



The U.S. Department of Justice, Office of Justice Programs, [Bureau of Justice Statistics](#) (BJS) is pleased to announce that it is seeking a data collection agent to conduct the 2009 State Court Organization. As the statistical arm of the U.S. Department of Justice, BJS is responsible for the collection, analysis, publication, and dissemination of statistical information on crime, criminal offenders, victims of crime, and the operations of criminal justice systems at all levels of government. This data collection program, a component of the BJS Criminal Justice Statistics Program, furthers the mission of the Department and the Office of Justice Programs, by working in partnership with the justice community to identify the most pressing challenges confronting the justice system and to provide state-of-the-art knowledge and information in support of innovative strategies and approaches for dealing with these challenges.

2009 State Court Organization Solicitation

Eligibility

Applications for funds may be submitted by both for-profit (commercial) and nonprofit organizations.

(See more information in the "Eligibility" section on page 3)

Deadline

Registration with Grants.gov is required prior to application submission.

(See "Deadline: Registration" on page 3)

All applications are due by 5.00 p.m. Eastern time on May 6, 2009.

(See "Deadline: Application" on page 3)

Contact Information

For assistance with the programmatic requirements of this solicitation, contact Thomas H. Cohen, Statistician, Bureau of Justice Statistics, at 202-307-0765 or email askbjs@usdoj.gov. Include "sco09" in the subject line.

This application must be submitted through OJP's Grants Management System. For technical assistance with submitting the application, call the Grants Management System Support Hotline at 1-888-518-4726, option 3. The GMS Support Hotline hours of operation are Monday – Friday from 7:00 a.m. to 9:00 p.m. eastern time.

2009-BJS-2127

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State Court Organization, 2009

CFDA Number 16.734

Overview

The Bureau of Justice Statistics (BJS) is seeking a data collection agent to administer the 2009 State Court Organization (SCO). SCO is a data collection that focuses on the overall structure and framework of the nation's trial and appellate courts. Prior iterations of SCO were conducted in 1980, 1987, 1993, 1998, and 2004. Similar to previous surveys, 2009 SCO will focus on various issues related to court administrative and organizational structure including sentencing, the use of juries, the governance of the judicial branch, appellate court structure and processes, and the overall structure of the nation's state trial and appellate courts. **All data collected will be accurate as of December 2009.** Applicants are strongly encouraged to review previous BJS reports focusing on state court organization data available on the BJS website at www.ojp.usdoj.gov/bjs. BJS anticipates making one award for a 30-month period under this solicitation, with an award date on or after September 30, 2009. BJS is authorized to issue this solicitation under the Omnibus Crime Control and Safe Street Act of 1968, Section 302, as amended.

Deadline: Registration

Applicants must register with GMS prior to applying. The deadline to register is 12:00 noon eastern time on May 6, 2009.

Deadline: Application

The due date for applying for funding under this announcement is May 6, 2009, 5:00 p.m. eastern time.

Eligibility

Both for-profit (commercial) and nonprofit organizations may apply for funds. However, consistent with OJP fiscal requirements, for-profit organizations are not allowed to make a profit as a result of this award or to charge a management fee for the performance of this award.

Faith-Based and Other Community Organizations: Consistent with Executive Order 13279, dated December 12, 2002, and 28 C.F.R. Part 38, faith-based and other community organizations that statutorily qualify as eligible applicants under DOJ programs are invited and encouraged to apply for assistance awards to fund eligible grant activities. Faith-based and other community organizations will be considered for awards on the same basis as other eligible applicants and, if they receive assistance awards, will be treated on an equal basis with all other grantees in the administration of such awards. No eligible applicant or grantee will be discriminated for or against on the basis of its religious character or affiliation, religious name, or the religious composition of its board of directors or persons working in the organization.

Faith-based organizations receiving DOJ assistance awards retain their independence and do not lose or have to modify their religious identity (e.g., remove religious symbols) to receive assistance awards. DOJ grant funds, however, may not be used to fund any inherently religious activity, such as prayer or worship. Inherently religious activity is permissible, although it cannot occur during an activity funded with DOJ grant funds; rather, such religious activity must be separate in time or place from the DOJ-funded program. Further, participation in such activity by individuals receiving services must be voluntary. Programs funded by DOJ are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion.

If your organization is a faith-based organization that makes hiring decisions on the basis of religious belief, it may be entitled, under the Religious Freedom Restoration Act, 42 U.S.C. § 2000bb, to receive federal funds and yet maintain that hiring practice, even if the law creating the funding program contains a general ban on religious discrimination in employment. For the circumstances under which this may occur, and the certifications that may be required, please see the section titled, "Funding to Faith-Based Organizations" on the "Other Requirements for OJP Applications" webpage at http://www.ojp.usdoj.gov/funding/other_requirements.htm.

American Indian Tribes and Alaska Native Tribes and/or Tribal Organizations:

Applicants are limited to for-profit (commercial) organizations, nonprofit organizations, faith-based and community organizations, institutions of higher learning, and consortiums with demonstrated organization and community-based experience working with American Indian and Alaska Native communities, including tribal for-profit (commercial) and nonprofit organizations, tribal colleges and universities, and tribal consortiums.

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 council or comparable government body. If the grant will benefit more than one tribal entity, a current authorizing resolution or other enactment of the tribal council 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.

Applicants are encouraged to review the Civil Rights Compliance section under "Additional Requirements" in this announcement.

Project-Specific Information

Since 1980, the Bureau of Justice Statistics (BJS) has sponsored the State Court Organization (SCO) data collection series. This collection serves as the primary source for detailed information on the structure and framework of the nation's state trial and appellate courts. Some of the key information on the nation's trial and appellate courts collected through SCO includes the overall number of courts and judges in the nation's state courts; the selection and service requirements of judges; the governance, funding, and administration of the judicial branch; the jurisdiction, staffing, and procedures associated with the nation's appellate courts; the administration, procedures, and specialized jurisdiction of state trial courts; the composition and workings of state juries; the sentencing context; and the overall structure of appellate and trial courts in each state. SCO also obtains data on problem solving courts, jury decision-making, judicial

discipline, and the use of technology in courts. Data were collected under the SCO project in 1980, 1987, 1993, 1998, and 2004.

The SCO series is a unique reference on the nation's state trial and appellate courts. SCO is used routinely by judges, court administrators, and other members of the court community, as well as by federal and state policy-makers, criminologists, researchers, journalist, members of the public, and others interested in the nation's state courts. There is no other authoritative, comprehensive source of information about the organization of the nation's state courts. Updating SCO is essential for understanding the diverse ways in which state courts structure, organize, and administer their state trial and appellate courts. The 2009 SCO will build upon prior series by updating data collected under previous iterations of SCO as well as collecting new types of trial and appellate court data.

Scope of Work

The objectives of this project are to administer and complete the data collection for the 2009 State Court Organization (SCO) project. Specific objectives include (1) developing detailed project timetable, (2) designing survey instruments, (3) constructing list of trial and appellate courts to be surveyed, (4) conducting extensive data collection, follow-up, entry, and verification, (5) constructing and delivering SCO tables for electronic dissemination, and (6) delivering final data set and documentation to BJS. The preliminary data collection instrument will be provided by BJS. In preparing proposals for this solicitation, applicants are strongly encouraged to review data collection instruments, datasets, and statistical reports from prior BJS State Court Organization data collections available on the BJS website at <<http://www.ojp.usdoj.gov/bjs>> and the National Archive of Criminal Justice Data (NACJD) at the University of Michigan <<http://www.icpsr.umich.edu/NACJD/index.html>>.

The data collection agent will have routine contact with the administrative offices of state trial and appellate courts and must be knowledgeable in the areas of court organization, administration, and the nation's trial and appellate court systems.

Specifically, the recipient of the funds will:

1. Develop a detailed timetable for each task in the project. The data collection should commence shortly after Office of Management and Budget (OMB) approval has been secured and should be completed within 18 months from the initiation of the data collection. After the BJS Project Monitor has approved the timetable, all work must be completed as scheduled. BJS will secure OMB approval for the project.
2. Design the survey instruments for the SCO data collection. BJS will provide the preliminary data collection instrument. The data collection instrument will be designed for the purpose of generating trial and appellate court administrative and organization data. Some of the elements in prior SCO survey instruments include items related to the functions of state court administrators, state court administrative office staffing, judicial advisory groups, trial court funding and expenses, number and demographic characteristics of trial and appellate court judges, appellate court clerks' responsibilities and staffing functions, oral argument rules, procedures for expediting appellate proceedings, and utilization of DNA evidence in trial courts.

3. Organize at least one meeting of experts in trial and appellate court organization. The expert panel should include court administrators, clerks, managers, and judges who are active members of the Conference of State Court Administrators (COSCA) and the National Association of Court Managers (NACM) as well as academic and legal experts who specialize in court organization. The expert panel's purpose should be to assist in the development, review, and pre-test of the data collection instrument. The initial draft data collection instrument will be provided by BJS. The time and place of the meeting and potential attendees will be coordinated and approved by BJS.
4. Construct a list of trial and appellate courts to be surveyed. BJS will provide an initial draft of trial and appellate courts from prior SCO data collections to be surveyed. However, it will be necessary for the recipient to ensure that the entire universe of state trial and appellate courts has been enumerated. The final list of state trial and appellate courts should be assembled and verified based on available information resources including commercial databases, membership lists of trial and appellate courts, and academic and professional researchers who specialize in court organization.
5. Conduct pre-tests of survey instruments with up to nine trial and appellate courts to allow opportunities for on-site review and comment.
6. Mail surveys to respondents and provide extensive follow-up to respondents that require assistance, clarification, or encouragement to complete the survey. This may involve multiple follow-up telephone calls, re-mailing or re-faxing surveys, and e-mail correspondence.
7. Create and maintain a website which respondents can use to submit their data. Electronic submission will be the preferred method of response, and respondents should be encouraged to use this method.
8. Implement and maintain an automated 'real-time' system to provide ongoing status of each survey respondent and an inventory of follow-up communication and procedures for each case. Respondents' method of response (website, mail, fax, or phone) shall be included in this system. This automated tracking system should remain current and accessible to the BJS project monitor.
9. Identify techniques necessary to achieve a 95% or better survey response rate and item response rates specified in the "Performance Measures" section below.
10. Construct and deliver SCO tables for electronic dissemination through BJS webpage. Prior iterations of SCO resulted in tables produced both through the survey instrument and in-house research. Applicant will work with BJS project monitor to update SCO tables and produce new ones. Table construction will involve a combination of data collection and in-house research. Prior SCO projects resulted in the production of printed volumes for dissemination. No printed products will be produced for the 2009 SCO. SCO tables will be produced for the purpose of web dissemination via the BJS website and other interactive web-tools as deemed appropriate. The applicant will provide SCO tables in word, PDF, and excel files. The applicant should communicate with the publications unit in BJS to ensure that all tables in word, PDF, and excel meet BJS online publication standards.

11. Deliver to BJS an electronic version of the SCO trial and appellate court data in an SPSS format and supporting documentation. Documentation should include, but is not limited to, a comprehensive codebook detailing variable positions, data coding, variable and value labels, procedures for data verification, any recoding implemented during the data cleaning process, and copies of all programs used to generate data or published statistics. All data and documentation will be posted on the BJS website, and data will be archived at the National Archive of Criminal Justice Data (NACJD) at the University of Michigan. All data collected under the project remains property of BJS until such time that BJS releases the data to the public. The grantee may not use any data obtained through this project for any presentations or publications and may not disseminate these data until BJS has released data to the public.

Additional guidance

The applicant should have the following:

1. Direct experience in securing cooperation and court data from key personnel in the state trial and appellate court communities including managers, administrators, clerks, and chief justices. Recipient should understand the intricacies involved collecting administrative and organizational court data.
2. In preparing proposals for this solicitation, applicants are strongly encouraged to discuss the extant BJS statistical reports on State Court Organization, available on the BJS website at <www.ojp.usdoj.gov/bjs>.
3. A clear project management structure and plan, project timeline, and reasonable budget approach to administer State Court Organization. The project management plan should include the responsibilities and activities of each principal staff member. The budget detail should provide direct linkage to the activities to be performed.

Funding Information

Funding under this competitive grant announcement is contingent on the availability and amount of FY 2009 funding available. BJS anticipates making one award for a 30-month period under this solicitation.

Limitation on Use of Award Funds for Employee Compensation; Waiver: No portion of any award of more than \$250,000 made under this solicitation may be used to pay any portion of the total cash *compensation* (salary plus bonuses) of any employee of the award recipient whose total cash compensation exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (The salary table for SES employees is available at www.opm.gov.) This prohibition may be waived at the discretion of the Assistant Attorney General for the Office of Justice Programs. An applicant that wishes to request a waiver should include a detailed justification in the budget narrative for the application. The justification should include: the particular qualification and expertise of the individual, the uniqueness of the service being provided, the individual's specific knowledge of the program or project undertaken with the grant funds and a statement explaining that the individual's salary is

commensurate with the regular and customary rate for an individual with her/his qualifications and expertise, and for the work that is to be done.

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 measure the results of their work. Additionally, applicants must discuss their data collection methods in the application. Performance measures for this solicitation are as follows:

Objective	Performance Measures	Data Grantee Provides
<p>To conduct a survey on the overall structure and framework of the nation’s state trial and appellate courts and to collect information pertaining to various issues related to court administrative and organizational structure including sentencing, the use of juries, the governance of the judicial branch, appellate court structure and processes, and the overall structure of nation’s state trial and appellate courts.</p>	<p>Achieve a 95% or higher survey response rate.</p> <p>Achieve a 95% or better survey response rate for high items</p> <p>Successfully complete the data collection within the required schedule.</p>	<p>A 95% or better survey response rate. (Target: 95% or better. A response rate lower than the 95% threshold is unacceptable.)</p> <p>Minimal number of missing or inconsistent data in data file.</p> <p>Post validation follow-up rate (Target: 1% or less of respondents require post-validation follow-up and error correction).</p> <p>Time from initiation of the collection to close of the reference period (Target: 18 months).</p>

How to Apply

Grants Management System Instructions. Applications must be submitted through OJP’s online Grants Management System (GMS). To access the system, go to <https://grants.ojp.usdoj.gov>. Applicants should begin the process a few weeks prior to the GMS registration deadline, especially if this is the first time they have used the system. Each application requires a separate GMS registration. For a step-by-step guide, visit <http://www.ojp.gov/gmscbt/> and refer to the section entitled “External Overview: Locating & Applying for Funding Opportunities.” For additional assistance, call the GMS Help Desk at 1-888-549-9901 from 7:00 a.m. to 9:00 p.m. Eastern Time Monday to Friday.

Note: OJP will not review any application whose attachments are in Microsoft Vista or Microsoft 2007 format. Applications submitted via GMS must be in the following formats: Microsoft Word (*.doc), Word Perfect (*.wpd), Microsoft Excel (*.xlm), PDF files (*.pdf), or Text Documents (*.txt). GMS is not yet compatible with Vista and cannot yet process Microsoft Word 2007 documents saved in the new default format with the extension ".docx." Please ensure the documents you are submitting are saved using "Word 97-2003 Document (*.doc)" format. Additionally, 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 16.734, titled "Special Data Collections and Statistical Studies" and the funding opportunity number is 2009-BJS-2127.

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.

Central Contractor Registration (CCR) is required: In addition to the DUNS number requirement, OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the Central Contractor Registration (CCR) database. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Please note, however, that applicants must update or renew their CCR registration at least once per year to maintain an active status. Information about registration procedures can be accessed at www.ccr.gov.

What an Application Must Include

When applying for federal funding, applicants must provide the following:

Standard Form 424
Program Narrative
Budget and Budget Narrative
Indirect Cost Rate Agreement (*if applicable*)
Other Attachments

- Applicant must complete the online Application for Federal Assistance (SF-424), a standard form that most federal agencies use.

Project and Budget Related Attachments

- The project narrative should describe activities as discussed in the *Scope of Work* and address the evaluation criteria. The project narrative should contain a detailed timeline for project activities, a description of the survey methodology to be used, including defined geographic boundaries, data collection method, data entry, and data documentation procedures.
- The Budget Detail Worksheet may be found through the Internet at <http://www.ojp.usdoj.gov/funding/forms/budget_detail.pdf> OJP Standard Forms & Instructions. The OJP Financial Guide, which governs the administration of funds and contains information on allowable costs, methods of payment, audit requirements, accounting systems, and financial records, is available on the OJP website at <<http://www.ojp.usdoj.gov/finanacialguide/index.htm>>. If you have any questions, please contact the OJP Office of the Comptroller's Customer Service Center at 1-800-458-0786.
- Applicants that do not have a federally negotiated indirect cost rate and wish to establish one, may submit a proposal to their "cognizant" federal agency. In general, the cognizant federal agency is the agency that provides the preponderance of direct federal funding. This can be determined by reviewing an organization's schedule of federal financial assistance. If DOJ is your cognizant federal agency, information needed to submit an indirect cost rate proposal can be obtained at <http://www.ojp.usdoj.gov/funding/pdfs/indirect_costs.pdf>.

Other Attachments

- **Key staff information.**
Information on key staff includes a staff loading chart, by task and contract year, showing the role and number of hours (per year) committed for proposed staff; identification of proposed key personnel and their qualifications for the significant functions in this project, along with concise descriptions of the duties each will perform under the grant; and an identification by name of all key personnel with decision-making authority.
- **Privacy Certification.**
The Privacy Certificate is a funding recipient's certification of compliance with federal regulations requiring confidentiality of information identifiable to a private person, which is collected, analyzed, or otherwise used in connection with an OJP-funded research or statistical activity. The funding recipient's Privacy Certificate includes a description of its policies and procedures to be followed to protect identifiable data. A model certificate is located at <<http://www.ojp.usdoj.gov/bjs/pub/pdf/bjsmpc.pdf>>.
- **Human Subjects Protection Certification of Compliance.**
BJS requires the funding recipient to submit proper documentation to be used to determine that the research project meets the federal requirements for human subjects protections set forth in 28 CFR Part 46. A model certificate, describing the necessary information to be provided

by the funding recipient, can be accessed at
<<http://www.ojp.usdoj.gov/bjs/pub/pdf/bjssspfs.pdf>>.

- **Assurances and Certifications.**

Applicants are required to review, accept, and “sign off” on these assurances and certifications electronically through GMS. Please verify that the name, address, phone number, fax number, and e-mail address of the authorizing official on these online forms are correct.

(1) **Assurances.** The applicant must comply with the assurances in order to receive federal funds under this program. It is the responsibility of the recipient of federal funds to fully understand and comply with these requirements. Failure to comply may result in withholding of funds, termination of the award, or other sanctions.

(2) **Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace.** This form commits the applicant to comply with the certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying," and 28 CFR Part 67, "A Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for a Drug-Free Workplace (Grants)."

Selection Criteria

Proposals should describe the plan and implementation strategies outlined in the *Scope of Work*.

The applicant will be evaluated on the basis of:

1. **Program Narrative (10%)**

Content of the proposal and how it addresses the tasks in the scope of work and scheduled timeline. Demonstrated knowledge and understanding of adjudication statistics and data collection.

2. **Project Design and Implementation (25%)**

Technical feasibility of the proposed project design and reasonableness of the proposal given the scope of work and tasks to be completed.

3. **Capabilities/Competencies (35%)**

Demonstrated ability and experience in collecting data from large number of justice related agencies or similar entities. Demonstrated knowledge of applied survey research, including survey construction, interview techniques, data collection, data coding, entry and verification, and the production of public-use data files. This includes availability of an adequate computing environment, knowledge of standard social science data processing software, and demonstrated ability to produce SPSS readable data files for analysis and report production.

4. Budget (20%)

Demonstrated fiscal, management, staff, and organizational capacity to provide sound management for this project. Applicant should include detailed staff resources and other costs by project tasks. The budget should be reasonable given the technical approach and scope of proposed work to be completed.

5. Impact/Outcomes and Evaluation (10%)

Demonstrated ability to achieve an overall 95% or higher response rate with minimal missing data.

Review Process

The applicant will be evaluated based on the requirements provided under the *Selection Criteria*. OJP is committed to ensuring a standardized process for awarding grants. The Bureau of Justice Statistics reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with program or legislative requirements as stated in the solicitation.

Peer Reviewers will be reviewing the applications submitted under this solicitation as well. The Bureau of Justice Statistics may use either internal peer reviewers, external peer reviewers or a combination of both to review the applications under this solicitation. An external peer reviewer is an expert in the field of the subject matter of a given solicitation who is NOT a current U.S. Department of Justice employee. An internal reviewer is an expert in the field of the subject matter of a given solicitation who is a current U.S. Department of Justice employee. Applications will be screened initially to determine whether the applicant meets all eligibility requirements. Only applications submitted by eligible applicants that meet all other requirements will be evaluated, scored, and rated by a peer review panel. Peer reviewers' ratings and any resulting recommendations are advisory only. In addition to peer review ratings, considerations may include, but are not limited to, underserved populations, strategic priorities, past performance, and available funding.

After the peer review is finalized, the Office of the Chief Financial Officer (OCFO), in consultation with the Bureau of Justice Statistics, conducts a financial review of all potential discretionary awards and cooperative agreements to evaluate the fiscal integrity and financial capability of applicants; examines proposed costs to determine if the budget and budget narrative accurately explain project costs; and determines whether costs are reasonable, necessary, and allowable under applicable federal cost principles and agency regulations. OCFO also reviews the award document and verifies the OJP Vendor Number.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final grant award decisions will be made by the Assistant Attorney General (AAG), who may also give consideration to factors including, but not limited to, underserved populations, strategic priorities, past performance, and available funding when making awards.

Additional Requirements

Successful applicants selected for award must agree to comply with additional applicable requirements prior to receiving grant funding. We strongly encourage you to review the list below pertaining to these additional requirements prior to submitting your application. Additional information for each can be found at <http://www.ojp.usdoj.gov/funding/other_requirements.htm>.

- Civil Rights Compliance
- Funding to Faith-Based Organizations
- 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 the Office of Justice Programs' [Financial Guide](#)
- Suspension or Termination of Funding
- Nonprofit Organizations
- For-Profit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006