

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



OVW Fiscal Year 2011 Court Training and Improvements Program

Eligibility

Applicants are limited to Federal, State, Tribal, Territorial, or local courts or court-based programs.
(See "Eligibility," page 6)

Deadline

To assist OVW in planning for the independent peer review process, letters of intent to apply should be submitted by February 22, 2011. 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 February 22, 2011. All applications are due by **11:59 p.m. E.T. on March 8, 2011.**
(See "Deadline: Application," page 5)

Pre-Application Conference Calls

February 10, 2011: 2 p.m. – 4 p.m. E.T.
February 24, 2011: 2 p.m. – 4 p.m. E.T.

Contact Information

For assistance with the requirements of this solicitation, contact OVW at (202) 307-6026, or email questions to OVW.CourtsProgram@usdoj.gov.

In Fiscal Year 2011, OVW applications will be submitted through Grants.gov. For further information and assistance, please see the OVW Grant Program Solicitation Reference Guide at <http://www.ovw.usdoj.gov/docs/resource-guidebook.pdf>.

All applicants will be notified of the outcome of their applications by September 30, 2011.

CONTENTS

Overview of the OVW Court Training and Improvements Program	p. 3
Civil Rights Compliance	p. 4
Deadline: Letter of Intent	p. 5
Deadline: Registration	p. 5
Deadline: Application	p. 5
Pre-Application Conference Calls	p. 5
Eligibility	p. 6
OVW Court Training and Improvements Program Specific Information	p. 7
• Types of Applicants	p. 7
• Availability of Funds	p. 8
• Award Period	p. 8
• Award Amounts	p. 8
• Program Scope	p. 12
How To Apply	p. 15
What An Application Must Include	p. 15
• Summary Data Sheet	p. 17
• Project Narrative	p. 17
• Budget Detail Worksheet and Narrative	p. 21
• Memorandum of Understanding (MOU)	p. 23
• Letters of Support	p. 24
• Proposal Abstract	p. 25
• Summary of Current OVW Projects	p. 26
• Application for Federal Assistance	p. 26
• Standard Assurances and Certifications	p. 26
• Financial Accounting Practices	p. 26
• Letter of Nonsupplanting	p. 27
• Financial Capability Questionnaire	p. 27
• Indirect Cost Rate Agreement	p. 27
• Certification of Eligibility	p. 27
Selection Criteria	p. 28
Review Process	p. 28
Performance Measures	p. 29
Notice of New Post-Award Reporting Requirements	p. 29
Additional Requirements	p. 30
Public Reporting Burden	p. 30
Application Checklist	p. 31
Appendix A	p. 32
Glossary	p. 36

OVW Court Training and Improvements Program (CFDA 16.013)

Overview

This solicitation contains information on how to apply for the Court Training and Improvements Program (Courts Program). For general information on applying for all OVW grant programs, please see the OVW Fiscal Year 2011 Grant Program Solicitation Reference Guide (Reference Guide) at <http://www.ovw.usdoj.gov/grants-resource-guide.htm>. All applicants should read carefully both this solicitation and the Reference Guide before beginning the application process.

About the Court Training and Improvements Program

The 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

National studies have shown that courts need to take a more holistic approach to domestic violence case management in order to fully address the complexities of domestic violence cases and the needs and interests of the victims who seek remedies through the courts.³ 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.⁴ To significantly improve internal civil and criminal court functions, court-based and court-related personnel must be educated on sexual assault and domestic violence. In addition, Federal, State, Tribal and Territorial courts must collaborate among themselves and enter into meaningful partnerships with nonprofit, nongovernmental sexual assault and domestic violence programs.

This discretionary grant program creates a unique opportunity for Federal, State, Territorial, and Tribal courts or court-based programs to significantly improve court responses to sexual assault, domestic violence, dating violence and stalking cases utilizing proven specialized court processes to ensure victim safety and offender accountability. Courts that have adopted a specialized approach in the handling of domestic violence cases are seeing significant improvements in victim safety and satisfaction, offender accountability, decreases in re-offenses and re-abuse, and more efficient case-flow processing.⁵ Similar results may be achieved by courts using this same approach to address sexual assault, dating violence and stalking, if

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

⁴ Emily Sack, *Creating A Domestic Violence Court: Guidelines and Best Practices*, Family Violence Prevention Fund (2002).

⁵ Andrew Klein, *Practical Implications of Current Domestic Violence Research: For Law Enforcement, Prosecutors and Judges*, National Institute of Justice (June 2009).

supported by formalized court rules, procedures and effective training.⁶ This program challenges courts and court-based programs to 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.

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.

Civil Rights Compliance

All recipients of Federal grant funds are required to comply with nondiscrimination requirements contained in various Federal laws. In the event that a court or administrative agency makes a finding of discrimination on grounds of race, color, religion, national origin, gender, disability, or age against a recipient of funds after a due process hearing, the recipient must agree to forward a copy of the finding to the Office for Civil Rights of the Office of Justice Programs (OJP). All applicants should consult the Assurances required when applying for funds to understand the applicable legal and administrative requirements.

Services to Limited-English-Proficient (LEP) Persons:

National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI of the Civil Rights Act and the Omnibus Crime Control and Safe Streets Act, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including interpretation and translation services, where necessary. Grantees are encouraged to consider the need for language services for LEP persons served or encountered both in developing their proposals and budgets and in conducting their programs and activities. Reasonable costs associated with providing meaningful access for LEP individuals are considered allowable program costs. The U.S. Department of Justice has issued guidance for grantees to assist them in complying with Title VI requirements. The guidance document can be accessed on the Internet at www.lep.gov or by contacting the OJP's Office for Civil Rights at (202) 307-0690, or by writing to the following address:

Office for Civil Rights
Office of Justice Programs
U.S. Department of Justice
810 7th Street, N.W., 8th Floor
Washington, DC 20531

⁶ Other than Sex Offender Courts, there appear to be no known civil or criminal sexual assault court models in the U.S. OVW has a strong interest in supporting training and technical assistance opportunities in this area. Please refer to page 9 for additional information.

Deadline: Letter of Intent

If you intend to apply for Fiscal Year (FY) 2011 funding under this program, we encourage you to submit a letter stating that you intend to apply for funding. **The letter will not obligate you to submit an application.** Please see http://www.ovw.usdoj.gov/docs/sample_letter_of_intent.pdf for a sample letter. The letter should be submitted to OVW by February 22, 2011 at ovw.courtsprogram@usdoj.gov or mail to: 145 N Street, NE, Washington, DC 20530. OVW will use these letters to predict the number of peer review panels needed to review the applications. You **may** still submit an application for funding if you do not submit a Letter of Intent.

Deadline: Registration

The Grants.gov registration deadline is **February 22, 2011**. For more information on the process of registering and applying in Grants.gov, please see the [Reference Guide](#) at pages 15-19.

Deadline: Application

An application submission is complete if (a) a hard copy of the entire application, with original signatures, has been submitted via overnight delivery by the deadline and (b) the application has been submitted through Grants.gov. Both electronic and hard copy submissions are required.

The deadline for applying for funding under this announcement is **March 8, 2011, 11:59 p.m. E.T.** A hard copy must be sent via an overnight delivery method, date stamped by the shipping company, on or before **March 8, 2011** to:

**The Office on Violence Against Women
c/o Lockheed Martin Aspen Systems Corporation
Court Training and Improvements Program
Mail Stop 2K
2277 Research Boulevard
Rockville, MD 20850
(301) 519-5000**

Applicants are strongly encouraged to submit their applications well in advance of the deadline to ensure a successful submission through Grants.gov. For information on OVW's policy for late applications, please see the [Reference Guide](#) at pages 17-19.

Pre-Application Conference Calls

OVW will conduct two Pre-Application Conference Calls. During these calls, OVW staff will review the Courts Program requirements and the application process and answer questions about the Courts Program.

Conference Call Schedule: The conference calls are both scheduled for 2 p.m. - 4 p.m. E.T. on the following dates:

- **February 10, 2011**
- **February 24, 2011**

Note: Participation in these calls is optional for applicants.

Registration Instructions: Anyone interested in submitting an application to the Courts Program may register to participate in the calls; however, several people may participate from the same phone number. The total number of participants for each call is limited to 25. To register, please e-mail your request to OVW.CourtsProgram@usdoj.gov. Your registration must be received at least two hours prior to the start of the call.

Eligibility

It is very important that you review this information carefully. Applications that are submitted by non-eligible entities will be screened out during an initial review process and omitted from further review.

By statute, eligible entities for this program are:

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

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.**

Note: In Fiscal Year 2011, OVW will not accept individual applications from non-profit victim services organizations or coalitions. Applications will only be accepted from Federal, State, Tribal, Territorial, or local courts and court-based programs.

OVW Court Training and Improvements Program—Specific Information

Types of Applicants

In FY 2011, OVW will accept applications for the Courts Program from court and court-based applicants proposing specialized court infrastructure development or supplemental judicial and court staff training projects. Grantees that received Courts Program funding for 24 or 36 months in FY 2010 are not eligible to apply.

For the purposes of this program, **applicants seeking development grants are:** 1) court 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). **Applicants seeking supplemental training grants 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.

Development Grants:

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. 35.) 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;
 - 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; and
 - Developing specialized court policies and protocols.
- 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.

Applicants applying for a development grant 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. 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. Grant recipients who fail to participate in OVW-sponsored training and technical assistance will 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 Grants:

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 grants will be 24 months.

Proposed projects must include, but are not limited to, the following:

- Description of desired training/s and targeted participants (e.g., sexual assault training for judges and court administrators);
- 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).

Availability of Funds

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. Requests should be tied to a specific project or proposal. Also, due to the limited funding available under the Courts Program, applicants should note that there are other funding opportunities available to courts and court-based programs such as STOP Violence Against Women Formula Program sub-grants, Consolidated Tribal Assistance, Grants to Encourage Arrest Policies and Enforcement of Protection Orders, and Enhanced Training and Services to End Violence Against and Abuse of Women Later in Life Program.⁷

Award Period

The award period for these grants will be 24 months for 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. **OVW encourages applicants to submit budgets ranging from \$50,000 to \$450,000**, depending upon the type of project proposed. Grants may be made for greater or lesser amounts than

⁷ Information about these programs can be found on the Office on Violence Against Women website at <http://www.ovw.usdoj.gov>.

requested. In addition, OVW may negotiate the scope of work with successful applicants to adjust budgets, prior to granting an award. The Courts Program funds for FY 2011 will be awarded based on the guidelines below:

<u>Project Types</u>	<u>Budget Cap</u>
• Judicial Education and Court Personnel Training Project	\$ 50,000
• Domestic Violence Docket Project	\$100,000
• Dedicated Domestic Violence Court Project	\$300,000
• Sexual Assault Project	\$350,000
• Specialized Domestic Violence Court Enhancement Project	\$450,000

Sexual Assault Project – 24 months

Although the number of specialized domestic violence courts is rising across the U.S., there appear to be very few sexual assault courts.⁸ Therefore, OVW has a strong interest in supporting distinct projects that promote judicial attention in this area. Funding for sexual assault projects will support established/existing domestic violence courts that seek to expand their functions to include sexual assault cases and dockets dedicated to handling exclusively sexual assault cases. This includes, but is not limited to, hiring sexual assault advocates, exploring legal remedies for victims through on-site counsel, and developing screening tools for court intake staff. Please note: it is very unlikely that OVW will consider supporting a court project that focus solely on the management of sex offenders.

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 community.

Civil or Criminal Domestic Violence Protection Order Docket Project - 36 months

The protection order⁹ docket is often the point of entry for victims into the judicial system and litigants in these cases frequently appear pro se.¹⁰ With this model, **the court docket only addresses orders of protection** for domestic violence cases. Petitions for protection orders and the hearings alleging violations of protection orders make up the court's 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 also have other types of cases but the protection order caseload is maintained separately as a specialized docket.¹¹ Together with judges and court personnel trained in domestic violence issues, this model promotes victim safety, offender accountability, and informed judicial decision-making.

⁸ Other than Sex Offender Courts, there appear to be no other sexual assault court models within the United States. There are however, a few Sex Offender Courts that have adapted the Domestic Violence Court model approach in handling intimate partner sexual assault cases (e.g., Erie County Sex Offense Court in Buffalo, NY exclusively handles sex offense cases which are primarily intimate partner abuse cases; and Milwaukee County in Wisconsin has a court dedicated to hearing only sexual assault and homicide cases).

⁹ See Glossary of Terms.

¹⁰ Sack, *supra* note 4 at 24.

This project should 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 domestic violence cases;
- Effective case monitoring and compliance follow-up;
- A 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 (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.

Dedicated Domestic Violence Court Project – 36 months

A domestic violence court exclusively hears domestic violence 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 domestic violence related matters on a daily or weekly basis that **includes orders of protection as well as other family matters.**

This project should include:

- A full-time dedicated docket or specialized court calendar for handling 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 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 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.

Specialized Domestic Violence Court Enhancement Project – 36 months

Specialized Domestic Violence Courts¹² consist of specific infrastructure and procedural practices for handling domestic violence cases. This court model specifically addresses concerns of traditional domestic violence cases where multiple judges and attorneys handle different aspects of a case. Research strongly indicates that building extensive collaboration

¹²Susan 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.

with community-based organizations and institutionalizing procedures that promote victim safety and offender accountability are key in developing this model.¹³

Specialized processes and services that promote enhanced services to sexual assault and domestic violence victims 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.

OVW recognizes that there are several versions of the specialized domestic violence court model and chooses to reference the most common versions.¹⁴ The following models tend to address more comprehensive issues that face families dealing with abuse and consider matters such as visitation and custody when issuing protection orders:¹⁵

- **Unified Family Court model** - all civil matters involving the same family are assigned to a single judge. Criminal matters are assigned separately.
- **Coordinated Court model** - both criminal domestic violence and related civil matters are assigned to the same court division but not to the same judge.
- **Integrated Domestic Violence Court model** - one judge handles criminal domestic violence cases and the accompanying civil matters.

The infrastructure changes necessary for implementing these three court models include:

- 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., 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;

¹³ Carol Turgeon, *Bridging Theory and Practice: A Roundtable about Court Responses to Domestic Violence*, Center for Court Innovation (November 2006).

¹⁴ Projects with less than a full-time domestic violence court calendar, judge and court staff will be considered domestic violence “docket” projects and not specialized domestic violence court enhancement projects for the purposes of this program.

¹⁵ See Glossary, pages 36-37.

- 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 A);
- 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.

Judicial Education and Court Personnel Training Project – 24 months

Funding for judicial education and court staff 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 forums sponsored by OVW; and 2) customized local and statewide trainings in coordination with OVW designated technical assistance providers. (See Appendix A, 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 forums;
- Developing relevant and customized training curricula for local or State judges and court personnel in coordination with a designated OVW judicial technical assistance provider; and
- Utilizing OVW designated consultants to provide onsite assessment and/or assistance to judges and court staff with regard to case coordination and database system development for sexual assault, domestic violence, dating violence or stalking cases.

Program Scope

The scope of the Courts Program is defined by the following statutory program purpose areas and program special interest 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 special interest 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.

Statutory Program Purposes

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.¹⁶

OVW Special Interest Areas

In Fiscal Year 2011, priority will be given to applications that propose to:

- Develop innovative courts and court-based or court related programs to improve court responses to adult and youth sexual assault, domestic violence, dating violence and stalking, such as dedicated domestic violence court dockets, domestic violence court infrastructure or an integrated domestic violence court system;
- Provide specialized intake centers to ensure sexual assault, domestic violence, dating violence and stalking victims' needs are being met when accessing court-related services;
- Collaborate with law enforcement and probation to ensure offender accountability and participation in batterer intervention and/or rehabilitation treatment programs;
- Address victims' linguistic needs through interpreter and translation services;
- Develop technical assistance specifically related to sexual assault and stalking targeting judicial and court personnel;
- Provide comprehensive services to communities that have been traditionally underserved by describing the lead and/or partner's demonstrated history and capacity to serve that community¹⁷;

¹⁶ 42 USC 14043.

- Enhance 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 hire 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; or
- Develop onsite training in coordination with OVW-designated judicial technical assistance providers (see Appendix A) and/or provide access to OVW-sponsored judicial trainings to ensure that local courts and court personnel have access to information about relevant Federal, State, Tribal and Territorial laws, and promising practices, procedures, and policies regarding court responses to adult and youth victims of sexual assault, domestic violence, dating violence and stalking.

Out-of-Scope Activities

Although certain activities may appear to relate to the Statutory Program Purposes listed above, OVW has designated these activities to be out of the program scope. The following is a list of activities that are out of the scope of this program and cannot be supported by the Courts Program grant funding:

- **Family Violence**

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. 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. **In addition, funds may not be used to develop court programs to address child sexual abuse cases.**

- **Case Studies**

Applicants may not use grant funds for the purpose of conducting research through surveys or case studies to support a particular analysis or report.

Unallowable Activities

Grant funds under the Courts Program may not be used for any unauthorized purposes, including but not limited to the following activities:

- Lobbying;
- Fundraising;
- Research projects;
- Purchase of real property;
- Construction;
- Physical modifications to buildings, including minor renovations (such as painting or carpeting); and
- The development and/or maintenance of websites.

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).

Activities That May Compromise Victim Safety and Recovery

The following is a list of activities that have been found to jeopardize victim safety, deter or prevent physical and emotional healing for victims, or allow offenders to escape responsibility for their actions. OVW strongly encourages that you **not** include these activities in your application for funding:

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

Activities that compromise victim safety and recovery will be a factor reviewed during OVW internal review. Applications may be considered out of scope and rejected if significant activities are included that could compromise victim safety and recovery.

Confidentiality

Applicants should be cognizant of victims' confidentiality. Please see Reference Guide p. 7 for more information.

How To Apply

See the Reference Guide at pages 15-19 for instructions on "how to apply."

What An Application Must Include

Applicants must complete each of the following sections as part of their response to this solicitation. **It is the responsibility of the applicant to ensure that its application is complete by the deadline. OVW may remove an application from consideration prior to peer review if the application is substantially incomplete or received after the deadline without prior permission as described in the Reference Guide at pages 17-19.** For each

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.

section listed below, please note the corresponding maximum point value that may be assigned during the peer review scoring process. The applicant should use headings and subheadings in the order below for ease of review. Peer reviewers may not receive any additional materials submitted beyond those required. For example, if an application includes a narrative that is 25 pages in length, the last five pages may be removed prior to peer review.

Applications must adhere to the following page format requirements:

- Double spaced (except that any included graphs and charts may be single-spaced)
- 8½ x 11 inch paper
- One inch margins
- Type no smaller than 12 point, Times New Roman font
- Word processing documents must be in the following formats: Microsoft Word (.doc), PDF files (.pdf), or Text Documents (.txt).

Other requirements:

- Include a brief Summary Data Sheet
- Include a Project Abstract (please limit to one page)
- Include a list of all current OVW projects as described below (if applicable)
- No more than 20 pages for the Project Narrative (item III below)

Your application will be scored on the following sections:

- Summary Data Sheet
- Project Narrative
- Budget Detail Worksheet and Narrative
- Sustainability Plan
- Memorandum of Understanding (MOU) or Letters of Support

We reserve the right to deduct points if the following materials are missing:

- Proposal Abstract
- Summary of Current OVW Projects
- Application for Federal Assistance (SF-424)
- Standard Assurances and Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements (Form 4061/6)
- Financial Accounting Practices
- Letter of Nonsupplanting
- Financial Capability Questionnaire [If appropriate]
- Indirect Cost Rate Agreement [If appropriate]
- Memorandum of Understanding or Letters of Support

Sections I through XIV below describe the specific elements of a complete application.¹⁹

¹⁹ Failure to include a letter of certification (see page 6) constitutes a substantially incomplete application.

I. Summary Data Sheet (2 Points)

Please list the following information on a single page. The Summary Data Sheet should be a separate attachment to the application in Grants.gov and a separate section in the hard copy.

- Name, title, address, phone number, and e-mail address for the authorized representative. (Please see the Reference Guide at page 8 for more information on 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 12) being addressed by the proposal.
- Program scope (see page 12).
- Type of applicant (see page 7).
- OVW Special Interest Areas (if any) addressed by the proposal (see page 13).

II. Project Narrative (Total 63 Points)

The following narrative should be a separate attachment to the application in Grants.gov and a separate section in the hard copy. The Project Narrative may not exceed 20 pages in length, double-spaced. Please number the pages of your narrative.

A. Purpose of Application (10 points)

This section should briefly:

- Describe 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;
- Describe the court jurisdiction in which the project would be implemented, including location, population, and demographic information;
- Identify the target population and state how the 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);
- Describe current court services and gaps for the targeted population;
- Describe the barriers individuals from the identified population who are victims of sexual assault, domestic violence, dating violence, and or stalking experience when attempting to access court services;
- Explain 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 or nonprofit organizations); and

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

This section will be rated on the detail with which you provide the above information as well as the quality of the proposed activities plus the following criteria:

- The level of detail provided regarding the proposed service area and targeted population demonstrating the need for the project;
- The level of detail provided regarding the problem to be addressed;
- The distinction between current services available within the community to address the needs identified and the gaps in services that currently exist to meet these needs;
- How the proposed services and activities will meet the need that exists;
- How the proposed project complements the priorities included within the State's STOP Violence Against Women Implementation Plan (this is not required for applications from Tribal governments); and
- How the proposed project will complement other OVW-funded projects (if applicable), and not duplicate efforts.

B. What Will Be Done (40 points)

This section should:

- Detail what you are currently doing to address victim safety and autonomy;
- Describe how you plan to address victim safety and autonomy in the project;
- Detail the project goals and objectives, describing the specific tasks and activities necessary to accomplish each;
- Describe the type of project 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;
- Include a time frame that demonstrates how the activities will be accomplished within the 24- or 36-month grant cycle; and
- Describe how 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.

This section will be rated on the detail with which you provide the above information as well as the quality of the proposed activities plus the following criteria:

- How well the goals and objectives defined directly link to the need described within the Purpose of the Application;

- How well the specific tasks and activities described relate to successfully meeting the goals and objectives described;
- How well the timeline of the specific tasks and activities indicates that the project will be successfully implemented and completed within the timeline provided;
- How well the products that are proposed for creation or distribution with grant funds are described;
- How well the proposed activities protect victim safety and confidentiality; and
- How measurable the described goals and objectives are.

C. Who Will Implement the Project (10 points)

Development Grants:

Applicants must identify the agency(ies) or office(s) responsible for implementing the project. Applicants must also identify all of the intended project partners, specifying their respective roles and responsibilities, and the collaborative relationship to be developed or enhanced. A description of the expertise or experience of key staff should also be included. Position descriptions and resumes that are available should be appended to the application. **Applicants under this program may not issue a Solicitation/RFP to redistribute these funds after receiving an award.**

A **case manager** or a **docket coordinator** position must be created to implement a domestic violence docket or domestic violence court model. Applicants should designate a single Point-of-Contact for domestic violence in the administrative arm of the court.

In addition, all applicants proposing to create a domestic violence court docket, domestic violence court or integrated court are **required to coordinate with one or more of the following OVW-designated judicial technical assistance providers²⁰**:

- Center for Court Innovation;
- Family Violence Prevention Fund;
- Legal Momentum National Judicial Education Program;
- National Center for State Courts; or
- National Council of Juvenile and Family Court Judges.

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

²⁰ See Appendix A for list of OVW-designated Judicial Technical Assistance Providers and point of contact (POC) information.

should explain information sharing between partners, including how they will protect information that is confidential or privileged.

Victim service organizations should meet all of the following criteria:

- Provide services to victims of sexual assault, domestic violence, dating violence, or stalking as one of their primary purposes and have a demonstrated history of effective work in this field;
- Address a demonstrated need in their communities by providing services that promote the dignity and self-sufficiency of victims, improve their access to resources, and create options for victims seeking safety from perpetrator violence; and
- Do not engage in or promote activities that compromise victim safety.

Supplemental Training Grants:

All applicants proposing to develop a judicial education/training program **must collaborate with a national, Tribal, State, Territorial, or local victim services provider or coalition.** Applicants must identify the agency(ies) or office(s) responsible for implementing the project. Applicants must also identify all of the intended project partners, specifying their respective roles and responsibilities and the collaborative relationship to be developed or enhanced. A description of the expertise or experience of key staff should also be included. Position descriptions and resumes that are available should be appended to the application. Applicants must also 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. **Applicants under this program may not issue a Solicitation/RFP redistributing these funds after receiving an award.**

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:**²¹

- Center for Court Innovation;
- Family Violence Prevention Fund;
- Legal Momentum National Judicial Education Program;
- National Center for State Courts; or
- National Council of Juvenile and Family Court Judges.

This section will be rated on the detail with which you provide the above information as well as the quality of the proposed activities plus the following criteria:

- A clear link is provided to ensure that all specific activities and tasks are linked to a specific agency or organization to ensure that there is accountability;
- The application includes as a partner a nonprofit, nongovernmental organization serving victims of sexual assault, domestic violence, dating violence, and/or stalking;
- A description of the experience and expertise of all key personnel is included;
- Key personnel have expertise relevant to the project; and
- Organizations necessary for successful project implementation are project partners.

²¹ See Appendix A for list of OVW technical assistance providers and point-of-contact information.

D. 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 their commitment and capacity to continue the project if Federal funding through the Courts Program were no longer available. Applicants must also describe at least one locally, privately, State, or Federally funded project that the applicant has sustained in the past.

Note: Continuation or supplemental funding is not guaranteed and applicants are always encouraged to seek additional means of support to sustain their current projects.

This section will be rated on the feasibility of the plan and the demonstration of commitment to continue the project if funds are no longer available.

III. **Budget Detail Worksheet and Narrative (Total 15 Points)**

For more information and samples, please see the Reference Guide at pages 11-14. The Budget Worksheet and Narrative should be one attachment to the application in Grants.gov and a separate section in the hard copy.

In developing the budget, applicants should financially compensate all project partners for their participation in any project-related activities, including, but not limited to, compensation for time and travel expenses to participate in project development, training, and implementation. The budget **must** include compensation for all services rendered by project partners, including nonprofit, nongovernmental sexual assault and/or domestic violence victim services programs and State and Tribal sexual assault and/or domestic violence coalitions. If a partner is a state or local governmental agency and the partnership duties are conducted within the course of the agency's "regular" scope of work, the applicant does not need to compensate the partner if: a) the partner offers this arrangement; and b) an explanation of this arrangement is included in the application.

Budget Limits

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. Proposed budgets should not exceed the established range of **\$50,000 – \$450,000**.

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.

Budget Requirements

For budget guidelines, see the Reference Guide at pages 11-14. Additional guidance specific to this program is as follows:

Training and Technical Assistance.

All applicants **seeking to implement a sexual assault or domestic violence docket or court infrastructure, or an integrated court system 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.

Services to Limited-English-Proficient (LEP) Persons

Applicants may allocate grant funds to support activities that help to ensure that LEP persons have meaningful access to their programs. For example, grant funds can be used to support interpretation and translation services.

The following is a short list of specific budgetary guidelines for the Courts Program:

- Applicants are strongly discouraged from requesting consultant rates in excess of \$650 per day.
- Applicants **may not** allocate any grant funds for building renovations. This includes such seemingly minor activities as painting or carpeting.
- 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.
- Applicants may include per diem for judges serving as substitutes in the absence of judicial staff participating in OVW-sponsored trainings.

A Sample Budget Detail Worksheet is available at <http://www.ovw.usdoj.gov/applicants.htm>. 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. The budget should clearly describe the proposed amounts and uses of grant funds for the duration of the grant period and how the amounts of the specific budget items were determined. The budget should demonstrate a clear link between the specific project activities and the proposed budget items. Specifically, the budget should not contain any items that are not detailed in the project narrative.

The budget narrative should support all costs included in the budget and justify the purpose of the costs in relationship to fulfilling the overall objective of the project. The narrative should also include a description of services being performed and how the cost is determined.

This section will be rated on the detail in the budget narrative plus the following criteria:

- The budget supports all costs related to fulfilling the overall objectives of the project;
- The budget does not include any costs not related to the proposed project;
- The budget is reasonable and cost-effective;
- The budget narrative clearly describes the rationale for all costs proposed;
- The budget appropriately compensates project partners; and
- The budget is consistent with and adheres to the OVW Financial Grants Management Guide.

IV. Memorandum of Understanding (MOU) (Total 20 points)

Applicants are required to submit an MOU that demonstrates they have consulted and coordinated in a meaningful way with project partners. The MOU should be a single attachment to the application in Grants.gov and a separate section in the hard copy.

The MOU must be current (**i.e., signed and dated during the development of the proposal**) and signed by the chief executive officers and/or directors of:

- All relevant civil and criminal justice agencies participating in project development or implementation (e.g., courts, law enforcement, probation, etc.).

The MOU must do the following:

- Identify the partners and provide a description of the collaborative relationship among those partners;
- Specify the extent of each partner's participation in developing the application;
- Clearly state the roles and responsibilities each 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 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.

This section will be rated on the detail with which you provided the above information as well as the quality of that information plus the following criteria:

- The inclusion of a current (i.e., signed and dated during the development of the proposal) single MOU signed by the chief executive officers and/or directors of:
 - Relevant criminal justice agencies participating in project development and/or implementation (e.g., courts, law enforcement, prosecution, and probation);
 - All faith-based and community nonprofit, nongovernmental domestic violence and/or sexual assault victim services organizations or community groups that

- represent the views and concerns of victims participating in the development and implementation of the project; and
- Other community agencies or organizations that will collaborate to implement the project;
- The extent to which the MOU demonstrates a meaningful partnership among the relevant agencies;
- The extent to which the MOU clearly identifies the partners and provides 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;
- The extent to which the MOU clearly identifies each partner's participation in developing the application;
- The extent to which the MOU clearly states the roles and responsibilities each organization or agency would assume to ensure the success of the proposed project;
- The extent to which the MOU clearly identifies the representatives of the planning and development team who will be responsible for developing and implementing project activities and describes how they will work together and with project staff;
- The extent to which the MOU clearly demonstrates a commitment on the part of all project partners to work together to achieve stated project goals;
- The extent to which the MOU clearly indicates approval of the proposed project budget by all signing parties; and
- The extent to which the MOU clearly describes the resources each partner would contribute to the project through time, in-kind contributions, or grant funds (e.g., office space, project staff, training).

Letters of Support may be submitted in lieu of an MOU.

V. Letter(s) of Support (20 points)

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 should:

- 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 and include as a separate section in the hard copy. 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.

This section will be rated on the detail with which you provided the above information as well as the quality of that information plus the following criteria:

- The inclusion of Letters signed by the chief executive officers and/or directors of:
 - Relevant civil and criminal justice agencies participating in project development and/or implementation (e.g., law enforcement, prosecution, the courts, and probation);
 - All faith-based and community nonprofit, nongovernmental domestic violence and/or sexual assault victim services organizations or community groups that represent the views and concerns of victims participating in the development and implementation of the project; and
 - Other community agencies or organizations that will collaborate to implement the project.

- The extent to which each Letter of Support demonstrates a meaningful partnership among the relevant agencies;
- The extent to which each Letter of Support clearly provides a brief history of the organization's collaborative relationship with the applicant, including when and under what circumstances the relationship began;
- The extent to which each Letter of Support clearly identifies the organization's support of the application;
- The extent to which each Letter of Support clearly states the roles and responsibilities each organization or agency would assume to ensure the success of the proposed project;
- The extent to which each Letter of Support clearly identifies representatives of each partnering organization who would participate on the planning and development team and be responsible for developing and implementing project activities and describe how they will work together and with project staff;
- The extent to which each Letter of Support clearly demonstrates a commitment on the part of the organization to work with the applicant to achieve the stated project goals; and
- The extent to which each Letter of Support clearly describes the resources the organization would contribute to the project through time, in-kind contributions, or grant funds (e.g., office space, project staff, training).

VI. Proposal Abstract

The Proposal Abstract should provide a short and accurate summary of your proposed project including its goals and objectives. Please do not summarize past accomplishments in this section. The Proposal Abstract should be a single page and should be a separate attachment to the online application in Grants.gov and a separate section in the hard copy.

The Proposal Abstract **must not** be submitted on the same page as the Summary Data Sheet.

VII. Summary of Current OVW Projects

For each current OVW Project, as defined in the OVW Reference Guide at page 9, please provide the following information:

- Identify grant by program, award number, and project period;
- Specify the total funds remaining in each grant as of the date of this application;
- Provide the total funds remaining in each grant in the Personnel, Contracts/Consultants and Travel categories as of the date of this application;
- List the names, dates, and locations of all OVW-sponsored training and technical assistance events in which project staff or project partners participated during the current grant award period; and
- List the number and titles of all full-time and/or part-time positions.

This section should be clear and succinct. This should be a separate attachment to the application in Grants.gov and a separate section in the hard copy.

In addition to this information, OVW will evaluate the performance of the applicant in all current grants when considering this application. **Please note that applicants that are OVW grantees who have failed to meet grant deadlines, failed to comply with financial requirements, or failed to comply with special conditions from current or previous grants may not be considered for funding.**

VIII. Application for Federal Assistance (SF-424)

Please see the Reference Guide at page 8 for additional information. In Block 7 (type of applicant), please do not select "other." This form will be filled out online and you should print out a copy for your hard copy submission.

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

Please see the Reference Guide at page 8 for additional information. This form will be completed online and you should print out a copy for your hard copy submission.

X. 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 and a separate section in the hard copy.

- 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.

XI. 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 and a separate section in the hard copy.

XII. Financial Capability Questionnaire

Please see the [Reference Guide](#) at page 14 for additional information. This should be a separate attachment to the application in Grants.gov. This document does not need to be included in the hard copy.

XIII. Indirect Cost Rate Agreement

Applicants that intend to charge indirect costs through the use of an indirect cost rate must have a Federally-approved indirect cost rate agreement. Please include a copy of a current, signed Federally-approved indirect cost rate agreement. Please see the [Reference Guide](#) at page 14 for additional information.

XIV. Certification of Eligibility

Applicants must certify in writing, on agency letterhead, that they meet the eligibility requirements as stipulated on page 6 of this solicitation. This requirement is non-negotiable and applicants who do not certify will not be considered for funding under the Courts Program. The certification should be attached in Grants.gov and included in the hard copy submission.

Selection Criteria

All applications will be rated on the criteria described in each section above. The total points possible for an application are 100 (2 points for Summary Data Sheet, 63 points for Narrative, 15 points for Budget, and 20 points for the MOU or Letters of Support).

Additionally, current projects will be rated by OVW using the following criteria:

- Progress reports submitted by the applicant, in conjunction with monitoring conducted by OVW, demonstrate the effectiveness of the current project, indicating timely progress toward meeting project goals and objectives;
- 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 of its existing grant award(s) from OVW;
- 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 by a special condition of the current award;
- 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 who have failed to meet grant deadlines, did not comply with financial requirements, or did not comply with special conditions from previous grants may not be considered for funding. In addition, if an applicant is on the DOJ High Risk Grantee list, OVW will take this into consideration in making award determinations.

Review Process

OVW uses a three-phased review process, which includes an initial internal review, an external peer review, and a secondary internal review. The total points possible for an application are 100 (2 points for Summary Data Sheet, 63 points for Narrative, 15 points for Budget, and 20 points for the MOU or Letters of Support). Although all applicants will be rated on the criteria described in the preceding sections, OVW will specifically consider the following selection criteria during each phase of the review process. If OVW determines that an application does not meet the stated criteria, the application may not move forward for the subsequent reviews.

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.

Questions for the Initial and Secondary Internal Reviews

- Does the applicant meet all statutory eligibility criteria (see page 6)?
- Is the application complete?
- Are the proposed activities within the scope of the program (see page 12)?
- Does the applicant meet the certification requirements for the program (see page 6)?
- Does the application propose significant activities that may compromise victim safety (see page 15)?

OVW grantees who have failed to meet grant deadlines, have not spent grant funds in a timely manner, did not comply with financial requirements, or did not comply with special conditions from previous grants may not be considered for funding. In addition, if an applicant is on the DOJ High Risk Grantee list, OVW will take this into consideration in making award determinations.

External Peer Review Panels

OVW will establish panels comprised of experts and practitioners to review applications. Each panel will review the information provided in the application against the selection criteria for the program.

Secondary Internal Review

Following formal peer review, a second internal review will be conducted, which will include, but not be limited to, the geographic distribution of the applications, the ratio of population to services, the extent to which the applications will address the demonstrated needs of an underserved population, and agency and statutory priorities.

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, see the [Reference Guide](#) at pages 19-22.

Notice of New Post-Award Reporting Requirements

Applicants should anticipate that all recipients (other than individuals) of awards of \$25,000 or more under this solicitation, consistent with the Federal Funding Accountability and Transparency Act of 2006 (FFATA), will be required to report award information on any first-tier subawards totaling \$25,000 or more, and, in certain cases, to report information on the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients. Each applicant entity must ensure that it has the necessary processes and systems in place to comply with the reporting requirements should it receive funding.

It is expected that reports regarding subawards will be made through the FFATA Subaward Reporting System (FSRS), found at <https://www.fsrs.gov>. Additional guidance on reporting will be provided in the near future by OVW and/or the Office of Management and Budget (OMB).

Please note also that applicants should anticipate that no subaward of an award made under this solicitation may be made to a subrecipient (other than an individual) unless the potential subrecipient acquires and provides a Data Universal Numbering System (DUNS) number.

Additional Requirements

For information on additional requirements that apply to all OVW applicants and grantees, see the [Reference Guide](#) at pages 23-24.

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 per form. 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 via overnight delivery, including all required supporting documentation. If you do not have the ability to upload signed documents, you may upload an unsigned version and include the signed original in the hard copy of the application. **Applications will not be accepted via facsimile.**

Application Document	Required?	Completed?
1. Standard Form 424	Yes	
2. Standard Assurances and Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements (Form 4061/6)	Yes	
3. Financial Accounting Practices	Yes	
4. Summary Data Sheet	Yes	
5. Proposal Abstract	Yes	
6. Summary of Current OVW Projects	Yes, if applicable	
7. Narrative. The following sections must be included	Yes	
Purpose of Application		
What will be Done		
Who will Implement		
8. Sustainability Plan		
9. Budget, Budget Narrative and Budget Summary	Yes	
10. MOU/Letters of Support	Yes	
11. Letter of Nonsupplanting	Yes	
12. Financial Capability Questionnaire (nonprofits only)	If applicable	
13. Indirect Cost Rate Agreement (only if the applicant has a current Federally-approved rate)	If applicable	
14. Certification of Eligibility Letter	Yes	

Applicants must send **via overnight delivery** a complete hard copy original of the application, **date stamped by the shipping company on or before March 8, 2011** to:

**The Office on Violence Against Women
 c/o Lockheed Martin Aspen Systems Corporation
 Court Training and Improvements Program
 Mail Stop 2K
 2277 Research Boulevard
 Rockville, MD 20850
 (301) 519-5000**

In addition, applications must be submitted through Grants.gov.

APPENDIX A

**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.

Family Violence Prevention Fund Legal Programs

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

Since 1980, the Family Violence Prevention Fund (FVPF) has worked to end violence against women and children around the world. For more than 20 years, the FVPF 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 FVPF legal programs staff specializes in the design, organization, and delivery of highly interactive, peer-based education programs for judges. In 1998, the FVPF 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 FVPF 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.

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: Denise Dancy
300 Newport Avenue
Williamsburg, VA 23185
800-616-6164
Email: ddancy@ncsc.dni.us

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. Our 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; Full Faith and Credit in Protection Orders; 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 our website at www.ncjfcj.org.

Glossary of Terms

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.²²

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.²³

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.²⁴

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.²⁵ These petitions and the hearings alleging violations of protection orders make up much of the 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 collectively come to be called domestic violence courts. There is, however, great variation among these courts and in the specialized processes they use.²⁶

²² 42 U.S.C.A. § 13925

²³ 42 USC § 13925

²⁴ Id.

²⁵ 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/jjde/littel.htm>.

²⁶ Susan Keilitz, *Specialization of Domestic Violence Case Management in the Courts: A National*, National Institute of Justice, (2004).

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.²⁷

Criminal Model – This is a common form of domestic violence specialized courts. This model separates criminal cases which charge domestic violence 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.²⁸)

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 Court²⁹ – 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.³⁰

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., temporary restraining orders or protective orders, and different remedies are available in different states.) A violation of the protective provisions of an OFP is a criminal act.³¹

²⁷ *How Do Domestic Violence Courts Compare to Other Problem-Solving Courts*, Center for Court Innovation, online at www.courtinnovation.org/index.

²⁸ Michigan penal code, MCL 750.81(2) and (4).

²⁹ 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.

³⁰ Emily Sack, *Creating A Domestic Violence Court: Guidelines and Best Practices*, Family Violence Prevention Fund (2004), page 4.

³¹ 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.

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.”³²

While domestic violence courts are properly characterized as a “specialized” court, they do not follow the therapeutic or problem-solving premise. Most specialized courts follow a therapeutic model in which the emphasis is on rehabilitation of the offender.³³

Sex Offender Courts – Specialized sex offender courts are generally based upon the therapeutic jurisprudence approach used in drug courts and other problem-solving courts.³⁴ 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.³⁵

Specialized Civil or Criminal Sexual Assault Courts – Not to be confused with “Sex Offender” or “Sex Offence” courts, this model should address 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 should be 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:

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

Regardless of whether the matter is pursued civilly, the prosecutor (not the petitioner) decides if criminal charges are brought in criminal court.

³² Greg Berman and John Feinblatt, *Problem-Solving Courts: A Brief Primer*, 23 *Law & Policy* 125 (2001) at page 126.

³³ See Greg Berman and John Feinblatt, *Good Courts: The Case for Problem Solving Justice*, New York: New Press (2005).

³⁴ Bruell, C., *Sex Offender Courts: Implications for the Future*, The American Society of Criminology (2006).

³⁵ Herman, K., *Sex Offence Courts: The Next Step in Community Management*, Sexual Assault Report (May/June 2006).

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 - 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.³⁶

³⁶ 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.