

**BJA FY24 Adult Treatment Court Program Webinar: Frequently Asked Questions**

These questions were submitted in advance of and during the grant solicitation webinar which was held at 2:30 PM ET on March 20, 2024. The webinar was hosted by the Bureau of Justice Assistance (BJA) and the National Treatment Court Resource Center (NTCRC) regarding the FY24 Adult Treatment Court Program solicitation. Answers were provided by the Bureau of Justice Assistance.

**Application**

**Q**: Types of Courts Eligible to Apply

**A**: Under this solicitation an “adult treatment court” includes (1) adult drug courts, (2) driving while intoxicated (DWI)/ driving under the influence (DUI) courts, (3) co-occurring disorder courts, and (4) tribal healing to wellness courts (THWCs). This solicitation also supports VTCs in combination with any of the four ATC types.

**Q**: Do we have to register and submit in both Grants.gov & Justgrants.gov?

**A**: Yes, the application process includes submissions in both platforms to be considered complete.

**Q**: Are we eligible to apply to this grant if we currently have an open federal award with the Substance Abuse and Mental Health Administration (SAMHSA) or BJA?

**A**: It depends. Yes, if the active award closes prior to the start of the new award (e.g., the active award closes September 30, 2023, and the new award starts October 1, 2023). In this scenario, it is not required that the proposed application be for a different project from the active award. Note: If the applicant receives the new award, a request for a no-cost extension for the active award may be denied if the new award proposes the same project as the active award. If the active award is not scheduled to close prior to the start of the new award, the applicant would still be eligible to apply for a new award but will need to propose a different project in response to the solicitation.

**Q**: If our court is already operating under another federal grant that will likely end at some point in early 2025, does it make sense to still apply under this grant? Are the dates that funding would begin flexible at all around this?

**A**: You would be able to apply if your current grant ends prior to the start of this 2024 grant (10/1/2024).

**Q**: Is an Adult Treatment Court itself an eligible applicant for the solicitation?

**A**: Yes, as long as the court is associated with a state or local government entity. Per the solicitation, the following entities are eligible: State governments; Special district governments; City or township governments; County governments; Public housing authorities/Indian housing authorities; and Native American tribal governments (Federally recognized) to include, public or private entities acting on behalf of a single treatment court through agreement with state, city, township, county, or tribal governments.

**Q**: Las Vegas Justice Court has a Mental Health Court which also treats co-occurring SUDs. Is this MHC eligible to apply for ATC Program funding to cover the SUD treatment portion with sober housing?

**A**: Mental Health Courts are not eligible to apply to the BJA FY24 Adult Treatment Court Program solicitation. A court may apply for funding to support participants with co-occurring disorders. An applicant must clearly demonstrate that BJA funding will be used to specifically support participants with co-occurring disorders.

**Q**: Page 19 of the Solicitation indicates that the Proposal Abstract must indicate the “Type of adult treatment court(s) for which funds are requested: ADC, Co-occurring,

DWI/DUI court, or THWC.” Our program includes individuals who fall under the ADC and co-occurring court definitions. May we list both even though it is a single ATC?

**A**: Yes, an applicant can request funding under one application that supports multiple eligible court types.

**Q**: Is it fatal/detrimental to the application if certain required data is not available to the program and has not been collected in the relevant jurisdiction? For example, our jurisdiction has not collected data related to the “scope of SUDs in the jurisdictions to be targeted.” However, we have some limited data as to race, ethnicity, age, gender, arrest volume (i.e., specifics of the general arrestee population . . . and crime patterns for adult defendants.”). Similarly, there is a requirement to explain how the program will “Explain the program’s screening tool and referral process to ensure that participants screened and referred to the court mirror the jurisdiction’s SUD arrestee percentages.” If the “SUD arrestee percentages” and similar data is not available, will this be a substantial negative factor?

**A**: No, just indicate that this data is not currently available in your jurisdiction. It may be beneficial to indicate a plan to use funding to support the collection of this data.

**Q**: Do headings and subheading titles need to be double spaced?

**A**: Yes, per the solicitation, “The attached document should be double-spaced, using a standard 12-point size font.”

**Q**: If all three forms of MAT are not currently being offered in the selected ATC, would that make an application ineligible?

**A**: No, BJA anticipates that not all applicants will have access to all forms of MAT. If this is the case, BJA would encourage an applicant to indicate a plan in their application that would build the capacity to provide all forms of MAT.

**Q**: There is a requirement for “collecting required data” that grantees are expected to map community resources to support their programs. Does this need to be completed as a part of the application submission, or can this a part of the grant implementation activities?

**A**: This does not need to be completed as part of the application. Note: the solicitation indicates that the applicant must describe its current ability to collect and analyze client-level demographic, performance, and outcome data and to conduct regular assessments of program service delivery and performance. In regard to mapping community resources, this should be completed as part of the application process.

**Q**: I see that it says for the "same project need" our application would be different from our SAMHSA one in that we would be applying to fund a different position in order to support our SAMHSA project. Would this still disqualify us for one of these funding sources?

**A**: No, but you must demonstrate that your new Adult Treatment Court application provides treatment court services outside of what is currently being funded by either your SAMHSA or CTAS PA3 award (i.e., expansion of treatment services, different target population, etc.). BJA makes strong efforts to deconflict applications from SAMHSA and BJA to ensure effective stewardship of federal funds.

**Q**: The ‘Statewide Applicants Managing Subawards’ is listed as a required component in the solicitation. Is this only required for Category 3 (Statewide) applications, or is this required for all categories of applicants?

**A**: The ‘Statewide Applicants Managing Subawards” requirement is only specific to Category 3 Statewide applicants that are planning to make subawards.

**Q**: Is there a template of the “Timeline Web-Based Form” that we can access outside of the application system so that we can see the information that we need to address?

**A**: In regard to the “Timeline Web-Based Form,” below is an image of the Timeline in JustGrants which can be found here: https://justicegrants.usdoj.gov/training/application-submission-guide.pdf. (pgs. 65-69)

**Q**: Do the Tribal Court programs need to meet all OJP and BJA priorities?

**A**: Yes, they would need to meet the priorities.

**Q**: Regarding Priority Area 1A and 1B, are there any definitive sources concerning what would be defined as a population-specific organization or a type of community that is historically underserved and disproportionately affected by crime?

**A**: Examples include rural communities where they’re in need of different resources for ATCs. Another population could be tribal communities and tribal nations; any community that has shown that there is a need for additional services and funding.

**Q**: Are family dependence and neglect courts eligible?

**A**: These programs should apply under OJJDP funding for family and juvenile courts. This solicitation is specifically for adult treatment courts.

**Q**: Under category 2, could more than one court be included in the application? For example, if we wanted to apply with 3 courts that are part of a regional consortium but are not statewide, would we be eligible?

**A**: One entity would have to apply, and then sub-grants/sub-awards could be provided to subrecipients.

**Q**: Can this grant fund a treatment court that has clients with mental health issues aside from substance use disorders or only SUD or co-occurring disorders?

**A**: The BJA Adult Treatment Court funds are to be used to support participants with substance use disorders or co-occurring disorders.

**Q**: Is the page limit 20 for each category? If I apply for category 2 and category 3, is it a 20-page limit for each category?

**A**: Yes, the 20-page limit is for each category.

**Q**: Is there a template we can mock up before entering in the web based form for the timeline and the budget?

**A**: After this webinar, the JustGrants manual (referenced in the webinar) will be sent out as an attachment, and there are specific pages relevant to that timeline. We recommend referencing pages 65-69 which provide screenshots of what these fields look like as they relate to the timeline as well as separate screenshots of the budget information that needs to be filled in. Additionally, the [NTCRC hosts resources](https://ntcrc.org/solicitations/) for each category of this grant solicitation.

**Q**: Does the number of participants served mean new participants or new and previously admitted participants?

**A**: This refers to new and current participants. It is also recommended to retain data on participants who have completed the program.

**Q**: The solicitation mentions continuation awards. Are these generally handled through reapplication through this same process, or is there an alternate process to be considered for continuation funding at the conclusion of the grant period?

**A**: An extension request could be made in order to continue the program.

**Q**: Does failure to include any of the recommended attachments weigh more heavily than any other? Specifically, is failure to attach an MOU signed by key partners weighed more heavily than other recommended attachments?

**A**: BJA encourages all applications or all applicants to submit all of the recommended attachments. None of the recommended forms are weighed more heavily than the others.

**Q**: Does BJA offer a grant application that does not include expansion, where my program can sustain the expansion after the expansion grant expires?

**A**: No. After a previous award has ended, an applicant may apply for a new enhancement award. BJA does ask applicants as part of the application process to describe their sustainability plan detailing how the adult treatment court operations will be maintained after federal assistance ends.

**Q**: If you are starting a treatment court this summer, after the grant application time passes but before the 10/1/2024 effective date, should you apply under category 1 or category 2?

**A**: This depends on the stage of this court. Category 1 is to implement a new treatment court. If this court is already active, it would be more appropriate to apply under enhancement because the court is already operational.

**Q**: The 'Statewide Applicants Managing Subawards (Required)' is ONLY required for Category 3 Statewide applicants, correct?

**A**: Yes: if you are a statewide applicant, that pertains to you within the solicitation.

**Q**: Is the 6-month planning phase applicable to all categories?

**A**: It would be applicable to category 1.

**Q**: If applying on behalf of a veterans treatment court, is there any restriction as to whether you can apply to both ATC and VTC grants simultaneously?

**A**: The ATC solicitation allows application for funding to support both an adult treatment court and a veterans treatment court under the same application. Applicants should indicate the percentage of funding that will be allotted to the ATC program and percentage allotted to the VTC program. These funds will come from two separate appropriations of funding which BJA receives from Congress. Applicants which are applying for only a veterans treatment court should do so under the Veterans Treatment Court Program solicitation.

**Q**: If treatment court participants have any of those violent offenses, would they be eligible? Or is it a time frame of those types of convictions?

**A**: There is not a time frame on the violent offender prohibition.

**Q**: Does a single participant who qualifies under the Violent Offender Prohibition result in not applying grant funds for the entire program, or excluding this individual?

**A**: A treatment court can use additional funds (like burn-skip funds) for court participants that have violent crimes.

**Q**: To clarify, any BJA grant awarded cannot be used if the established treatment court takes defendants with any violent offenses?

**A**: BJA funding or adult treatment court funding cannot be used to support a violent offender (and there is no time frame on the limitation). Funding under this solicitation cannot be used to support someone or provide services to an individual or a participant in a program with a violent offense.

**Q**: The solicitation states the needed formatting for the narrative but not for the citations, is there a preferred format for citations?

**A**: There is not a preferred format for citations but formatting should be consistent throughout the application/narrative.

**Q**: How should attachments be labeled? Should it include FY24 Adult Treatment Court Program Application?

**A**: Attachments should be labeled to match the title of the document being requested. Labels should be as clear as possible so that reviewers can easily find information for the application.

**Q**: What if we request funding for the same "project" but a different aspect of the project? For example, if we have an OJP award that helps fund our healing to wellness court, can we apply for some court personnel to help enhance a current OJP award project?

**A**: Yes, you can apply for funding to enhance another part of the project; however, you cannot apply for duplicate funding. An example of appropriate enhancement funding would be to hire staff.

**Q**: Are we required to obtain a letter of support from the State Substance Abuse Agency Director if we are not applying for a statewide grant? We are applying under category 2.

**A**: A letter from the State Substance Abuse Agency Director would be recommended in support of the application and include confirmation that the proposal conforms to the framework of the state strategy of substance abuse treatment. Please see page 33 of the solicitation.

**Q**: In reviewing the grant application, it appears that BJA is requesting responses to some 66 topics in 4 categories within 20, double-spaced pages, most of which are asking for “explanations” or “descriptions”. The project narrative examples provided for the enhancement grant on your resource page look similar to the SAMHSA format with which we are familiar, but reflect substantially fewer topics, i.e., 47 in 4 categories within 10, single-spaced pages. We are wondering if you have any guidance as to addressing all the items in the space allotted and/or if you have narrative examples that reflect the specific topics in BJA’s funding announcement?

**A**: BJA provides examples of project narratives associated with applications that have successfully received funding. These examples can be found on the BJA website under the funding and awards tab-successful applications section. The site currently features Seneca County (OH) as a successful applicant and awardee under the Adult Drug Court Discretionary Grant Program. <https://bja.ojp.gov/funding/successful-applications>

**Q**: Is there a way for the public to see who has applied to this grant?

**A**: BJA awards are made public and can been reviewed on the BJA website under the funding and awards tab. <https://bja.ojp.gov/funding/awards/list>

**Q**: On page 40, the NOFO lists general additional application components but only 3 are marked with an asterisk as minimum requirements. Can you provide clarification on the specific requirements for the others?

**A**: Items designated with an asterisk must be submitted for an application to meet the basic minimum requirements for review. If OJP determines that an application does not include the designated items, it will neither proceed to peer review, nor receive further consideration. It is recommended that items without an asterisk are included in the solicitation application, as these additional items strengthen the overall application.

**Staffing**

**Q**: Who would you include as Key Personnel for the grant?

**A**: Anyone that works within the ATC work group (judge, prosecutor, defense attorney, community supervision officers, mental health and behavioral health practitioners, police officers) should be included as key personnel.

**Q**: If we want to replace part-time positions with full-time positions, how should this be handled to avoid supplanting?

**A**: In general, if you are proposing to use federal funds to pay current employees to work on the grant funded project, the previously budgeted local or state funds for those employees must be used to continue the previous duties (e.g., backfilling the positions). Supplanting would occur if the local funds for the positions were used for another purpose or as savings to the local budget, if federal funds took over payment of all/part of the position. See the OJP definition for supplanting: “A state or unit of local government reduces state or local funds for an activity specifically because federal funds are available (or expected to be available) to fund that same activity. When supplanting is not permitted, federal funds must be used to supplement existing state or local funds for program activities and may not replace state or local funds that have been appropriated or allocated for the same purpose. Additionally, federal funding may not replace state or local funding that is required by law. If a question of supplanting arises, the applicant or grantee will be required to substantiate that the reduction in nonfederal resources occurred for reasons other than the receipt or expected receipt of federal funds.”

**Q**: Page 27 indicates that “Key team members must include a judge, prosecutor, defense attorney, treatment provider, researcher/evaluator/management information specialist, and treatment court coordinator.” (emphasis mine). For new or expanding programs, is it fatal/detrimental to the application if not all key members have joined the program? Is it acceptable that a goal of the program is to expand and include these members with the support of the grant?

**A**: Yes, it is acceptable to indicate in the application that funding will be used to expand the capacity of the treatment court team to include the key team members.

**Q**: A key team member is listed as a “researcher/evaluator/management information specialist.” Can this position be further defined?

**A**: Team member that is designated to collect data for the program to include but not limited to the performance data reporting requirement of the program.

**Q**: Would legal advice be an allowable/funded service under this grant? For example, lawyers attending warrant hearings to ultimately reduce fines/costs for an individual because they are participating in the Treatment Court?

**A**: No, legal advice is outside the scope of the Adult Treatment Court (ATC) Program. Per the solicitation, the purpose of the ATC Program is to reduce the misuse of opioids, stimulants, and other substances by people involved in the criminal justice system.

**Q**: Could funds be used to hire a data analyst to build/enhance collection and use of key drug court operation and outcome data?

**A**: Yes, funds can be used to hire a data analyst for data purposes at the program or statewide level.

**Q**: Our Judges and Prosecutors are on contract. Does this grant allow for contracted to receive the mandatory six-month foundational training?

**A**: Yes, it does allow for contracted staff to receive the mandatory 6-month foundational training as long as they are part of the treatment court team.

**Q**: We have a number of specialty courts (drug, sobriety, co-occurring) in our county. We would like to hire an administrator to centralize some functions, market, partner development, chair a county specialty court collaboration. If this can be funded, how would you suggest it get written?

**A**: One application could be submitted that supports three jurisdictions or treatment/specialty courts, whatever is most appropriate for your needs in your jurisdiction.

**Budget**

**Q**: On page 20, there is reference to jurisdictional receipt of federal funding - is jurisdiction defined as "state" or is it court specific?

**A**: Jurisdiction is port, local township, local county, etc.

**Q**: Page 23 states that “the ATC program’s authorizing statute requires participants to pay for treatment and restitution.” If the program has partnerships that assist with the cost of treatment, does that run afoul of the requirement – that participants pay for treatment themselves? Alternatively, can grant funds be requested and used to pay for treatment services, or offset the cost of evaluations and treatment?

**A**: Per the solicitation, “authorizing statute requires participants to pay for treatment and restitution, it does not allow a fee to be imposed on a participant that would interfere with their rehabilitation.” Alternatively, treatment court services are an allowable use of adult treatment court funds under this solicitation.

**Q**: Can the 25% match include any federal funding from other sources?

**A**: Generally, no, other federal funds cannot be used as a match toward a BJA grant. However, federally recognized tribes may be able to use funds issued to that tribe from the Bureau of Indian Affairs (BIA) for performing law enforcement functions on tribal land.

**Q:** Pre-approved conference costs: is this regarding hosting a conference or attending a conference, such as ALL Rise annual conference?

**A**: Pre-approved conference costs are associated with attending conferences.

**Q**: Can state grant money be used as a match?

**A**: State grant money can be used as part of the 25% match.

**Q**: Can you discuss how the SF424 budget request must match the amount in JustGrants? Can the dollar amount entered on the SF424 in Grants.gov be changed later? My budget has changed since I submitted.

**A**: BJA recommends that the dollar amount on the SF424 matches the amount in JustGrants. It is recommended to contact the help desk for technical assistance if you are unable to align both of these totals.

**Q**: So if the SF424 and JustGrants dollar amounts don't match will it throw out your application?

**A**: Both totals in Grants.gov and JustGrants should align. However, BJA understands that changes occur beyond editing capability; this discrepancy would not automatically disqualify an application.

**Q**: Page 30-31 – must applicants budget grant funds for trainings and/or conferences? Under “Prior Approval, Planning, and Reporting…” it seems that requesting funds for training/conferences would be optional. However, the next paragraph states: “Applicants should estimate the costs of travel and accommodations for up to three (Categories 1 and 2) or eight (Category 3) team members to attend up to two conferences and/or trainings each year.”

**A**: You are correct. “OJP strongly encourages every applicant that proposes to use award funds for any conference…” If an applicant proposes to use award funds for a conference, then “Applicants should estimate the costs of travel and accommodations for up to three…”

**Q**: Can you clarify what expenses are allowable if a training event that brings multiple jurisdictions together is proposed? For example, we could propose to pay airline, mileage and hotel expenses, but not food.

**A**: Correct: airline, lodging, local travel, and cab or bus transportation. However, food, gift cards, vehicle purchases for transportation at the conference, and beverages would not be allowed.

**Q**: We plan to implement our ATC in July 2024. We have a Legislative JMARC (state) grant awarded to the county for a Recovery Court. Can we utilize those funds as 25% matching funds? Also, are we still eligible to apply for the Foundation grant? We received the training in August of 2023.

**A**: Local county funds or state funds can be used for the 25% match. Because the 6-month process starts in July, they would still be eligible for the foundational training.

**Q**: Does the grant pay for transportation for participants to get to treatment and court?

**A**: Yes, this funding can be used for items like transportation. In the past, applications have been received to pay for bus passes and other modes of transportation for participants.

**Q**: Our Tribe received opioid settlement funds, can we use these funds as our match source?

**A**: If opioid funds are related to a federal award or funding, they cannot be used as a match for another federal award.

**Q**: Please further explain on page 30, "must forgo any profit or management fee,” specifically what is defined as profit and what is to be done with profit?

**A**: Part of the statute language for adult treatment courts is that participants must pay for services. This would be an example of profit being brought in as a result of providing those services.

**Operations**

**Q**: Do MOUS have to be in place as a part of the application submission? For example, must the Fiscal Agent MOU, which is required, be fully executed prior to application submission?

**A**: Note: An entity (i.e., unit of local government or county) applying for funding on behalf of an adult treatment court must submit the required Fiscal Agent MOU with the application. If this is not the case, the Fiscal Agent MOU is not required.

**Q**: Can you list the types of services paid for by BJA grants?

**A**: BJA funding can be used in many ways not always covered in examples provided. Examples include inpatient and outpatient treatment slots, supervision and treatment services, recovery support services, equipment, training, evaluation, management information systems, aftercare support, enhancing risk/needs assessment screening, performance reporting, transportation, drug testing services and supplies, electronic monitoring, staffing, MAT services, temporary housing support, and peer support/mentors.

**Q**: On page 28 under d) there is a requirement for data collection - can data collection happen among the program partners?

**A**: Yes, data collection can happen with program partners. For example, if the actual ATC program is partnering with a training and technical assistance partner, they can also assist with data gathering.

**Q**: What is considered temporary housing? Is there a list, i.e. extended stays?

**A**: “Temporary housing” is dependent upon what is available in your community and what is justifiable in your narrative (to include extended stay hotels).

**Q**: How can education consultants registered as a small business become sub recipients of grant funding? This seems like a great opportunity for vocational rehabilitation agencies.

**A**: If an education consultant is filling a gap in treatment court services as a program partner, applicants should ensure that that partnership is written into the grant application. These types of entities can reach out to connect with treatment courts who may be applying for funding.

**Q**: What are you referring to when saying "to maintain capacity?"

**A**: Maintain capacity refers the number of program participants the applicant’s program intends to serve and their program strategies to maintain the capacity of intended recipients. For example, if an applicant’s program has the capacity to serve 50 participants, how will this program maintain capacity for 50 program participants?

**Non-Profits**

**Q**: Can a non-profit be the applicant for this solicitation?

**A**: Per the solicitation, non-profit entities are not eligible for funding under this solicitation. However, the solicitation states that if the non-profit has a partnership with the governmental entity, they would be able to apply.

**Q**: We are a non-profit treatment agency that is contracted with an existing drug court and the judge requested that we apply on behalf of the existing drug court. Are we eligible to apply?

**A**: If the non-profit entity is partnered with and has an agreement with the governmental agency, then they would be able to apply on behalf of the treatment court. In the event that an agency is applying on behalf of a treatment court (but is not a treatment court), the fiscal agent MOU is also required to ensure that there is a partnership between the entity applying and the treatment court.

**Q**: Is there specific information that is needed if a non-profit submits on behalf of a County/Government agency?

**A**: This application should include the relationship between the non-profit and the entity, services that the non-profit will be providing for the program, resumes of the individuals who are employed by the non-profit, and most importantly, the memorandum of understanding.

**Q**: If a non-profit entity applies through agreement with state, county, township, county or tribal government, would the agreement be in the form of an MOU?

**A**: Yes; the MOU would be the formal agreement between the non-profit and the entity applying for funding.

**Q**: Would, for example, the Northwest Georgia Housing Authority be eligible to apply?

**A**: Per the solicitation, the following entities are eligible: State governments; Special district governments; City or township governments; County governments; Public housing authorities/Indian housing authorities; and Native American tribal governments (Federally recognized) to include, public or private entities acting on behalf of a single treatment court through agreement with state, city, township, county, or tribal governments.

Note: Per the solicitation, it is recommended that an eligible entity (i.e., unit of local government or county) applying to Category 1 or Category 2 on behalf of an adult treatment court attach a fiscal agent MOU.