



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

## Capital Case Litigation Initiative (CCLI) FY 2007 Competitive Grant Announcement

### Eligibility

Applicants are limited to state, local, and tribal agencies and to state-based non-governmental organizations that serve defense counsel, prosecutors, or judges and are located in states that have the death penalty.  
(See "Eligibility," page 1)

### Deadline

All applications are due by 8:00 p.m. e.t. on January 9, 2007.  
(See "Deadline: Applications," page 1)

### Contact Information

For assistance with the requirements of this solicitation, contact: Kim Norris, BJA Senior Policy Advisor for Adjudications, at 202-307-2076 or [kim.norris@usdoj.gov](mailto:kim.norris@usdoj.gov).

This application must be submitted through Grants.gov. For technical assistance with submitting the application, call the Grants.gov Customer Support Hotline at 1-800-518-4726

**Grants.Gov number assigned to announcement: BJA-2007-1460**

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# Capital Case Litigation Initiative CDFA #16.746

## Overview of the Capital Litigation Initiative

The purpose of the Capital Case Litigation Initiative (CCLI) (H.R. 5672) is to provide high-quality training and technical assistance on death penalty issues to attorneys and judges who litigate death penalty cases, to help ensure reliable jury verdicts and minimize post-conviction litigation.

### Deadline: Registration

Registering with Grants.gov is a one-time process; however, if you are a first-time registrant, it could take up to several weeks to have your registration validated and confirmed and to receive your user password. It is highly recommended you start the registration process as early as possible to prevent delays in submitting your application package to our agency by the deadline specified. There are three steps that you must complete before you are able to register: 1) register with Central Contractor Registry (CCR), 2) register yourself as an Authorized Organization Representative (AOR), and 3) be authorized as an AOR in your organization. For more information, go to [www.grants.gov](http://www.grants.gov). **Note: Your CCR registration must be renewed once a year. Failure to renew your CCR registration will prohibit submission of a grant application through Grants.gov.**

### Deadline: Applications

The due date for applying for funding under this announcement is 8:00 p.m. e.t. on January 9, 2007.

### Eligibility

Applicants are limited to state, local, and tribal agencies and to state-based non-governmental organizations that serve defense counsel, prosecutors, or judges and are located in states that have the death penalty.

### Capital Case Litigation Initiative-Specific Information

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

The purpose of CCLI is to provide high-quality training and technical assistance on death penalty issues to attorneys and judges who litigate death penalty cases. Capital case litigation consists of two trials (a guilty phase and a penalty phase), and is governed by unique evidentiary rules and processes. Proper legal training is essential to help ensure reliable jury verdicts and minimize post-conviction litigation.

The goals of this initiative are to: 1) increase the number of capital litigation attorneys trained in capital case procedures and strategies; and 2) ensure that defense counsel, prosecutors, and

judges have the most up-to-date and comprehensive information available to aid them in death penalty litigation.

To achieve these goals, the Bureau of Justice Assistance (BJA) has partnered with national organizations—the National District Attorney’s Association (NDAA), the National Judicial College (NJC), the National Legal Aid and Defender Association (NLADA), and the National Association of Criminal Defense Lawyers (NACDL)—to develop and pilot test capital case litigation training programs to administer at the state level. For the next phase of this initiative, BJA is seeking applications from state-based agencies and organizations that serve defense counsel, prosecutors, or judges to deliver the newly developed training. CCLI grants will serve as seed money to help create opportunities for states to begin the initiative with federal money and sustain it with state funding. Priority will be given to states that currently enforce their death penalty statutes.

Successful applicants will be required to work with the national organizations to implement the training at the state level and update the training based on changing laws. The national organizations will provide technical assistance, assist in implementing the trainings, and help measure the effectiveness of the trainings. Examples of items that can be funded under this initiative are: training facilities, travel, room and meals, instructors, strategies to support those who have received training, training curricula updates, and any other federally allowable expense to successfully implement the training. Priority will be given to applicants partnering with existing organizations that currently provide training to judges and attorneys.

#### **Amount and Length of Awards**

CCLI applicants can request up to \$50,000 in funding, and the project period is 18 months.

#### **Performance Measures**

To assist in fulfilling the Department’s responsibilities under the Government Performance and Results Act (GPRA), P.L. 103-62, applicants who receive funding under this solicitation must provide data that measures the results of their work. Performance measures for this solicitation are as follows:

Objective	Performance Measures	Data Grantee Provides
Provide training and technical assistance on death penalty issues to attorneys and judges who litigate death penalty cases.	<p><b>Output measures:</b> Number of people trained.</p> <p>Percentage of trainees who demonstrate improvement in post-test scores.</p>	<p>During the current reporting period, indicate the:</p> <ul style="list-style-type: none"> <li>• Number of prosecutors trained.</li> <li>• Number of defense attorneys trained.</li> <li>• Number of judges trained.</li> <li>• Number of trainees given both pre-test and post-test.</li> <li>• Number of trainees with increase in post-test score over pre-test score.</li> <li>• Overall percentage increase in post-test score over pre-test score (e.g., 5 percent, etc.).</li> </ul>

## How To Apply

DOJ is participating in the e-Government initiative, one of 25 initiatives included in the President’s Management Agenda. Part of this initiative—Grants.gov—is a “one-stop storefront” that provides a unified process for all customers of federal grants to find funding opportunities and apply for funding.

**Grants.gov Instructions:** Complete instructions can be found at [www.grants.gov](http://www.grants.gov). If you experience difficulties at any point during this process, please call the Grants.gov Customer Support Hotline at **1-800-518-4726**.

**CFDA Number:** The Catalog of Federal Domestic Assistance (CFDA) number for this solicitation is 16.746, titled “Capital Case Litigation,” and the funding opportunity number is BJA-2007-1460.

**A DUNS number is required:** The Office of Management and Budget requires that all businesses and nonprofit applicants for federal funds include a DUNS (Data Universal Numeric System) number in their application for a new award or renewal of an award. Applications without a DUNS number are incomplete. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point of contact information. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, simple, one-time activity. Obtain one by calling 1-866-705-5711 or by applying online at <http://www.dunandbradstreet.com>. Individuals are exempt from this requirement.

## What an Application Must Include

**Standard Form 424**

### **Program Narrative (Attachment 1)**

The program narrative must respond to the solicitation and the Selection Criteria (1–3, 5) listed below in the order given. Submissions that do not adhere to the format will be deemed ineligible. The program narrative must be double-spaced, using a standard 12-point font (Times New Roman is preferred) with 1-inch margins, and must not exceed 10 pages. Please number pages “1 of 10,” “2 of 10,” etc.

### **Budget and Budget Narrative (Attachment 2)**

Applicants must provide a budget that is complete and allowable. Applicants must submit a budget worksheet and budget narrative in one file. A fillable budget detail worksheet form is available on OJP’s web site at [www.ojp.usdoj.gov/Forms/budget\\_fillable.pdf](http://www.ojp.usdoj.gov/Forms/budget_fillable.pdf).

### **Project Timeline and Position Descriptions (Attachment 3)**

Attach a *Project Timeline* with each project goal, related objective, activity, expected completion date, and responsible person or organization; and *Position Descriptions* for key positions.

## **Selection Criteria**

### **1. Statement of the Problem (20 points)**

Identify the state statute that provides for the death penalty in your state. Provide data on the number of death penalty cases charged and tried in a calendar year in your state, and identify how many inmates are currently on death row. Discuss your discipline’s (defense attorneys, judges, or prosecutors) overall state strategy to ensure the quality of representation and reliability of verdicts in state death penalty cases; discuss why this training is needed in your state. Explain if and how your state qualifies your discipline to work on death penalty cases.

### **2. Program Design and Implementation (40 points)**

Describe your strategy to address the needs identified in the Statement of the Problem. Identify whom you will serve and the location where the trainings will be delivered. If there is an existing training infrastructure, describe how you will integrate this training into those trainings. List all the organizations that will support the training. Include a summary of any capital case litigation training currently being provided in your state and how funding under this initiative will improve the quality of representation in your state. Explain how your training strategy will help reduce the number of death penalty verdicts reversed on appeal due to error by the judge, prosecutor, or defense.

### **3. Capabilities/Competencies (15 points)**

Describe the management structure for implementation of the strategy, including staffing. Specifically identify who will serve as the training coordinator. Demonstrate the capability to implement the project successfully. Provide position descriptions outlining the roles and responsibilities of key positions and résumés for current staff (see Attachment 3). Describe how this structure will be tied to the strategy identified in the Program Design and Implementation section. Discuss your ability to successfully implement this initiative, including how you will work with key partner agencies.

### **4. Budget (10 points)**

Provide a proposed budget that is complete, allowable, cost-effective, and clearly tied to the program strategy (see Attachment 2).

## **5. Impact/Outcomes, Evaluation, and Sustainment (15 points)**

Explain how you will know if the training works, and assess the impact of the initiative's efforts. Identify who will be responsible for performance measures, and how the information will be used. Outline a strategy for sustaining the project when the federal grant ends, discussing how the key partner agencies will be leveraged to sustain the project.

## **Review Process**

All applications will be peer reviewed. The BJA Director will then make award recommendations to OJP's Assistant Attorney General, who will make final determinations.

## **Additional Requirements**

- Civil Rights compliance.
- Confidentiality and Human Subjects Protections regulations.
- Anti-Lobbying Act.
- Financial and Government Audit requirements.
- National Environmental Policy Act (NEPA) compliance.
- DOJ Information Technology Standards.
- Single Point of Contact Review.
- Non-Supplanting of State or Local Funds.
- Criminal Penalty for False Statements.
- Compliance with Office of the Comptroller *Financial Guide*.
- Suspension or Termination of Funding.

We strongly encourage you to review the information pertaining to these additional requirements prior to submitting your application. Additional information for each can be found at [www.ojp.usdoj.gov/funding/otherrequirements.htm](http://www.ojp.usdoj.gov/funding/otherrequirements.htm).