



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 FY 2008 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 3, 2008.
(See "Deadline: Applications," page 1)

Contact Information

For assistance with the requirements of this solicitation, contact: Kim Norris, BJA Senior Policy Advisor for Adjudication, at 202-307-2076 or 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

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Capital Case Litigation Initiative

CDFA #16.746

Overview of the Capital Case 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. **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 3, 2008.

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.

American Indian Tribes and Alaska Native Tribes and/or Tribal Organizations: All tribal applications must be accompanied by a current authorizing resolution of the governing body of the tribal entity or other enactment of the tribal counsel or comparable government body. If the grant will benefit more than one tribal entity, a current authorizing resolution or other enactment of the tribal counsel or comparable government body from each tribal entity must be included. If the grant application is being submitted on behalf of a tribal entity, a letter or similar document authorizing the inclusion of the tribal entity named in the application must be included.

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. Applicants may submit concepts to train in one discipline (i.e., judges, prosecutors or defense attorneys) or use the cross-discipline curriculum developed by the National Judicial College.

Amount and Length of Awards

CCLI applicants may 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>Number of people trained.</p> <p>Percentage of trainees who demonstrate improvement in post-test scores.</p>	<ul style="list-style-type: none"> • Number of prosecutors trained. • Number of defense attorneys trained. • Number of judges trained. • Number of trainees given both pre-test and post-test. • Number of trainees with increase in post-test score over pre-test score. • Overall percentage increase in post-test score over pre-test score (e.g., 5 percent, etc.).

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. If you experience difficulties at any point during this process, please call the Grants.gov Customer Support Hotline at **1-800-518-4726**.

Note: Grants.gov does not support the Microsoft Vista Operating system. The PureEdge software used by Grants.gov for forms is not compatible with Vista. Also, Grants.gov cannot yet process Microsoft Word 2007 documents saved in the new default format with the extension ".DOCX." Please ensure the document is saved using "Word 97-2003 Document (*.doc)" format.

Please also note: OJP’s GMS does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: ".com," ".bat," ".exe," ".vbs," ".cfg," ".dat," ".db," ".dbf," ".dll," ".ini," ".log," ".ora," ".sys," and ".zip."

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-2008-1715.

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. 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. Submissions that do not adhere to the format may be deemed ineligible.

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.

Project Timeline and Position Descriptions/Résumés (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 and résumés for current staff. Do not include materials not requested in this attachment; additional material will not be reviewed.

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. Based on the discipline (defense attorneys, judges, or prosecutors; or cross-disciplinary) you are proposing to train, discuss your current overall state strategy to ensure the quality of representation and reliability of verdicts in state death penalty cases; discuss why the current strategy does not meet the state’s need. 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 and their role. Discuss how funding under this initiative will improve the quality of representation in your state.

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. 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, including the national partners (see page 2). Provide position descriptions outlining the roles and responsibilities of key positions and résumés for current staff (as Attachment 3).

4. Budget (10 points)

Provide a proposed budget that is complete, allowable, cost-effective, and clearly tied to the program strategy (as Attachment 2). See page 2 for examples of what can be funded under this initiative.

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. Explain how your training strategy will track the number of death penalty verdicts reversed on appeal due to error by the judge, prosecutor, or defense. Identify who will be responsible for performance measures (see page 2), 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 the Office of Justice Programs' 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.