child against a parent, or violence perpetrated by a sibling against another sibling.</p> <p>Funds may not be used to develop court programs to address child sexual abuse cases.</p> <p>Mandatory mediation in cases where sexual assault, domestic violence,</p>	24 Months	\$50,000

			<p><u>Technical Assistance</u> Technical assistance (TA) under the Courts Program is proactive and required. TA will be delivered through, but not limited to, frequent, regular contact with the OVW identified TA providers, site visits, tele/video conference calls, recipient meetings and Web-based technical assistance. Recipients should expect a high level of involvement with the OVW identified TA providers for the duration of the cooperative agreement.</p>	<p>dating violence, or stalking is an issue.</p>		
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APPENDIX B

OVW-Designated Judicial Technical Assistance Providers for the Courts Program

JUDICIAL TECHNICAL ASSISTANCE PROVIDERS

Center for Court Innovation

POC: Liberty Aldrich
520 8th Avenue, 18th Floor
New York, NY 10018
212-391-3050
Email: Aldrichl@courtinnovation.org

Founded as a public/private partnership between the New York State Unified Court System and the Fund for the City of New York, the Center for Court Innovation is a unique public/private partnership that promotes new thinking about how courts and criminal justice agencies can aid victims, change the behavior of offenders and strengthen communities. The Center offers technical assistance to jurisdictions across the country interested in creating or expanding existing domestic violence court projects. Participating sites may have access to person-to-person support, planning toolkits, model documents, site visits, and evaluation assistance. Additionally, the Center provides assistance with court technology and domestic violence training for non-judicial court personnel.

Futures Without Violence (formerly the Family Violence Prevention Fund)

POC: Keiko Takano
383 Rhode Island Street, Suite 304
San Francisco, CA 94103
415-252-8900
Email: keiko@endabuse.org

Since 1980, Futures Without Violence (FWV) has worked to end violence against women and children around the world. For more than 20 years, the FWV judicial education project has provided award-winning resources for use by state courts nationwide to enhance judicial practices and procedures in criminal and civil cases involving domestic violence. The FWV legal programs staff specializes in the design, organization, and delivery of highly interactive, peer-based education programs for judges. In 1998, the FWV created the National Judicial Institute on Domestic Violence (NJIDV) in partnership with the US Department of Justice Office on Violence Against Women (OVW) and the National Council of Juvenile and Family Court Judges (NCJFCJ). The NJIDV provides state and tribal court judges nationwide with a continuum of education programs to facilitate effective, safe practice throughout their judicial careers. Recent NJIDV programs have addressed the complexities judges face in cases involving elder abuse. The FWV legal team also conducts programs and technical assistance for all OVW grantees through the Institute on Leadership in Education Development (I-LED). I-LED workshops address program and curriculum development, incorporation of cultural competence, train-the-trainers (faculty development) and facilitation skills.

Institute on Domestic Violence in the African American Community

POC: Oliver Williams
290 Peters Hall
1404 Gortner Avenue
St. Paul, MN 55108
612-624-5357
E-mail: owilliam@umn.edu

The Institute on Domestic Violence in the African American Community (IDVAAC) was founded in 1993 to focus on the unique circumstances of African Americans as they face issues related to domestic violence, including intimate partner violence, child abuse, elder maltreatment, and community violence. IDVAAC provides an interdisciplinary vehicle by which scholars, practitioners, and observers of family violence articulate their perspectives through research, the examination of service delivery and intervention methods, and the identification of effective responses to prevent family violence in the Black community. IDVAAC conducts research, develops policies, engages in system response, increases public awareness, and provides technical assistance to communities of color, coalitions, local programs, and government entities. Many of IDVAAC's projects seek to explore and promote promising practices as well as develop innovative strategies to address issues affecting diverse Black women, their families and their communities, including but not limited to: Cultural Competence & Domestic Violence; Fatherhood & Domestic Violence; Safe Return Initiative/Prisoner Re-Entry and Domestic Violence, African American Domestic Peace Project; Spirituality, Faith, & Domestic Violence; Teen-Dating Violence; Prisoner Re-entry Assessment Tool; Supervised Visitation and Cultural Responsiveness; Courts and Cultural Responsiveness; Healing from Domestic Violence; and Adult Children Exposed to Domestic Violence.

Legal Momentum: National Judicial Education Program

POC: Lynn Hecht Schafran
395 Hudson Street
New York, NY 10014
212-925-6635
Email: lschafran@legalmomentum.org

The National Judicial Education Program (NJEP) is a unique project that educates judges and justice system professionals about the ways in which myths and misconceptions about sexual violence can undermine fairness across the spectrum of criminal, civil, family, and juvenile law. Since 1980, NJEP has worked with state, federal and tribal courts nationwide to promote the fair adjudication of these cases. NJEP creates and presents an extensive array of judicial education programs and materials, including DVDs, Web courses, and in-person programs, focused on adult victim sexual assault cases and cases of co-occurring sexual assault and domestic violence. NJEP's judicial education curricula include multidisciplinary research from law, medicine, and the social sciences. These curricula employ interactive teaching techniques and are intended to be adapted for local jurisdictions. NJEP also provides technical assistance for

courts, judicial branch educators, and other professionals about designing education programs on sexual assault, the judges' role in these complex cases, and developing relevant local materials such as benchbooks. Information about NJEP and its sexual violence materials is available at <http://www.legalmomentum.org/our-work/njep/>.

National Center for State Courts

POC: Susan Keilitz
300 Newport Avenue
Williamsburg, VA 23185
800-616-6164
Email: skeilitz@ncsc.org

The National Center for State Courts (NCSC) is the preeminent court reform organization in the United States. NCSC provides a broad range of capacities and services that are critical to court improvement initiatives, including strategic planning based on assessment of stakeholders' needs, team-building to foster commitment and collaboration, performance measurement and evaluation, caseload management, and technology solutions. The NCSC Problem-Solving Resource Center provides interactive tools to help courts plan and implement problem-solving courts, including domestic violence courts and unified family courts. NCSC's work to improve court and community responses to domestic violence dates to 1992, and includes extensive study and technical assistance related to accessibility and enforcement of protection orders, improving language assistance for survivors with Limited English Proficiency, addressing family violence issues related to older persons, designing and evaluating domestic violence courts and other specialized processes for domestic violence cases, and developing capacity building tools for victim services organizations.

National Council of Juvenile and Family Court Judges

POC: Jenny Talancon
PO Box 8970
Reno, NV 89507
775-784-1662
Email: jtalancon@ncjfcj.org

Founded in 1937, the National Council of Juvenile and Family Court Judges (NCJFCJ) is dedicated to improving the effectiveness of the nation's juvenile and family courts and to increasing awareness of and sensitivity to children's issues. The Family Violence Department (FVD) of the NCJFCJ provides cutting-edge training, technical assistance, products, and policy development in an effort to improve court and community responses to domestic violence. Housed in a judicial membership organization, the FVD is uniquely positioned to link judges with other professionals to institute and promote best practices in the area of domestic violence. The FVD is responsible for projects such as the National Judicial Institute on Domestic Violence (NJIDV), the Resource Center on Domestic Violence: Child Protection and Custody; Greenbook – Effective Interventions in Domestic Violence and Child Maltreatment Cases Guidelines for Policy and Practice Collaboration; Civil Protection Guide; Safe Havens: Supervised Visitation and Exchange; Center for Education on Violence Against Women; and the Judicial Oversight Demonstration Initiative, to name a few. For more information on these and

other projects and resources, please contact Danielle Pugh-Markie at dpugh-markie@ncjfcj.org or 202-321-5191. You can also visit the NCJFCJ website at www.ncjfcj.org.

Glossary of Terms and Descriptions

Community-based Organization - The term "community-based organization" means an organization that--

- o focuses primarily on sexual assault, domestic violence, dating violence, or stalking; has established a specialized culturally specific program that addresses domestic violence, dating violence, sexual assault, or stalking;
- o has a primary focus on underserved populations (and includes representatives of these populations) and sexual assault, domestic violence, dating violence, or stalking; or
- o obtains expertise, or shows demonstrated capacity to work effectively, on sexual assault, domestic violence, dating violence, and stalking through collaboration.²⁷

Courts - The term "courts" means any civil or criminal, Tribal and Alaska Native Village, Federal, State, local or territorial court having jurisdiction to address sexual assault, domestic violence, dating violence or stalking, including immigration, family, juvenile, and dependency courts, and the judicial officers serving in those courts, including judges, magistrate judges, commissioners, justices of the peace, or any other person with decision-making authority.²⁸

Court-based and court-related personnel -The term "court-based and court-related personnel" means persons working in the court, whether paid or volunteer, including: 1) clerks, special masters, domestic relations officers, administrators, mediators, custody evaluators, guardians ad litem, lawyers, negotiators, probation, parole, interpreters, victim assistants, victim advocates, and judicial, administrative, or any other professionals or personnel similarly involved in the legal process; 2) court security personnel; 3) personnel working in related, supplementary offices or programs (such as child support enforcement); and 4) any other court-based or community-based personnel having responsibilities or authority to address domestic violence, dating violence, sexual assault, or stalking in the court system.²⁹

Dedicated Civil Protection Order Docket model – This is easily the most common model. "CPOs" (Civil Protection Orders), "PPOs" (Personal Protection Orders), or "TROs" (Temporary Restraining Orders) are statutorily-enabled Court restraining orders which serve to prevent an abuser from having contact with the petitioning victim.³⁰ These petitions and the hearings alleging violations of protection orders make up much of a court's domestic violence docket. With this model in larger jurisdictions, these cases are assigned to one judge who only handles protection orders. In smaller jurisdictions, the assigned judge may also have other types of caseloads but the protection order caseload is maintained separately as a specialized docket.

Domestic Violence Court - This type of court uses specialized structures, processes, and practices to address not only rising domestic violence caseloads but also the distinct nature of these cases and the need to give them special attention. These specialized approaches have

²⁷ 42 U.S.C.A. § 13925

²⁸ 42 USC § 13925

²⁹ Id.

³⁰ Kristin Littel, *Specialized Courts and Domestic Violence: Issues of Democracy*, U. S. Department of State (2003). Available online at <http://usinfo.state.gov/journals/itdhr/0503/ijde/littel.htm>.

collectively come to be called domestic violence courts. There is, however, great variation among these courts and in the specialized processes they use.³¹

Domestic violence courts focus primarily on the safety of the battered women and any children who are involved rather than the offender. While rehabilitation may be a byproduct of the domestic court process, the initial emphasis is on the accountability of the offender for his own misconduct.³²

Criminal Model – This is a common form of domestic violence specialized courts. This model separates criminal cases which assign domestic violence and related criminal cases for specialized handling by a particular judge or judges. Many states have defined domestic violence as a separate crime, either as a misdemeanor or a felony or both. (For example, in Michigan the statute creates a special category of misdemeanor assault for domestic assaults and allows the prosecutor to charge repeated offenses as a felony.³³)

Many courts have created specialized misdemeanor domestic violence dockets, while others have criminal dockets that handle both misdemeanors and felonies.

Domestic Violence Courts with Related Caseload - This model merges civil proceedings related to divorce/custody cases and protection orders with related criminal proceedings such as domestic assault. This model has at least three separate forms:

Unified Family Court – In the Unified Family Court model, the court handles matters that are in civil court involving the same family, including domestic violence cases. With this model, domestic violence does not have to be the central case or an issue at all.

Coordinated Court – A Coordinated Court handles both criminal domestic violence cases and related civil matters within the same court division. With this model, different judges hear various cases regarding the same parties.

Integrated Domestic Violence Court³⁴ – Based on the one-family one-judge concept, the Integrated Domestic Violence Court model handles both criminal domestic violence cases and related civil matters involving the same parties.³⁵

Order for Protection (OFP) - This is a civil order issued by a court upon the request of a petitioner which restrains the respondent from committing certain acts, such as having contact with or assaulting the petitioner. (These orders have different names in different states, e.g.,

³¹ Susan Keilitz, *Specialization of Domestic Violence Case Management in the Courts: A National*, National Institute of Justice, (2004).

³² *How Do Domestic Violence Courts Compare to Other Problem-Solving Courts*, Center for Court Innovation, online at www.courtinnovation.org/index.

³³ Michigan penal code, MCL 750.81(2) and (4).

³⁴ Note: Integrated Domestic Violence Court - Concentrated services are more likely to occur in this setting because a court handling children's issues, for example, is likely to have better coordination with children's services than a court that does not. Emily Sack, *Creating a Domestic Violence Court: Best Practices*, Family Violence Protection Fund (2002) at page 26. Available online at www.endabuse.org/programs/healthcare/files/FinalCourt_Guidelines.pdf.

³⁵ Emily Sack, *Creating A Domestic Violence Court: Guidelines and Best Practices*, Family Violence Prevention Fund (2004), page 4.

temporary restraining orders or protective orders, and different remedies are available in different states.) In some jurisdictions, a violation of the protective provisions of an OFP is a criminal act.³⁶

Problem Solving Courts - “Problem-solving courts use their authority to forge new responses to chronic social, legal and human problems – including problems like family dysfunction, addiction, delinquency and domestic violence – that have proven resistant to conventional solutions. They seek to broaden the focus of legal proceedings, from simply adjudicating past facts and legal issues to changing the future behavior of litigants and ensuring the future well-being of communities. And they attempt to fix broken systems, making courts (and their partners) more accountable and responsive to their primary customers – the citizens who use courts every day, either as victims, jurors, witnesses, litigants or defendants.”³⁷

While domestic violence courts are characterized as “specialized” courts, they do not follow the therapeutic or problem-solving premise practiced by most specialized courts. Other specialized courts, such as Drug Courts, follow a therapeutic model in which the emphasis is on rehabilitation of the offender.³⁸

Sex Offender Courts – Specialized sex offender courts are generally based upon the therapeutic jurisprudence approach used in drug courts and other problem-solving courts.³⁹ Also, they tend to address sex offenders’ underlying addictions through treatment and graduated levels of community supervision.

These courts primarily handle cases involving felony sex offense charges and generally promote a comprehensive approach to the disposition of these sensitive cases. For maximum continuity and accountability, one judge handles all the cases, tracking them through to disposition, including probation supervision and offender registration if appropriate. The judge is assisted by a specially trained team of prosecutors, defense attorneys, victim agencies, probation officers, treatment providers and court personnel who undergo a comprehensive training program and participate in regular interagency meetings to ensure best practices in timely case resolution, victim safety, post-conviction accountability and public safety.⁴⁰

Specialized Civil or Criminal Sexual Assault Courts – Not to be confused with “Sex Offender” or “Sex Offence” courts, this model addresses the handling of sexual assault cases where the perpetrator may be a relative, acquaintance (e.g., boyfriend/girlfriend, friend, coworker, neighbor), or a stranger. The premise of this court model is based upon safety as well as other holistic needs of the victim.

Specialized Criminal Domestic Violence Court Procedures - Specialized procedures for handling domestic violence cases in the criminal court are modeled in the following format/practices:

³⁶ A violation of an Order for Protection can be both a civil violation known as contempt of court and a criminal act. If the petitioner wants to pursue the violation as a civil matter in family court, the petitioner must bring a motion before that court. Regardless of whether the matter is pursued civilly, the prosecutor (not the petitioner) decides if criminal charges are brought in criminal court.

³⁷ Greg Berman and John Feinblatt, *Problem-Solving Courts: A Brief Primer*, 23 *Law & Policy* 125 (2001) at page 126.

³⁸ See Greg Berman and John Feinblatt, *Good Courts: The Case for Problem Solving Justice*, New York: New Press (2005).

³⁹ Bruell, C., *Sex Offender Courts: Implications for the Future*, The American Society of Criminology (2006).

⁴⁰ Herman, K., *Sex Offence Courts: The Next Step in Community Management*, Sexual Assault Report (May/June 2006).

Pretrial Conference - This is the court appearance where the prosecutor and defense attorney (or defendant) attempt to plea-bargain a case before setting it for trial. Some courts choose to specialize by having all pretrial conferences involving domestic violence crimes put on a separate court calendar. Other court appearances, such as arraignment and trial, are handled on the same calendar as any other crime.

All Non-Evidentiary Appearances – In this model, criminal courts hear only all non-evidentiary appearances for felony and misdemeanor domestic violence cases. The court makes legal decisions after arguments by opposing counsel and does not require witnesses to testify. Non-evidentiary appearances can include arraignment (where the court determines the custody and bail status of the defendant), pretrial conferences (where the attorneys attempt to plea-bargain a resolution to the case without a trial), taking of a guilty plea and sentencing.

All Appearances in Specialized Court - Some criminal courts choose to specialize so that every appearance of a criminal domestic abuse case is held in one court from arraignment to trial and sentencing. As only the judges of the specialized court handle domestic abuse cases, this type of court promotes consistency of case disposition and expertise in domestic abuse on the part of the judges. This type of court requires extensive resources and a community considering this type of court must ensure that the court system (from probation officers to court clerks to judges) is prepared to adjust existing resources accordingly.

Combined Civil and Criminal Jurisdiction (Integrated Court) - some courts elect to combine civil and criminal jurisdiction in a single domestic violence court. The same court hears petitions for Orders for Protection and all appearances for misdemeanor criminal domestic abuse cases. This ensures that the judge is well informed about the entire situation and provides consistency in the court's orders.

The decision to combine civil and criminal jurisdiction in a single specialized domestic violence court is even more complex than the decision to create a specialized domestic violence criminal court.⁴¹

⁴¹ Combining jurisdiction in one court may encourage judges and prosecutors to focus on considerations inappropriate to their decision making in criminal cases. For example, judges, defendants and victims may all put pressure on a prosecutor to minimize or cease a criminal prosecution based on the defendant's willingness to pay child support or alimony.