



The [U.S. Department of Justice](#), [Office of Justice Programs](#) (OJP), [Bureau of Justice Statistics](#) (BJS) is pleased to announce that it is seeking applicants to administer the 2010 Survey of State Court Criminal Appeals. As the principal federal statistical agency in the U.S. Department of Justice, BJS is responsible for the collection, analysis, publication, and dissemination of statistical information on crime, criminal offenders, victims of crime, and the operations of criminal justice systems at all levels of government. This data collection program furthers the mission of the Department and the OJP, by working in partnership with the justice community to identify the most pressing challenges confronting the justice system and to provide state-of-the-art knowledge and information in support of innovative strategies and approaches for dealing with these challenges.

2010 Survey of State Court Criminal Appeals Solicitation

Eligibility

Applicants are limited to for-profit (commercial) organizations, nonprofit organizations, faith-based and community organizations, institutions of higher learning, and consortia with demonstrated organization and community-based experience working with American Indian and Alaska Native communities, including tribal for-profit (commercial) and nonprofit organizations, tribal colleges and universities, and tribal consortia. However, consistent with OJP fiscal requirements, for-profit organizations are not allowed to make a profit as a result of this award or to charge a management fee for the performance of this award.

Deadline

Registration with [Grants.gov](#) is required prior to application submission.
(See "How to Apply" on page 10)

All applications are due by 5:00 p.m. Eastern time on June 11, 2010.
(See "Deadlines: Registration and Application" on page 3)

Contact Information

For technical assistance with submitting the application, contact Grants.gov Customer Support Hotline at 800-518-4726 or via e-mail to support@grants.gov.

Note: The Grants.gov Support Hotline is available 24 hours, 7 days a week, except federal holidays.

For assistance with any requirements of this solicitation, contact Thomas H. Cohen, BJS Statistician, at 202-307-0765 or via e-mail at askbjs@usdoj.gov. Include "sscca2010" in the subject line.

Grants.gov number assigned to announcement:
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CONTENTS

Overview.....	3
Deadlines: Registration and Application.....	3
Eligibility.....	3
Project-Specific Information.....	3
Performance Measures.....	8
How to Apply.....	10
What an Application Must Include:.....	11
Standard Form 424	
Program Narrative	
Budget and Budget Narrative	
Indirect Cost Rate Agreement (<i>if applicable</i>)	
Description of Applicant's Plan for Collecting Performance Measure Data	
Tribal Authorizing Resolution	
Other Attachments	
Selection Criteria.....	13
Review Process.....	15
Additional Requirements.....	16
Application Checklist.....	17

FY 2010 BJS Survey of State Court Criminal Appeals CFDA 16.734

Overview

The Bureau of Justice Statistics (BJS) is seeking applicants to administer the Survey of State Court Criminal Appeals (SSCCA). BJS awarded funds to design and develop a survey capable of obtaining statistical information on criminal appeals in state intermediate appellate courts and courts of last resort in 2008. The purpose of this award is to provide funding to finalize the sampling design and survey development, and to administer the criminal appeals survey. This award focuses on criminal appeals disposed in calendar year 2010 and aims to obtain information on certain key case characteristics, including the types of criminal cases appealed to state intermediate appellate courts and courts of last resort, in addition to the disposition of criminal appeals, appellate case processing time, and the impact of appellate litigation on trial court outcomes. Applicants are encouraged to review previous BJS reports focusing on state court criminal case processing, sentencing, appellate litigation, and capital punishment available on the BJS website at bjs.ojp.usdoj.gov. BJS anticipates making one award covering a 42-month period under this solicitation, with an award date on or before September 30, 2010.

BJS is authorized to issue this solicitation under the Omnibus Crime Control and Safe Streets Act of 1968, Section 302.

Deadlines: Registration and Application

Registration is required prior to submission. OJP strongly encourages registering with Grants.gov several weeks before the deadline for application submission. The deadline for applying for funding under this announcement is 5:00 p.m. Eastern time on Friday, June 11, 2010. Please see the "How to Apply" section on page 10 for more details.

Eligibility

Applications for funds may be submitted by both for-profit (commercial) and nonprofit organizations. See more information in the "Eligibility" section on page 1.

Project-Specific Information

Appellate courts represent a key component of criminal case processing and provide an automatic review of capital convictions and sentences. Appeals are the primary means by which appellate courts can oversee the trial process and correct and reverse errors or mistakes at the trial court level. By functioning as a reviewing body, appellate courts ensure that trial courts apply the law correctly and make decisions that are not capricious or erroneous. In addition to error correction, state appellate courts serve an important policymaking function by reviewing cases having broad implications for a state's legal system. For defendants facing sentences of life imprisonment or the death penalty, state appellate courts offer an important means for petitioning the trial courts to reverse or modify their sentencing decisions. Despite the significant role of appellate courts (correcting errors at the trial court level, making decisions that have major impacts on a state's legal and policymaking environment, and assuring that the criminal laws are applied in a just, fair, and evenhanded manner), there have been few systematic efforts to examine case processing in state appellate courts.

In fiscal year 2008, BJS awarded a grant to the National Center for State Courts to design and develop a survey capable of collecting national-level data on criminal appeals. The state court criminal appeals design and development project involved a variety of components, including (1) developing a data collection instrument that could obtain information on criminal cases appealed from a state trial court, (2) developing various sampling methodologies for producing reliable estimates of state criminal appellate litigation, (3) developing statistical models to assess the reliability of the various proposed sampling frameworks, (4) testing the data collection instrument in a range of appellate courts, (5) developing methods to encourage participation from key professional appellate court agencies, and (6) providing a recommended implementation plan for the national data collection.

The design and development project took place between September 1, 2008 and December 31, 2009. Experts from academia, the National Conference of Appellate Court Clerks, and the Conference of Appellate Technology Officers served on an Advisory Board to guide the project during the grant period.

Statement of Work

The objective of this solicitation is to identify a data collection agent to finalize and administer the Survey of State Court Criminal Appeals (SSCCA) over a 42-month period. Specific objectives include: (1) developing a detailed project timetable; (2) conducting research as needed to examine various data collection strategies that will minimize costs and maximize the precision and utility of the data collected; (3) developing a sampling and data collection program(s) that align with BJS' funding for the program; (4) modifying the content of the proposed data instrument and creating electronic data capture systems as required based on the recommended data collection plan(s); (5) finalizing the survey protocols, interviewing manuals and other materials needed to implement the data collection program; (6) collecting data from a sample of appellate courts; (7) processing and analyzing the data; (8) delivering a detailed data file to BJS; and (9) providing technical assistance to BJS in the production of reports and other deliverables.

The recipient of funds will be required to perform the following nine tasks. **Tasks 1, 2, 4, and 5 must be completed within 9 months of the award. Task 3 must be completed within 6 months of the award.**

Task 1:

Develop a detailed timetable for each task in the project. Data collection should commence shortly after Office of Management and Budget (OMB) approval has been secured. After the BJS project manager has agreed to the timetable, all work must be completed as scheduled. BJS will secure OMB approval for the project. Task 1 must be completed within 9 months of the award.

Task 2:

Conduct additional research—as needed—to examine and evaluate different data collection strategies. The primary objectives of this task are to:

- a) finalize the desired data elements and assess their utility in terms of the current information needs among BJS stakeholders (this process should be limited in scope as the goal of this task is to revisit the prior research to identify any changes to the

- content of the proposed instrument and to propose other types of data that could be collected in the course of this program depending on the methods adopted),
- b) evaluate the availability of each of the proposed data elements through the courts' information systems,
 - c) assess the complexity and labor requirements associated with the collection of each of the data elements that are not available electronically, and
 - d) use the results of this study to develop a recommended approach for collecting the desired elements either through a single process or through multiple data collection procedures (e.g. database vs. record-review and data entry).

Task 2 must be completed within 9 months of the award.

Task 3:

Develop and recommend a sampling design for the data collection program. The recipient will be required to design the sampling procedures for the courts and the appeals records to be selected for the program. The recipient is expected to design a sampling plan that will maximize the precision in the data elements and the comparison of these data elements for the funding available. The recipient must provide BJS with a recommended sampling plan including the proposed sample weighting procedures for approval prior to drawing the sample of selected courts.

Depending on the results of the research in task 3, different methodologies and sample sizes could be used across data element groupings, especially if some items could be collected from the court's electronic databases as opposed to the items that would require a review of court documents. Task 3 must be completed within 6 months of the award.

Task 4:

Finalize the proposed data collection instruments. During the development of the SSCCA, the data collection instrument was designed to obtain detailed case processing information for direct criminal appeals disposed in state appellate courts. For the SSCCA data collection project, the successful applicant will finalize and implement the criminal appeals data collection instrument and develop the appropriate electronic data collection systems as required. BJS expects the recipient to reduce data collection costs by creating and maintaining a web site where respondents can submit data. Electronic submission of data is the preferred method of response. Task 4 must be completed within 9 months of the award.

Elements measured through the data collection instrument may include: (1) case type, type of conviction method, and legal representation offered on appeal, (2) whether the appeal was abandoned or dismissed prior to being decided on the merits, (3) the appellate court's decision to affirm, reverse, or modify trial court outcomes, (4) the decision method, including whether the appeal ended in a full opinion, memorandum, or summary/dispositional order, (5) legal or factual issues raised on appeal, and (6) different stages of appellate case processing (e.g., filing of notice of appeal, generation of trial court record/transcript, oral argument) and time spent at each of these different stages.

Task 5:

Develop the survey protocols, interviewer manuals, and data collection and staffing procedures. During this phase, the recipient will assist BJS in the development of the OMB package. The recipient should determine how to best collect the data across the selected courts in terms of whether to use the court staff or to hire data collection agents to obtain the necessary data.

Develop procedures to minimize data collection costs. In addition, the recipient will develop and maintain an automated 'real-time' system to provide the ongoing status of all data collection activities. This automated tracking system should remain current and accessible to the BJS project monitor. Task 5 must be completed within 9 months of the award.

Task 6:

Collect the data.

While the recipient will finalize the actual sampling and data collection plans in task 1 through 5, respondents should assume for budget preparation purposes responding to the following hypothetical sampling plan. This hypothetical sampling strategy would focus on producing national estimates of appeals disposed in intermediate appellate courts and courts of last resort. The respondent should assume that data will be collected on approximately 4,860 appeals disposed in 142 appellate courts, including:

- a) **Approximately 91 intermediate appellate courts.** Information will be collected on the data elements for a minimum of 3,060 criminal appeals cases across these courts.
- b) **Approximately 51 courts of last resort.** Information will be collected on the data elements for a minimum of 1,800 appeals disposed of across these courts of last resort. The design should allow for an over-sample of cases disposed in both intermediate appellate courts and courts of last resort. The applicant should include with certainty all capital cases disposed in courts of last resort.

The recipient will be required to select a different number of cases from each court to minimize the variation in the sampling weights resulting from the different appellate case counts in each court.

The recipient should be prepared to conduct extensive follow-up to provide assistance, clarification, and encouragement as needed to ensure that the data collection forms are completed. The data collection should begin after OMB approval is secured and should be completed within 15 months. Data received from respondents should be verified for completeness and accuracy.

Compile profiles of appellate courts selected to participate in survey. The recipient will provide detailed profiles of intermediate appellate courts and courts of last resort selected to participate in SSCCA. Court profiles should include information on appellate court structure, whether the court hears capital appeals, and, if so, the number of capital appeals filed in the court during calendar year 2010, alternative dispute resolution programs, caseloads, judges, and appellate decisional processes.

Task 7:

Process and analyze data. The recipient should prepare the necessary sampling weights and the non-response adjustment procedures to account for court-level and case-level unit non-response. The recipient should also create the necessary replicate weights or other procedures to conduct the significance testing of the survey results. Likewise, the grantee is responsible for estimating the eligibility rate, (if applicable), of the sampling frame units from the data available and incorporating this into the weighting process.

The recipient will produce a series of cross-tabulations for both the weighted and unweighted data. For bidding purposes, assume that no more than 20 such cross-tabulations will be required as part of the analytical deliverables for each of the two types of courts (40 tables in total). The recipient should assume that BJS will require significance testing for 20 point estimates for each of the two types of courts. Respondents should also assume that no imputation will be necessary although the actual requirements will be determined based on the missing status of the data items.

Task 8:

The respondent will deliver to BJS an electronic version of the data in SPSS format with supporting documentation by 36 months after the start of the program. Documentation should include, but is not limited to, a comprehensive codebook detailing variable positions, data coding, variable and value labels, procedures for data verification, any recoding implemented during the data cleaning process, and copies of all programs used to generate data or published statistics. All data and documentation will be posted on the BJS website. Data will be archived at the Inter-University Consortium for Political and Social Research (ICPSR). All data collected under the project remain the property of BJS until such time that BJS releases the data to the public. The recipient may not use any data obtained through this project for any presentations or publications until such time as BJS has released the data to the public.

Task 9:

Provide technical assistance to BJS in the production of reports and other deliverables.

The recipient will provide technical assistance to BJS to clarify data requests and assist with BJS publications. The technical assistance may include responding to data questions, providing additional documentation, assisting in drafting or reviewing publications, and participating in conferences or workshops for the purpose of promoting the project to appropriate judicial, policy, or academic organizations

Amount and Length of Awards

All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. It is expected that the project tasks will be successfully performed within a 42-month (or shorter) period with work beginning in late 2010. The funding for this project cannot exceed \$1,250,000.

Budget Information

Limitation on Use of Award Funds for Employee Compensation Waiver: With respect to any award of more than \$250,000 made under this solicitation, federal funds may not be used to pay total cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the Federal Government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (The 2010 salary table for SES employees is available at <http://www.opm.gov/oca/10tables/indexSES.asp>.) Note: A recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Any such additional compensation will not be considered matching funds where match requirements apply.)

The limitation on compensation rates allowable under an award may be waived on an individual basis at the discretion of the director of BJS. An applicant that wishes to request a waiver must include a detailed justification in the budget narrative of its application. Unless the applicant

submits a waiver request and justification with the application, the applicant should anticipate that OJP will request that the applicant adjust and resubmit their budget.

The justification should include the particular qualifications and expertise of the individual, the uniqueness of the service being provided, the individual's specific knowledge of the program or project being undertaken with award funds, and a statement explaining that the individual's salary is commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work that is to be done.

Performance Measures

To assist in fulfilling the Department's responsibilities under the Government Performance and Results Act (GPRA), P.L. 103-62, applicants who receive funding under this solicitation must provide data that measure the results of their work. Grantees are required to provide the data requested in the "Data Grantee Provides" column so that OJP can calculate values for the "Performance Measures" column. Additionally, applicants must discuss in their application their methods for collecting data for performance measures. Please refer to "What An Application Must Include" (page 11), for additional information on applicant responsibilities for collecting and reporting data. Performance measures for this solicitation are as follows:

Objective	Performance Measure(s)	Data Grantee Provides
1) Refine data collection instruments as needed. Develop web-based and paper versions of instruments. Develop web-based system for data collection and processing.	The number of scheduled data collection series and special analysis to be conducted.	Recommendations for final revisions to data collection instruments result in a robust instrument that (1) is capable of obtaining essential data elements; (2) possesses maximum efficiency and clarity, and results in improved reliability and validity of the data; and (3) utilizes methods that minimize data collection costs including a web-based option to the paper instrument.
2) Implement sample design capable of producing national estimates of appeals disposed in selected courts while controlling survey costs.	Percentage of all criminal appeals disposed in intermediate appellate courts and courts of last resort that are represented in the sample design.	Implement sample design option that will efficiently represent at least 65% of all criminal appeals disposed in intermediate appellate courts and courts of last resort, and adhering to the OMB Standards and Guidelines for Statistical Surveys.
3) Collect detail case processing information for up to 4,860 criminal appeals disposed in	Overall response rate for the intermediate appellate courts and courts of last resort surveyed by this	Data collection plans, protocols, and systems that include (1) methods to encourage interest and support from the participating

<p>intermediate appellate courts and courts of last. Collect complete and accurate information pertaining to the disposition of criminal cases on appeal including case type's appealed, legal issues raised, disposition outcomes, case processing milestones, resolution of issues raised, and types of decisions reached by court.</p>	<p>project.</p> <p>Quality of management as measured by whether significant interim project milestones were achieved, final deadlines were met, and costs remained within approved limits.</p> <p>Percent of responses that are obtained by electronic means.</p>	<p>appellate courts (2) techniques for obtaining high response rates from sampled appellate courts, (3) plans and systems that maximize the use of electronic response options, and (4) a methodology to address item and unit non-response.</p> <p>Demonstration that data collection protocol and systems have obtained high-quality and comprehensive data with minimal missing or inconsistent data in file, minimal post validation follow-up, and all target responses rates have been achieved.</p> <p>Number of responses.</p> <p>Number of responses that are obtained by electronic means.</p>
<p>4) Develop a comprehensive information profile for each of the appellate courts participating in the survey.</p>	<p>Percentage of the information file that is complete, accurate and up-to-date.</p>	<p>Data file linked to the survey data that includes a comprehensive profile for each of the sampled appellate courts.</p> <p>Number of records in the information file.</p> <p>Number of records in the information file that are complete accurate, and up-to-date.</p>
<p>5) Deliver two final data sets (one for BJS analytical use and one for archival by ICPSR) with complete supporting documentation.</p>	<p>Percent of deliverables (including final reports) that meet BJS's expectations for depth, breadth, scope, quality of study, and pertinence (as determined by BJS).</p>	<p>Complete documentation of meetings, conference calls, progress reports, and respondent contacts that provide evidence of consistent advancement toward meeting the project's objectives.</p> <p>Deliverables submitted on schedule that meet BJS expectations for accuracy and completeness with file documentation and a report with data collection results, collection-related issues, and suggested improvement for future surveys.</p>

How to Apply

Applications will be submitted through Grants.gov. Grants.gov is a “one-stop storefront” that provides a unified process for all customers of federal grants to find funding opportunities and apply for funding. Complete instructions on how to register and submit an application can be found at www.grants.gov. If you experience difficulties at any point during this process, please call the Grants.gov Customer Support Hotline at **800-518-4726**, 24 hours, 7 days a week, except federal holidays. Registering with Grants.gov is a one-time process; however, **processing delays may occur, and it can take up to several weeks** for first-time registrants to receive confirmation and a user password. OJP highly recommends that applicants start the registration process as early as possible to prevent delays in submitting an application package by the application deadline specified.

All applicants are required to complete the following.

1. **Acquire a Data Universal Numbering System (DUNS) number.** A DUNS number is required for Grants.gov registration. The Office of Management and Budget requires that all businesses and nonprofit applicants for federal funds include a DUNS number in their applications for a new award or renewal of an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Obtain a DUNS number by calling 866-705-5711 or by applying online at www.dunandbradstreet.com. Individuals are exempt from this requirement.
2. **Acquire or renew registration with the Central Contractor Registration (CCR) database.** OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the CCR database. An applicant must be registered in the CCR to successfully register in Grants.gov. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Please note, however, that applicants must update or renew their CCR registration at least once per year to maintain an active status. Information about CCR registration procedures can be accessed at www.ccr.gov.
3. **Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password.** Complete your AOR profile on Grants.gov and create your username and password. You will need to use your organization’s DUNS number to complete this step. For more information about the registration process, go to www.grants.gov/applicants/get_registered.jsp.
4. **Acquire authorization for your AOR from the E-Business Point of Contact (E-Biz POC).** The E-Biz POC at your organization must login to Grants.gov to confirm you as an AOR. Please note that there can be more than one AOR for your organization.

5. **Search for the funding opportunity on Grants.gov.** Please use the following identifying information when searching for the funding opportunity on Grants.gov. The Catalog of Federal Domestic Assistance (CFDA) number for this solicitation is 16.734, titled "Special Data Collections and Statistical Studies," and the funding opportunity number is 2010-BJS-2713.
6. **Submit an application consistent with this solicitation.** Within 24-48 hours after submitting your electronic application, you should receive an e-mail validation message from Grants.gov. The validation message will tell you whether the application has been received and validated or rejected, with an explanation. **Important:** You are urged to submit your application at least 72 hours prior to the due date of the application to allow time to receive the validation message and to correct any problems that may have caused a rejection notification.

Note: Grants.gov will forward the application to OJP's Grants Management System (GMS). GMS does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: ".com," ".bat," ".exe," ".vbs," ".cfg," ".dat," ".db," ".dbf," ".dll," ".ini," ".log," ".ora," ".sys," and ".zip."

Experiencing Unforeseen Grants.gov Technical Issues

If you experience unforeseen Grants.gov technical issues beyond your control that prevent you from submitting your application by the deadline, you must contact the BJS staff within **24 hours after the deadline** and request approval to submit your application. At that time, BJS staff will require you to e-mail the complete grant application, your DUNS number, and provide a Grants.gov Help Desk tracking number(s). After the program office reviews all of the information submitted, and contacts the Grants.gov Help Desk to validate the technical issues you reported, OJP will contact you to either approve or deny your request to submit a late application. If the technical issues you reported cannot be validated, your application will be rejected as untimely.

To ensure a fair competition for limited discretionary funds, the following conditions are not valid reasons to permit late submissions: (1) failure to begin the registration process in sufficient time, (2) failure to follow Grants.gov instructions on how to register and apply as posted on its Web site, (3) failure to follow all of the instructions in the OJP solicitation, and (4) technical issues experienced with the applicant's computer or information technology (IT) environment.

Notifications regarding known technical problems with Grants.gov are posted on the OJP funding Web pages at www.ojp.usdoj.gov/funding/solicitations.htm.

What an Application Must Include

This section describes what an application is expected to include and sets out a number of elements. Applicants should anticipate that failure to submit an application that contains all of the specified elements may negatively affect the review of the application and, should a decision nevertheless be made to make an award, may result in the inclusion of special conditions that preclude access to or use of award funds pending satisfaction of the conditions.

Moreover, applicants should anticipate that applications that are not responsive to the scope of the solicitation, or do not include a program narrative, budget, budget narrative, and tribal

resolution (if applicable) will not proceed to peer review and will not receive further consideration.

OJP strongly recommends use of appropriately descriptive file names (e.g., "Program Narrative," "Budget and Budget Narrative," "Timelines," "Memoranda of Understanding," "Résumés") for all attachments. OJP recommends that, if applicable, résumés be included in a single file.

Standard Form 424

Please see www.ojp.usdoj.gov/funding/forms/application_sf424.pdf for instructions on how to complete your SF424. When selecting "type of applicant," if the applicant is a for-profit entity, please select "For-Profit Organization" or "Small Business" (as applicable) in the "Type of Applicant 1" data field. For-profit applicants also may select additional applicable categories (e.g., "Private Institution of Higher Education").

Program Narrative

This should describe the activities in the Statement of Work and address the evaluation criteria. The narrative should provide a detailed timeline and budget for project activities. The narrative should demonstrate the applicant's knowledge of survey methodology and capabilities to handle a national collection of criminal justice data.

Budget and Budget Narrative

A sample budget worksheet can be found at www.ojp.gov/funding/forms/budget_detail.pdf. If you submit a different format, you must include the budget categories as listed in the sample budget worksheet.

Please see the OJP Financial Guide for questions pertaining to budget including allowable and unallowable costs at www.ojp.gov/financialguide/index.htm.

Indirect Cost Rate Agreement

Documentation of Federally Approved Indirect Costs Agreement. Applicants that do not have a federally negotiated cost rate and wish to establish one may submit a proposal to their "cognizant" federal agency. In general, the cognizant federal agency is the agency that provides the preponderance of direct federal funding. This can be determined by reviewing an organization's schedule of federal financial assistance. If DOJ is your cognizant federal agency, information needed to submit an indirect cost rate proposal can be obtained at http://www.ojp.usdoj.gov/funding/pdfs/indirect_costs.pdf.

Plan for collecting the data required for performance measures. (See "Performance Measures" on page 8.)

Tribal Authorizing Resolution

If an application is being submitted by either (1) a tribe or tribal organization, or (2) by a third party proposing to provide direct services or assistance to residents on tribal lands, then a current authorizing resolution of the governing body of the tribal entity or other enactment of the tribal council or comparable governing body authorizing the inclusion of the tribe or tribal organization and its residents must be included with the application. In those instances when an organization or consortium of tribes proposes to apply for a grant on behalf of a tribe or multiple specific tribes, then the application must include a

resolution from all tribes that will be included as a part of the services/assistance provided under the grant.

If an applicant is unable to obtain a signed copy of a tribal resolution documenting support for its application, then, at a minimum, the applicant must submit an unsigned, draft tribal resolution as part of its application. An applicant failing to submit either a signed or an unsigned copy of a tribal resolution as part of its application will be eliminated from funding consideration. If selected for funding, any applicant that has submitted an unsigned tribal resolution must submit the signed copy of the tribal resolution to OJP within 30 days of acceptance of the award. In all such cases, use of and access to funds will be contingent on receipt of the signed tribal resolution.

Other Attachments

Key staff information. This should include a staff loading chart, by task, showing the role and number of hours committed for proposed staff; identification of proposed key personnel and their qualifications for the significant functions in this project, along with concise descriptions of the duties each will perform under the cooperative agreement; and an identification by name of all key personnel with decision-making authority.

Privacy Certification. The Privacy Certificate is a funding recipient's certification of compliance with federal regulations requiring confidentiality of information identifiable to a private person, which is collected, analyzed, or otherwise used in connection with an OJP-funded research or statistical activity. The funding recipient's Privacy Certificate includes a description of its policies and procedures to be followed to protect identifiable data. A model certificate is located at bjs.ojp.usdoj.gov/content/pub/pdf/bjsmpc.pdf.

Human Subjects Protection Certification of Compliance. BJS requires the funding recipient to submit proper documentation to be used to determine that the research project meets the federal requirements for human subjects protections set forth in 28 CFR Part 46. A model certificate, describing the necessary information to be provided by the funding recipient, can be accessed at bjs.ojp.usdoj.gov/content/hscr.cfm.

Selection Criteria

Proposals should describe the plan and implementation strategies to perform the tasks outlined in the Statement of Work. Information on staffing levels and qualifications should be included for each task and descriptions of experience relevant to the project. Résumés of the proposed project director and key staff should be submitted with the proposal.

The applicant will be evaluated on the basis of—

1. Statement of the Program (10%)

The content of the proposal should completely address the tasks outlined in the Statement of Work and scheduled time line. Project goals and target dates should be clearly stated.

2. Project Design and Implementation (30%)

Application should demonstrate (1) a capacity to assess and implement proposed sampling design; (2) the feasibility of the project design to complete the data collection within an acceptable time frame while maintaining high response rates and data quality; (3) use of multi-modal data collection methods (web, fax, mail, phone) with an emphasis on electronic methods; (4) innovation in methods of data collection, including enrolling respondents in the collection, follow-up contacts, and providing technical assistance as needed to ease respondent burden, with the aim of reducing collection time, reducing time between receipt of data, review of data, and follow-up contact to clarify discrepancies; (5) use of currently accepted applied survey research and social science research methods, with an emphasis on instrument design, data collection, data coding and cleaning, data verification, response rates, and the production of public-use data files; (6) the ability to create and maintain an efficient and competent system for tracking, monitoring, and documenting the responses, non-response follow-up, data coding, and data verification processes; and (7) the ability to produce data files for analysis and report production in formats readable by a variety of statistical software, such as STATA and SPSS.

3. Capabilities and Competencies of the Organization and Project Personnel (30%)

Demonstrated capacity and experience of the organization and project staff to (1) understand and utilize currently accepted survey research methods; (2) collect case level and administrative data from a large number of appellate courts or similar entities; (3) collect administrative data from various appellate court organizations and entities; (4) implement multiple modes of data collection; (5) clean and verify data, reconcile data to known totals, and provide files that represent respondent data with maximum accuracy; (6) provide an adequate computing environment that includes data security, an electronic data collection, and the hardware and software for producing public-use files; (7) provide up-to-date tracking of the data collection and regular reporting of progress; and (8) identify and communicate potential problems needing to be addressed as well as problem-solving techniques.

4. Project Budget (20%)

Reasonableness of the project budget should be demonstrated including the degree to which the budget demonstrates fiscal, management, staff, and organizational capacities to provide sound management for this project, and the degree to which the budget demonstrates that services and products provided by the grantee are of high quality and reasonable cost. Demonstrated fiscal management on past projects of a similar scale should be demonstrated. Methods of conserving costs while maximizing use of existing resources should be presented. Applicant should include detailed breakout of staff resources and other costs, by project task. Proposals with approved indirect cost rates

should specify the major elements (office space, financial management, computing equipment and services, etc.) covered by indirect costs.

5. Project Outcomes and Evaluation (10%)

Degree to which the application demonstrates how they will obtain success in meeting the project time lines and the data collection goals (e.g., response rates and data quality), as detailed in the performance measures, will be systematically documented and monitored.

Review Process

OJP is committed to ensuring a fair and open process for awarding grants. BJS reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation.

Peer Reviewers will be reviewing the applications submitted under this solicitation as well. BJS may use either internal peer reviewers, external peer reviewers, or a combination of both to review the applications under this solicitation. An external peer reviewer is an expert in the field of the subject matter of a given solicitation, who is NOT a current U.S. Department of Justice employee. An internal reviewer is a current U.S. Department of Justice employee who is well-versed or has expertise in the subject matter of this application. Eligible applications will be evaluated, scored, and rated by a peer review panel. Peer reviewer's ratings and any resulting recommendations are advisory only. In addition to peer review ratings, considerations for award recommendations and decisions may include, but are not limited to, underserved populations, strategic priorities, past performance, and available funding.

The Office of the Chief Financial Officer (OCFO), in consultation with BJS, conducts a financial review of applications for potential discretionary awards and cooperative agreements to evaluate the fiscal integrity and financial capability of applicants, examines proposed costs to determine if the budget and budget narrative accurately explain project costs, and determines whether costs are reasonable, necessary, and allowable under applicable federal cost principles and agency regulations.

All final award decisions will be made by the director of the BJS, who may also give consideration to factors including, but not limited to, underserved populations, geographic diversity, strategic priorities, past performance, and available funding when making awards.

Applicants should be aware that winning applications might be made available to the public, after redactions of information determined to be covered by Privacy Act considerations.

Additional Requirements

Applicants selected for awards must agree to comply with additional legal requirements upon acceptance of an award. We strongly encourage you to review the information pertaining to these additional requirements prior to submitting your application. Additional information for each can be found at http://www.ojp.usdoj.gov/funding/other_requirements.htm.

- [Civil Rights Compliance](#)
- Faith-Based and Other Community Organizations
- Confidentiality and Human Subjects Protection (if applicable)
- Anti-Lobbying Act
- Financial and Government Audit Requirements
- National Environmental Policy Act (NEPA) (if applicable)
- DOJ Information Technology Standards (if applicable)
- Single Point of Contact Review
- Nonsupplanting of State or Local Funds
- Criminal Penalty for False Statements
- Compliance with [Office of Justice Programs Financial Guide](#)
- Suspension or Termination of Funding
- Nonprofit Organizations
- For-Profit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006
- Awards in excess of \$5,000,000 – federal taxes certification requirement

Application Checklist

2010 Survey of State Court Criminal Appeals

The application check list has been created to aid you in developing your application. Below is a list of required items.

The Application Components:

- Statement of the Problem/Program
- Project Design and Implementation
- Capabilities/Competencies
- Budget Narrative
- Budget Detail Worksheet
- Impact/Outcomes and Evaluation/Plan for Collecting Data for Performance Measures

Other:

- Standard Form 424
- Privacy Certification
- Human Subjects Protection Certification of Compliance
- Indirect Cost Rate Agreement (if applicable)