



NOTICE OF AWARD

<input checked="" type="checkbox"/> Grant <input type="checkbox"/> Contract <input type="checkbox"/> Cooperative Agreement		Page <u>1</u> of <u>17</u>
1. Grantee Name and Address Washoe County - Second Judicial District Court 75 Court Street Reno NV 89512	3. Award Number: SJI-25T010 4. Award Period 12/9/2024 to 12/31/2025 5. Award Date 12/9/2024	
1a. Employer Identification No. 88-6000138 1b. Unique Entity Identifier GPR1NY74XPQ5	6. Award Amount \$75,000	
2. Entity to Receive Funds Same	7. Type of Award <input type="checkbox"/> Project Grant <input checked="" type="checkbox"/> Technical Assistance (TA) Grant <input type="checkbox"/> Curriculum Adaptation & Training (CAT) Grant <input type="checkbox"/> Strategic Initiative Grant <input type="checkbox"/> Partner Grant	
2a. Employer Identification No. N/A		
8. Project Title Second Judicial District Court Caseflow Assessment		
9. Conditions of Award The above project is approved subject to grantee adherence to the requirements set forth in the SJI Grant Guideline , the General Conditions of Award (attached), and such special conditions or limitations as set forth below, if applicable.		
STATE JUSTICE INSTITUTE APPROVAL		GRANTEE ACCEPTANCE
10. Approving SJI Official Name: <u>John D. Minton</u> Title: <u>Chair, Board of Directors</u> Signature: <u></u> Date: <u>12/9/2024</u>	11. Authorized Official of Grantee Name: <u>Emily Reed</u> Title: <u>Assistant Court Administrator</u> Signature: <u></u> Date: <u>12/19/24</u>	

General Conditions of Award

Pursuant to the State Justice Institute Act of 1984 ([42 U.S.C. 10701](#), et seq.), the State Justice Institute (SJI) is authorized to award grants, cooperative agreements, and contracts to state and local courts, nonprofit organizations, and others for the purpose of improving the quality of justice in the state courts of the United States.

General conditions of award describe the administrative, programmatic, and financial requirements attendant to all Fiscal Year 2025 State Justice Institute awards, including both grants and cooperative agreements, as detailed in the SJI [Grant Guideline](#). Any additional ‘Special Conditions of Award’ will be noted in the notice of award document.

Reporting Requirements

All required reports and documents must be submitted via the SJI [Grant Management System](#) (GMS).

Quarterly Reporting Requirements

Recipients of SJI funds must submit Quarterly Progress and Financial Status Reports within 30 days of the close of each calendar quarter (that is, no later than January 30, April 30, July 30, and October 30).

Program Progress Reports. Program Progress Reports must include a narrative description of project activities during the calendar quarter; the relationship between those activities, the task schedule, and objectives set forth in the approved application or an approved adjustment thereto; any significant problem areas that have developed and how they will be resolved; and the activities scheduled during the next reporting period. Failure to comply with the requirements of this provision could result in the termination of an awardee’s award.

Financial Reporting. A Financial Status Report is required from all awardees for each active quarter on a calendar-quarter basis. This report is due within 30 days after the close of the calendar quarter. It is designed to provide financial information relating to SJI funds, State and local matching shares, project income, and any other sources of funds for the project, as well as information on obligations and outlays. If an awardee requests substantial payment for a project prior to the completion of a given quarter, SJI may request a brief summary of the amount requested, by object class, to support the Request for Reimbursement.

Final Reports

Within 90 days after the end date of the grant or any approved extension thereof, the following documents must be submitted to SJI by awardees:

Financial status report. The final report of expenditures must have no unliquidated obligations and must indicate the exact balance of unobligated funds. Any unobligated or unexpended funds will be de-obligated from the award by SJI. Final payment requests for obligations incurred during the award period must be submitted to SJI prior to the end of the 90-day closeout period.

Final progress report. This report should describe the project activities during the final calendar quarter of the project and the closeout period, including to whom project products have been disseminated; provide a summary of activities during the entire project; specify whether all the objectives set forth in the approved application or an approved adjustment have been met and, if any of the objectives have not been met, explain why not; and discuss what, if anything, could have been done differently that might have enhanced the impact of the project or improved its operation. In addition, awardees are required to submit electronic copies of the final products related to the project (e.g., reports, curriculum, etc.). These reporting requirements apply at the conclusion of every grant.

Final Products

In addition to the distribution mechanisms specified in the grant application, awardees must submit an electronic version of all products in HTML or PDF format via the SJI GMS (on the Award Documents page).

All products and consultant and/or trainer reports are to be completed and distributed not later than the end of the award period, not the 90-day closeout period. The 90-day closeout period is intended only for awardee final reporting and to liquidate obligations.

Consequences of non-compliance with submission requirement

Failure of the awardee to submit required financial and progress reports may result in suspension or termination of grant reimbursement.

Request for Reimbursement of Funds

Awardees will receive funds on a reimbursable, U.S. Treasury “check-issued” or electronic funds transfer (EFT) basis. Upon receipt, review, and approval of a Request for Reimbursement by SJI, payment will be issued directly to the awardee or its designated fiscal agent. Requests for reimbursements, along with the instructions for its preparation are available in the SJI GMS.

Accounting System. Awardees are responsible for establishing and maintaining an adequate system of accounting and internal controls and for ensuring that an adequate system exists for each of its sub-awardees and contractors. An acceptable and adequate accounting system:

- Properly accounts for receipt of funds under each grant awarded and the expenditure of funds for each grant by category of expenditure (including matching contributions and project income).
- Assures that expended funds are applied to the appropriate budget category included within the approved grant.
- Presents and classifies historical costs of the grant as required for budgetary and evaluation purposes.
- Provides cost and property controls to assure optimal use of grant funds.
- Is integrated with a system of internal controls adequate to safeguard the funds and assets covered, check the accuracy and reliability of the accounting data, promote operational efficiency, and assure conformance with any general or special conditions of the grant.
- Meets the prescribed requirements for periodic financial reporting of operations.
- Provides financial data for planning, control, measurement, and evaluation of direct and indirect costs.

Financial Requirements

The purpose of this section is to establish accounting system requirements and offer guidance on procedures to assist all awardees, sub-awardees, contractors, and other organizations in:

- Complying with the statutory requirements for the award, disbursement, and accounting of funds.
- Complying with regulatory requirements of SJI for the financial management and disposition of funds.
- Generating financial data to be used in planning, managing, and controlling projects.
- Facilitating an effective audit of funded programs and projects.

Supervision and Monitoring Responsibilities

All awardees receiving awards from SJI are responsible for the management and fiscal control of all funds. Responsibilities include accounting for receipts and expenditures, maintaining adequate financial records, and

refunding expenditures disallowed by audits. If the project includes subawards, the awardees responsibilities also include:

Reviewing Financial Operations. The awardee or its designee should be familiar with, and periodically monitor, its sub-awardee's financial operations, records system, and procedures. Particular attention should be directed to the maintenance of current financial data.

Recording Financial Activities. The sub-awardee's grant award or contract obligation, as well as cash advances and other financial activities, should be recorded in the financial records of the awardee or its designee in summary form. Sub-awardee expenditures should be recorded on the books of the State supreme court or evidenced by report forms duly filed by the sub-awardee. Matching contributions provided by sub-awardees should likewise be recorded, as should any project income resulting from program operations.

Budgeting and Budget Review. The awardee or its designee should ensure that each sub-awardee prepares an adequate budget as the basis for its award commitment. The State supreme court should maintain the details of each project budget on file.

Accounting for Match. The awardee or its designee will ensure that sub-awardees comply with the match requirements specified in this guideline.

Audit Requirement. The awardee or its designee is required to ensure that sub-awardees meet the necessary audit requirements set forth by SJI.

Reporting Irregularities. The awardee, its designees, and its sub-awardees are responsible for promptly reporting to SJI the nature and circumstances surrounding any financial irregularities discovered.

Accounting System

The awardee is responsible for establishing and maintaining an adequate system of accounting and internal controls, and for ensuring that an adequate system exists for each of its sub-awardees and contractors. An acceptable and adequate accounting system:

- Properly accounts for receipt of funds under each grant awarded and the expenditure of funds for each grant by category of expenditure (including matching contributions and project income).
- Assures that expended funds are applied to the appropriate budget category included within the approved grant.
- Presents and classifies historical costs of the grant as required for budgetary and evaluation purposes.
- Provides cost and property controls to assure optimal use of grant funds.
- Is integrated with a system of internal controls adequate to safeguard the funds and assets covered, check the accuracy and reliability of the accounting data, promote operational efficiency, and assure conformance with any general or special conditions of the grant.
- Meets the prescribed requirements for periodic financial reporting of operations.
- Provides financial data for planning, control, measurement, and evaluation of direct and indirect costs.

Matching Requirements

Grant recipients may be required to provide a match. A match is the portion of project costs not borne by SJI. A match includes both cash and in-kind contributions. Cash match is the direct outlay of funds by the awardee or a third party to support the project. In-kind match for State and local courts or other units of government consists of contributions of time and/or services of current staff members, new employees, space, supplies, etc., made to the project by the awardee or others (e.g., advisory board members) working directly on the project. Generally, these same items are considered cash match for non-governmental entities. For non-governmental entities,

federally approved indirect cost rate may be used as an in-kind match for that portion of the rate that exceeds the limit of permitted charges for indirect costs (75 percent of salaries and benefits).

Under normal circumstances, allowable match may be incurred only during the project period. The amount and nature of required match depends on the type of grant.

The awardee is responsible for ensuring that the total amount of match proposed is contributed. If a proposed contribution is not fully met, SJI may reduce the award amount accordingly, to maintain the ratio originally provided for in the award agreement. Match should be expended at the same rate as SJI funding.

Other Federal department and agency funding may not be used for cash match.

Total Cost Budgeting and Accounting

Accounting for all funds awarded by SJI must be structured and executed on a “Total Project Cost” basis. That is, total project costs, including SJI funds, State and local matching shares, and any other fund sources included in the approved project budget serve as the foundation for fiscal administration and accounting. Grant applications and financial reports require budget and cost estimates based on total costs.

Timing of Matching Contributions. Matching contributions should be applied at the same time as the obligation of SJI funds. Ordinarily, the full matching share must be obligated during the award period; however, with the written permission of SJI, contributions made following approval of the grant by the SJI Board of Directors but before the beginning of the grant may be counted as match. If a proposed cash or in-kind match is not fully met, SJI may reduce the award amount accordingly to maintain the ratio of grant funds to matching funds stated in the award agreement.

Records for Match. All awardees must maintain records that clearly show the source, amount, and timing of all matching contributions. In addition, if a project has included, within its approved budget, contributions that exceed the required matching portion, the awardee must maintain records of those contributions in the same manner as it does SJI funds and required matching shares. For all grants made to State and local courts, the State supreme court has primary responsibility for awardee/sub-awardee compliance with the requirements of this section.

Maintenance and Retention of Records. All financial records, including supporting documents, statistical records, and all other information pertinent to grants, sub-grants, cooperative agreements, or contracts under grants, must be retained by each organization participating in a project for at least 3 years for purposes of examination and audit. State supreme courts may impose record retention and maintenance requirements in addition to those prescribed in this section.

Coverage. The retention requirement extends to books of original entry, source documents supporting accounting transactions, the general ledger, subsidiary ledgers, personnel and payroll records, canceled checks, and related documents and records. Source documents include copies of all grant and sub-grant awards, applications, and required awardee/sub-awardee financial and narrative reports. Personnel and payroll records must include the time and attendance reports for all individuals reimbursed under a grant, sub-grant, or contract, whether they are employed full-time or part-time. Time and effort reports are required for consultants.

Retention Period. The 3-year retention period starts from the date of the submission of the final expenditure report.

Maintenance. Awardees and sub-awardees are expected to see that records of different fiscal years are separately identified and maintained so that requested information can be readily located. Awardees and sub-awardees are also obligated to protect records adequately against fire or other damage. When records are stored

away from the awardee's/sub-awardee's principal office, a written index of the location of stored records should be on hand, and ready access should be assured.

Access. Awardees and sub-awardees must give any authorized representative of SJI access to and the right to examine all records, books, papers, and documents related to a SJI grant.

Project-Related Income. Records of the receipt and disposition of project-related income must be maintained by the awardee in the same manner as required for the project funds that gave rise to the income and must be reported to SJI (see section VII.A.2, *Financial Reporting* of this guideline). The policies governing the disposition of the various types of project-related income are listed below.

Interest. A State and any agency or instrumentality of a State, including institutions of higher education and hospitals, will not be held accountable for interest earned on advances of project funds. When funds are awarded to sub-awardees through a State, the sub-awardees are not held accountable for interest earned on advances of project funds. Local units of government and nonprofit organizations that are awardees must refund any interest earned. Awardees must ensure minimum balances in their respective grant cash accounts.

Royalties. The awardee or sub-awardee may retain all royalties received from copyrights or other works developed under projects or from patents and inventions unless the terms and conditions of the grant provide otherwise.

Registration and tuition fees. Registration and tuition fees may be considered as cash match with prior written approval from SJI. Estimates of registration and tuition fees, and any expenses to be offset by the fees, should be included in the application budget forms and narrative.

Income from the sale of grant products. If the sale of products occurs during the project period, the income may be treated as cash match with the prior written approval of SJI. The costs and income generated by the sales must be reported on the Quarterly Progress Financial Status Reports and documented in an auditable manner. Whenever possible, the intent to sell a product should be disclosed in the application or reported to SJI in writing once a decision to sell products has been made. The awardee must request approval to recover its product development, reproduction, and dissemination costs.

Other. Other project income will be treated in accordance with disposition instructions set forth in the grant's terms and conditions.

Unallowable Costs

To ensure that funds made available under this chapter are used to supplement and improve the operation of State courts, rather than to support **basic court services**, funds shall not be used—

- (1) to supplant State or local funds currently supporting a program or activity; or
- (2) to construct court facilities or structures, except to remodel existing facilities to demonstrate new architectural or technological techniques, or to provide temporary facilities for new personnel or for personnel involved in a demonstration or experimental program.

Examples of **basic court services** include:

- Hiring of personnel
- Purchase and/or maintenance of equipment
- Purchase of software and/or licenses
- Purchase of internet access or service
- Supplies to support the day-to-day operations of courts

The final determination of what constitutes basic court services is made by SJI and is not negotiable. Applicants are encouraged to contact SJI Staff to discuss any questions related to this section prior to or during the application process.

Likewise, meals and refreshments are not allowable costs. This applies to all awards, including contracts, grants, and cooperative agreements.

Trinkets (items such as hats, mugs, portfolios, t-shirts, coins, gift bags, gift cards, etc.) may not be purchased with SJI grant funding.

Allowability of Costs

Costs Requiring Prior Approval.

Pre-agreement costs. The written prior approval of SJI is required for costs considered necessary but which occur prior to the start date of the project period.

Equipment. Grant funds may be used to purchase or lease only that equipment essential to accomplishing the goals and objectives of the project. The written prior approval of SJI is required when (1) the amount of automated data processing equipment to be purchased or leased exceeds \$10,000 or (2) the software to be purchased exceeds \$3,000.

Consultants. The written prior approval of SJI is required when the rate of compensation to be paid a consultant exceeds \$800 a day. SJI funds may not be used to pay a consultant more than \$1,100 per day.

Budget revisions. Budget revisions among direct cost categories that (1) transfer grant funds to an unbudgeted cost category or (2) individually or cumulatively exceed 5 percent of the approved original budget or the most recently approved revised budget require prior SJI approval.

Travel Costs. Transportation and per diem rates must comply with the policies of the awardee. If the awardee does not have an established written travel policy, then travel rates must be consistent with those established by the U.S. General Services Administration. Grant funds may not be used to cover the transportation or per diem costs of a member of a national organization to attend an annual or other regular meeting, or conference of that organization.

Indirect Costs. Indirect costs are only applicable to organizations that are not State courts or government agencies. These are costs of an organization that are not readily assignable to a particular project but are necessary to the operation of the organization and the performance of the project. The cost of operating and maintaining facilities, depreciation, and administrative salaries are examples of the types of costs that are usually treated as indirect costs. Although SJI's policy requires all costs to be budgeted directly, it will accept indirect costs if an awardee has an indirect cost rate approved by a federal agency. However, recoverable indirect costs are limited to no more than 75 percent of an awardee's direct personnel costs (salaries plus fringe benefits).

Approved plan available. A copy of an indirect cost rate agreement or allocation plan approved for an awardee during the preceding 2 years by any Federal granting agency based on allocation methods substantially in accord with those set forth in the applicable cost circulars must be submitted to SJI.

Where flat rates are accepted in lieu of actual indirect costs, awardees may not also charge expenses normally included in overhead pools (e.g., accounting services, legal services, building occupancy and maintenance, etc.) as direct costs.

Supplantation and Construction. To ensure that SJI funds are used to supplement and improve the operation of State courts, rather than to support basic court services, SJI funds must not be used for the following purposes:

To supplant State or local funds supporting a program or activity (such as paying the salary of court employees who would be performing their normal duties as part of the project or paying rent for space which is part of the court's normal operations).

To construct court facilities or structures.

Solely to purchase equipment.

Suspension or Termination of Funding

After providing a recipient reasonable notice and opportunity to submit written documentation demonstrating why fund termination or suspension should not occur, SJI may terminate or suspend funding of a project that fails to comply substantially with the Act, the Grant Guideline, or the terms and conditions of the award (42 U.S.C. 10708(a)).

Title to Property At the conclusion of the project, title to all expendable and nonexpendable personal property purchased with SJI funds must vest in the recipient court, organization, or individual that purchased the property if certification is made to and approved by SJI that the property will continue to be used for the authorized purposes of the SJI-funded project or other purposes consistent with the State Justice Institute Act. If such certification is not made or SJI disapproves such certification, title to all such property with an aggregate or individual value of \$1,000 or more must vest in SJI, which will direct the disposition of the property.

Audit Requirements

Implementation. Awardees must provide for an annual fiscal audit. This requirement also applies to a State or local court receiving a sub-grant from the State supreme court. Audits conducted using generally accepted auditing standards in the United States will satisfy the requirement for an annual fiscal audit. The audit must be conducted by an independent Certified Public Accountant, or a State or local agency authorized to audit government agencies. The audit report must be made available to SJI electronically, if requested.

Resolution and Clearance of Audit Reports. Timely action on recommendations by responsible management officials is an integral part of the effectiveness of an audit. Each awardee must have policies and procedures for acting on audit recommendations by designating officials responsible for:

- Follow-up.
- Maintaining a record of the actions taken on recommendations and time schedules.
- Responding to and acting on audit recommendations.
- Submitting periodic reports to SJI on recommendations and actions taken.

Consequences of Non-Resolution of Audit Issues. Ordinarily, SJI will not make a subsequent grant award to an applicant that has an unresolved audit report involving SJI awards. Failure of the awardee to resolve audit questions may also result in the suspension or termination of payments for active SJI grants to that organization.

Work Products

Inventions and Patents

If any patentable items, patent rights, processes, or inventions are produced during the course of SJI-sponsored work, such fact must be promptly and fully reported to SJI. Unless there is a prior agreement between the awardee and SJI on the disposition of such items, SJI will determine whether protection of the invention or discovery must be sought.

Products

Acknowledgment, Logo, and Disclaimer. Recipients of SJI funds must acknowledge prominently on all products developed with grant funds that support was received from the SJI. The “SJI” logo must appear on the front cover of a written product, or in the opening frames of a multimedia product, unless another placement is approved in writing by SJI. This includes final products printed or otherwise reproduced during the grant period, as well as re-printings or reproductions of those materials following the end of the grant period. A camera-ready logo sheet is available on SJI’s website: <https://www.sji.gov/grants>.

Recipients also must display the following disclaimer on all grant products: “This [document, film, videotape, etc.] was developed under [grant/cooperative agreement] number SJI-[insert number] from the State Justice Institute. The points of view expressed are those of the [author(s), filmmaker(s), etc.] and do not necessarily represent the official position or policies of the State Justice Institute.”

Project grants. In addition to other required grant products and reports, recipients must provide a one-page executive summary of the project. The summary should include a background on the project, the tasks undertaken, and the outcome. In addition, the summary should provide the performance metrics that were used during the project, and how performance will be measured in the future.

TA grants. Awardees must submit a final report that explains how it intends to act on the consultant’s recommendations, as well as a copy of the consultant’s written report. Both should be submitted in electronic format.

CAT grants. Awardees must submit an electronic version of the agenda or schedule, outline of presentations and/or relevant instructor’s notes; copies of overhead transparencies, Microsoft PowerPoint presentations, or other visual aids; exercises, case studies, and other background materials; hypotheticals, quizzes, and other materials involving the participants; manuals, handbooks, conference packets, and evaluation forms; and suggestions for replicating the program, including possible faculty or the preferred qualifications or experience of those selected as faculty, developed under the grant at the conclusion of the grant period, along with a final report that includes any evaluation results and explains how the awardee intends to present the educational program in the future, as well as the consultant’s or trainer’s report. All items should be submitted in electronic format.

Charges for Grant-Related Products/Recovery of Costs. SJI’s mission is to support improvements in the quality of justice and foster innovative, efficient solutions to common issues faced by all courts. SJI has recognized and established procedures for supporting research and development of grant products (e.g., a report, curriculum, video, software, database, or website) through competitive grant awards based on merit review of proposed projects. To ensure that all grants benefit the entire court community, projects SJI considers worthy of support (in whole or in part) are required to be disseminated widely and available for public consumption. This includes open-source software and interfaces. Costs for development, production, and dissemination are allowable as direct costs to SJI.

Applicants should disclose their intent to sell grant-related products in the application. Awardees must obtain SJI’s prior written approval of their plans to recover project costs through the sale of grant products. Written requests to recover costs ordinarily should be received during the grant period and should specify the nature and extent of the costs to be recouped, the reason that such costs were not budgeted (if the rationale was not disclosed in the approved application), the number of copies to be sold, the intended audience for the products to be sold, and the proposed sale price. If the product is to be sold for more than \$25, the written request should also include a detailed itemization of costs that will be recovered and a certification that the costs were not supported by either SJI grant funds or awardee matching contributions.

If the sale of grant products results in revenues that exceed the costs to develop, produce, and disseminate the product, the revenue must continue to be used for the authorized purposes of SJI-funded project or other purposes consistent with the State Justice Institute Act that have been approved by SJI.

Copyrights

Except as otherwise provided in the terms and conditions of a SJI award, a recipient is free to copyright any books, publications, or other copyrightable materials developed in the course of a SJI-supported project, SJI must reserve a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use, and to authorize others to use, the materials for purposes consistent with the State Justice Institute Act.

Material

All products prepared as the result of SJI-supported projects must be originally developed material unless otherwise specified in the award documents. Material not originally developed that is included in such products must be properly identified, whether the material is in a verbatim or extensive paraphrase format.

Research

Availability of Research Data for Secondary Analysis. Upon request, awardees must make available for secondary analysis backup files containing research and evaluation data collected under a SJI grant and the accompanying code manual. Awardees may recover the actual cost of duplicating and mailing, or otherwise transmitting, the data set and manual from the person or organization requesting the data. Awardees may provide the requested data set in the format in which it was created and analyzed.

Confidentiality of Information. Except as provided by Federal law other than the State Justice Institute Act, no recipient of financial assistance from SJI may use or reveal any research or statistical information furnished under the Act by any person and identifiable to any specific private person for any purpose other than the purpose for which the information was obtained. Such information and copies thereof will be immune from legal process, and must not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial, legislative, or administrative proceedings.

Human Subject Protection. Human subjects are defined as individuals who are participants in an experimental procedure or who are asked to provide information about themselves, their attitudes, feelings, opinions, and/or

experiences through an interview, questionnaire, or other data collection technique. All research involving human subjects must be conducted with the informed consent of those subjects and in a manner that will ensure their privacy and freedom from risk or harm and the protection of persons who are not subjects of the research but would be affected by it, unless such procedures and safeguards would make the research impractical. In such instances, SJI must approve procedures designed by the awardee to provide human subjects with relevant information about the research after their involvement and to minimize or eliminate risk or harm to those subjects due to their participation.

Prohibited Activities

Advocacy

No funds made available by SJI may be used to support or conduct training programs for the purpose of advocating particular non-judicial public policies or encouraging non-judicial political activities (42 U.S.C. 10706(b)).

Conflict of Interest

Personnel and other officials connected with SJI-funded programs must adhere to the following requirements:

An official or employee of a recipient court or organization must not participate personally through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise in any proceeding, application, request for a ruling or other determination, contract, grant, cooperative agreement, claim, controversy, or other particular matter in which SJI funds are used, where, to his or her knowledge, he or she or his or her immediate family, partners, organization other than a public agency in which he or she is serving as officer, director, trustee, partner, or employee or any person or organization with whom he or she is negotiating or has any arrangement concerning prospective employment, has a financial interest.

In the use of SJI project funds, an official or employee of a recipient court or organization must avoid any action which might result in or create the appearance of:

- Using an official position for private gain; or
- Affecting adversely the confidence of the public in the integrity of the SJI program.

Requests for proposals or invitations for bids issued by a recipient of SJI funds or a sub-awardee or subcontractor will provide notice to prospective bidders that the contractors who develop or draft specifications, requirements, statements of work, and/or requests for proposals for a proposed procurement will be excluded from bidding on or submitting a proposal to compete for the award of such procurement.

Lobbying

Funds awarded to recipients by SJI must not be used, indirectly or directly, to influence Executive orders or similar promulgations by Federal, State, or local agencies; or to influence the passage or defeat of any legislation by Federal, State, or local legislative bodies (42 U.S.C. 10706(a)).

It is the policy of the SJI Board of Directors to award funds only to support applications submitted by organizations that would carry out the objectives of their applications in an unbiased manner. Consistent with this policy and the provisions of 42 U.S.C. 10706, SJI will not knowingly award a grant to an applicant that has, directly or through an entity that is part of the same organization as the applicant, advocated a position before Congress on the specific subject matter of the application.

Nondiscrimination

No person may, on the basis of race, sex, national origin, disability, color, or creed be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any program or activity supported by SJI funds. Recipients of SJI funds must take any measures necessary immediately to effectuate this provision.

Political Activities

No recipient may contribute or make available SJI funds, program personnel, or equipment to any political party or association, or the campaign of any candidate for public or party office. Recipients are also prohibited from using funds in advocating or opposing any ballot measure, initiative, or referendum. Officers and employees of recipients must not intentionally identify SJI or recipients with any partisan or nonpartisan political activity associated with a political party or association, or the campaign of any candidate for public or party office (42 U.S.C. 10706(a)).

Prohibition Against Litigation Support

No funds made available by SJI may be used directly or indirectly to support legal assistance to parties in litigation, including cases involving capital punishment.

Grant Adjustments

All requests for programmatic or budgetary adjustments requiring SJI approval must be submitted by the project director in a timely manner (ordinarily 30 days prior to the implementation of the adjustment being requested). All requests for changes from the approved application will be carefully reviewed for both consistency with this guideline and the enhancement of grant goals and objectives. Failure to submit adjustments in a timely manner may result in the termination of an awardee's award.

Grant Adjustments Requiring Prior Written Approval

The following Grant Adjustments require the prior written approval of SJI:

- Budget revisions among direct cost categories that (1) transfer grant funds to an unbudgeted cost category or (2) individually or cumulatively exceed 5 percent of the approved original budget or the most recently approved revised budget.
- A change in the scope of work to be performed or the objectives of the project.
- A change in the project site.
- A change in the project period, such as an extension of the grant period or extension of the final financial or progress report deadline.
- Satisfaction of special conditions, if required.
- A change in or temporary absence of the project director.
- The assignment of an employee or consultant to a key staff position whose qualifications were not described in the application, or a change of a person assigned to a key project staff position.
- A change in or temporary absence of the person responsible for managing and reporting on the grant's finances.
- A change in the name of the awardee organization.
- A transfer or contracting out of grant-supported activities.
- A transfer of the grant to another recipient.
- Pre-agreement costs.
- The purchase of ADA equipment and software.

- Consultant rates.
- A change in the nature or number of the products to be prepared or the way a product would be distributed.

Requests for Grant Adjustments

All awardees must promptly notify SJI, in writing, of events or proposed changes that may require adjustments to the approved project design. In requesting an adjustment, the awardee must set forth the reasons and basis for the proposed adjustment and any other information the program manager determines would help SJI's review. All requests for Grant Adjustments must be submitted via the SJI GMS.

Notification of Approval/Disapproval

If the request is approved, the awardee will be sent a Grant Adjustment signed by the SJI Executive Director. If the request is denied, the awardee will be sent a written explanation of the reasons for the denial.

Changes in the Scope of the Grant

Major changes in scope, duration, training methodology, or other significant areas must be approved in advance by SJI. An awardee may make minor changes in methodology, approach, or other aspects of the grant to expedite achievement of the grant's objectives with subsequent notification to SJI.

Date Changes

A request to change or extend the grant period must be made at least 30 days in advance of the end date of the grant. A revised task plan should accompany a request for an extension of the grant period, along with a revised budget if shifts among budget categories will be needed. A request to change or extend the deadline for the final financial report or final progress report must be made at least 14 days in advance of the report deadline.

Temporary Absence of the Project Director

Whenever an absence of the project director is expected to exceed a continuous period of 1 month, the plans for the conduct of the project director's duties during such absence must be approved in advance by SJI. This information must be provided in a letter signed by an authorized representative of the awardee or sub-awardee at least 30 days before the departure of the project director, or as soon as it is known that the project director will be absent. The grant may be terminated if arrangements are not approved in advance by SJI.

Withdrawal of or Change in Project Director

If the project director relinquishes or expects to relinquish active direction of the project, SJI must be notified immediately. In such cases, if the awardee or sub-awardee wishes to terminate the project, SJI will forward procedural instructions upon notification of such intent. If the awardee wishes to continue the project under the direction of another individual, a statement of the candidate's qualifications should be sent to SJI for review and approval. The grant may be terminated if the qualifications of the proposed individual are not approved in advance by SJI.

Transferring or Contracting Out of Grant-Supported Activities

No principal activity of a grant-supported project may be transferred or contracted out to another organization without specific prior approval by SJI. All such arrangements must be formalized in a contract or other written agreement between the parties involved. Copies of the proposed contract or agreement must be submitted for prior approval to SJI at the earliest possible time. The contract or agreement must state, at a minimum, the activities to be performed, the time schedule, the policies and procedures to be followed, the dollar limitation of

the agreement, and the cost principles to be followed in determining what costs, both direct and indirect, will be allowed. The contract or other written agreement must not affect the awardee's overall responsibility for the direction of the project and accountability to SJI.

Grants and Cooperative Agreements

The [Federal Grant and Cooperative Agreement Act of 1977](#) set out to guide government agencies in their use of Federal funds – particularly by distinguishing between contracts, cooperative agreements and grants. Pursuant to the [State Justice Institute Act of 1984](#), SJI is authorized to award grants, cooperative agreements, and contracts to state and local courts, nonprofit organizations, and others for the purpose of improving the quality of justice in the state courts of the United States.

What is a grant?

A financial assistance support mechanism providing money, property or other direct assistance in lieu of money, or both, to an eligible entity to carry out an approved project or activity in support of a public purpose and not the direct benefit of the government. A grant is used whenever no substantial programmatic involvement with the recipient during performance of the financially assisted activities is anticipated.

What is a cooperative agreement?

A financial assistance support mechanism used when there will be substantial programmatic involvement in the project by the granting agency. Substantial involvement means that program staff will collaborate or participate in project or program activities.

How do cooperative agreements differ from grants?

Both cooperative agreements and grants “transfer anything of value from the Federal awarding agency or pass-through entity to the non-Federal entity to carry out a public purpose.”

A cooperative agreement “is distinguished from a grant in that it provides for substantial involvement between the Federal awarding agency or pass-through entity and the non-Federal entity in carrying out the activity contemplated by the Federal award.”

In general terms, “substantial involvement” refers to the degree to which federal employees are directly performing or implementing parts of the award program. In a grant, the federal government more strictly maintains an oversight and monitoring role. In a cooperative agreement, then, federal employees participate more closely in performing the program. When you read “cooperative,” think working “side-by-side.” The specific ways this involvement is integrated varies across programs and agencies.

It is important to note that the difference between grants and cooperative agreements is the degree of granting agency *programmatic* involvement rather than the type of *administrative* requirements imposed. Therefore, statutes, regulations, policies, and the information contained in the agency solicitation and/or guidelines that are applicable to grants also apply to cooperative agreements, unless the award itself provides otherwise. In addition to implementing the funded project consistent with the agency-approved project proposal and budget, the recipient must comply with award terms and conditions, and other legal requirements included in the award, incorporated into the award by reference, or are otherwise applicable to the award.

How might SJI include specific examples of “significant involvement” in a project?

Cooperative agreement awards include standard “funding agency involvement” conditions that describe the general allocation of responsibility for execution of the funded program. Generally stated, under cooperative agreement awards, responsibility for the day-to-day conduct of the funded project rests with the recipient in implementing the funded and approved proposal and budget, and the award terms and conditions. Responsibility for oversight and redirection of the project, if necessary, rests with funding agency, including tasks such as the following:

- approving project staff and any staffing changes;
- reviewing and approving major work plans, including changes to such plans, and key decisions pertaining to project operations;
- reviewing and approving major project-generated documents and materials used in the provision of project services; and
- providing guidance in significant project planning meetings and participating in project sponsored training events or conferences.

In addition to any “funding agency involvement” condition(s), cooperative agreement awards may include a special condition specifying certain reporting requirements required in connection with conferences, meetings, retreats, seminars, symposium, training activities, or similar events funded under the award to include policy and guidance on conference approval, planning, and reporting.