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	5. 42 U.S.C. 5101 et seq.	

PROGRAM INSTRUCTION

TO: The State Office, Agency, or Organization Designated by the Governor to Apply for a Children's Justice Act (CJA) Grant

SUBJECT: Availability of Fiscal Year (FY) 2023 Children's Justice Act Grants to States Under the Child Abuse Prevention and Treatment Act (CAPTA)

LEGAL

REFERENCES: Section 107(a), (b), (c), (d), (e) and (f) of the Child Abuse Prevention and Treatment Act (CAPTA) (42 U.S.C. 5106c et seq.) as amended by Public Law (P.L.) 111-320 enacted December 20, 2010; and the Victims of Crime Act of 1984, as amended (42 U.S.C. 10603 et seq.).

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PART I: BACKGROUND INFORMATION

Overview

Section 107(a) of the [Child Abuse Prevention and Treatment Act](#) (the Act) authorizes grants to States for the purpose of assisting States in developing, establishing and operating programs designed to improve: (1) the assessment and investigation of suspected child abuse and neglect cases, including cases of suspected child sexual abuse and exploitation, in a manner that limits additional trauma to the child and the child’s family; (2) the assessment and investigation of cases of suspected child abuse-related fatalities and suspected child neglect-related fatalities; (3) the investigation and prosecution of cases of child abuse and neglect, including child sexual abuse and exploitation; and (4) the assessment and investigation of cases involving children with disabilities or serious health-related problems who are suspected victims of child abuse or neglect.

The term “State” as used in Section 3 (7) of the Act includes each of the States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa and the Commonwealth of the Northern Mariana Islands. In FY 2023, 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa and the Commonwealth of the Northern Mariana Islands were deemed eligible for grants from funds deposited in the Crime Victims Fund, for a total of \$17,000,000.

Since the Virgin Islands, Guam, American Samoa and the Northern Mariana Islands may submit consolidated grant applications in accordance with 45 CFR Part 97, these jurisdictions need not submit an application under this Program Instruction (PI) if they choose to have their allotments included in a consolidated grant and to expend these funds under the authority of another program that is available for consolidation.

Purpose

The purpose of this PI is to set forth the eligibility requirements and the grant application procedures for FY 2023 Children’s Justice Act (CJA) grants and to provide the tentative State allocation table.

Availability and Allocation of CJA Funds

Funding for the CJA program is available from the Crime Victims Fund. Legislation requires in any fiscal year that funds be made available to the Department of Health and Human Services for CJA grants to the States, except that 15 percent will be reserved by the Attorney General for CJA grants to Native American Tribes. With the enactment of the Child Abuse Prevention and Enforcement Act (CAPE) in March 2000, the amount transferred to ACF is capped at \$17,000,000. The total funding available for the CJA grants is \$17,000,000.

Funds will be allocated to States based on a formula similar to that used in distributing the CAPTA State grants, i.e., a base amount of \$50,000 will be awarded to each State; an additional

amount will be awarded bearing the same ratio to the total funds remaining as the number of children under the age of 18 in each State bears to the total number of children under 18 in all the States.

The tentative FY 2023 allocation for each State is shown in Attachment 1 on pages 26-27.

Required Categories/Areas for Use of CJA Funds

Grant funds should be used to implement State Task Force recommendations in the following three categories (the three categories from Section 107(e)(1)(A) (B) and (C)) of the Act:

- A. investigative, administrative, and judicial handling of cases of child abuse and neglect, including child sexual abuse and exploitation, as well as cases involving suspected child maltreatment related fatalities and cases involving a potential combination of jurisdictions, such as intrastate, interstate, Federal-State, and State-Tribal, in a manner which reduces the additional trauma to the child victim and the victim's family and which also ensures procedural fairness to the accused;
- B. experimental, model, and demonstration programs for testing innovative approaches and techniques which may improve the prompt and successful resolution of civil and criminal court proceedings or enhance the effectiveness of judicial and administrative action in child abuse and neglect cases, particularly child sexual abuse and exploitation cases, including the enhancement of performance of court-appointed attorneys and guardians ad litem for children, and which also ensure procedural fairness to the accused; and
- C. reform of State laws, ordinances, regulations, protocols and procedures to provide comprehensive protection for children, which may include those children involved in reports of child abuse or neglect with a potential combination of jurisdictions, such as intrastate, interstate, Federal-State, and State-Tribal, from child abuse and neglect, including child sexual abuse and exploitation, while ensuring fairness to all affected persons.

Funding Projects and Activities

In accordance with Section 107(a) of CAPTA, grants awarded are to be used to develop, establish, and operate programs designed to improve:

- 1. the assessment and investigation of suspected child abuse and neglect cases, including cases of suspected child sexual abuse and exploitation, in a manner that limits additional trauma to the child and the child's family;
- 2. the assessment and investigation of cases of suspected child abuse-related fatalities and suspected child neglect-related fatalities;

3. the investigation and prosecution of cases of child abuse and neglect, including child sexual abuse and exploitation; and
4. the assessment and investigation of cases involving children with disabilities or serious health-related problems who are suspected victims of child abuse or neglect.

The on-going activities of a State Task Force in monitoring implementation of its recommendations and continuing interagency collaboration in carrying out the intent of the Act may be supported with these funds.

While CJA funds are not designed to support primary prevention programs or treatment services, CJA grantees are encouraged to explore collaborating with community-based partners to achieve common goals including the prevention of unnecessary parent-child separation and family disruption, reduction of child and family trauma, interruption of generational cycles of maltreatment, and development of a well-functioning child welfare system.

CJA funds are to be primarily focused on the front-end, intake, assessment, investigative, and prosecutorial phases of child welfare. Projects selected by a State Task Force should be mindful that funds must be spent to support efforts at this point in a child welfare case.

Examples of CJA-supported activities include, but are not limited to:

- Developing curricula and conducting training for personnel in law enforcement and child protective services, as well as health and mental health professionals, prosecutors and judges, and other multidisciplinary professionals. Examples of potential training topics include, but are not limited to: high-quality legal representation for parents with child welfare system involvement, forensic interviewing, Pediatric Sexual Assault Nurse Examiner training, Court Appointed Special Advocate (CASA) training, trauma-informed assessment and investigation strategies, etc.
- Developing, revising, and/or implementing uniform standard policies and procedures (e.g., risk and safety assessment protocols/tools) for agencies to follow when engaging with families during the assessment and investigation of cases of child abuse and neglect.
- Developing and implementing protocols for communication and data-sharing, as appropriate/allowable, between child welfare, law enforcement, education, and other relevant partners to streamline interagency coordination.
- Providing support for the development and/or implementation of tools to assist multidisciplinary professionals in identifying youth that are at-risk of, or are victims of, human trafficking.

- Fostering collaboration between the child welfare, legal, and judicial communities to ensure that all parties are held accountable and that reasonable efforts are made to prevent unnecessary family disruption.
- Evaluating CJA-funded projects, programs, and trainings to determine specific outcomes, changes in practice, and any related improvements to the systems handling of cases of child abuse and neglect.
- Establishing or enhancing child advocacy centers and other multidisciplinary programs to serve child victims and their families to minimize trauma.
- Establishing and supporting local and/or State child fatality review teams, including multidisciplinary training, team development, and annual reporting. This may also include supporting efforts to reduce child fatalities among children with current or previous child welfare involvement.
- Supporting the enactment of laws to improve system response and reduction of trauma to child victims, including allowing the admission of indirect testimony of children into evidence, making the courtroom setting less intimidating to children, increasing the penalties for sexual offenses against children, requiring mandatory sentencing, shortening the trial process and permitting victims to make statements prior to sentencing.
- Activities to better understand equity issues related to the populations served by child welfare, such as: analyzing and using program and administrative data to identify equity issues; examining how equity considerations inform planned use of grant funding; developing and/or implementing trainings for multidisciplinary professionals on racial bias and the use of an equity lens; and considering ways to measure the degree to which improvements at the aggregate level (e.g., state-wide) translate into improvements for all populations.

The Children’s Bureau’s Priorities for Creating an Equitable Child Welfare System

As CJA grantees carry out ongoing projects and prepare submissions for FY 2023 funding, CB urges grantees to consider how the following priority areas identified by CB to create a more equitable child welfare system may inform CJA work.

On January 20, 2021, President Biden signed [Executive Order 13985](#), “Advancing Racial Equity and Support for Underserved Communities Through the Federal Government.” This Executive Order defined the term “equity” as the consistent and systematic fair, just, and impartial treatment of all individuals, including those who belong to underserved communities that have been denied such treatment, such as Black, Latino, Indigenous and Native American, Asian Americans and

Pacific Islanders, and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.

Agencies across the federal government, including the Administration for Children and Families (ACF) and CB, are committed to advancing equity through our work at the federal level and with states, territories, tribes, and all other grantees. On February 2, 2022, ACF [issued Information Memorandum \(IM\) ACF-IOAS-22-01 on Equity in Action: Prioritizing and Advancing Racial Equity and Support for Underserved Communities](#).¹ This IM expresses ACF’s unequivocal commitment to advancing racial equity for all and calls for transformational leadership at all levels to ensure that Americans of all racial and ethnic backgrounds can reach their full potential. ACF strongly encourages its grantees to assess and address how its programs and policies may perpetuate systemic barriers for children and families of color.

On June 15, 2022, President Biden also signed Executive Order 14075 entitled, “[Advancing Equality for Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Individuals](#) (LGBTQI+).”² The purpose of the EO is to outline specific actions each federal agency is to take to combat unlawful discrimination and eliminate disparities that harm LGBTQI+ individuals and their families, defend their rights and safety, and pursue a comprehensive approach to delivering the full promise of equality for LGBTQI+ individuals. The Executive Order directed CB to partner with state child welfare agencies to help address and eliminate disparities in the child welfare system experienced by LGBTQI+ children, parents, and caregivers, including: the over-representation of LGBTQI+ youth in the child welfare system, and in congregate placements; disproportionately high rates of abuse, and placements in unsupportive or hostile environments faced by LGBTQI+ youth in foster care; disproportionately high rates of homelessness faced by LGBTQI+ youth who exit foster care; and discrimination faced by LGBTQI+ parents, kin, and foster and adoptive families.

Both Executive Orders provide a challenge and framework to thoughtfully identify and address opportunities to advance equity in child welfare policy and practice. Throughout this program instruction, CB has highlighted areas where we ask grantees to take steps to better understand and address inequities that exist in the front end of their respective child welfare, legal/judicial, law enforcement, and other related partner systems, and pay specific attention to opportunities for advancing equity within the populations that they serve. As you prepare your CJA annual submission, we encourage you to analyze available data to identify equity issues, examine how equity considerations inform planned use of funding, and consider outreach strategies and efforts

¹ To read the full IM and accompanying appendices click on the following links:

- [Information Memorandum on Equity in Action](#)
- [Attachment A Definitions](#)
- [Attachment B References](#)
- [Attachment C Selected Resources in Support of Racial Equity](#)

² The term “LGBTQI+” is used to be inclusive of individuals who have non-conforming gender identity or expression.

to engage underserved populations and those with lived experience in planning activities. Undertaking this work together, we can start to understand and address persistent inequities in child welfare services and chart a course to improve the lives of the children, youth, and families that we serve.

Racial inequity and disparities can be seen along the entirety of the child welfare continuum³, including in the investigation, assessment, and judicial handling phases addressed by the CJA program. Nationally, African American families are overrepresented in reports of suspected maltreatment⁴ and are subjected to Child Protective Services investigations at higher rates than other families⁵. African American, and American Indian or Alaska Native children are also at greater risk than other children of being confirmed for maltreatment and placed in out-of-home care⁶. As CJA grantees formulate plans for the coming year, they are encouraged to take steps to better understand racial inequities that exist in their and other related partner systems, and pay specific attention to opportunities for advancing equity within the populations that they serve. Cross-system collaborative approaches attuned to and actively addressing institutional inequities in the handling of cases of child abuse and neglect are necessary and encouraged through the CJA program.

In addition, the Children’s Bureau encourages CJA grantees to ensure that efforts are made to engage individuals from diverse racial and cultural backgrounds, as well as individuals with lived experience with the child welfare system, as members of their required Task Force (as described on page 19). The engagement of a diverse group of individuals including those with lived experience is essential for program improvement, especially for groups that have been historically marginalized and who disproportionately experience social and economic barriers. CJA grantees should [explore and implement strategies](#) to ensure that their Task Force membership includes racial and cultural diversity, is representative of the population served within the respective state, and includes authentic engagement of both youth and parents with lived experience with the child welfare system.

The Children’s Bureau has four priority goals that are designed to improve the lives of the children and families that we serve, and to improve the professional lives of the child welfare workforce. All of these goals are grounded in sound child welfare practice and equity principles consistent with the President’s Executive Orders.

³ Child Welfare Information Gateway. (2021). Child welfare practice to address racial disproportionality and disparity. U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau. <https://www.childwelfare.gov/pubs/issue-briefs/racial-disproportionality/>

⁴ Krase, K. S. (2013). Differences in racially disproportionate reporting of child maltreatment across report sources. *Journal of Public Child Welfare*, 7, 351–369. <https://doi.org/10.1080/15548732.2013.798763>

⁵ Kim, H., Wildeman, C., Jonson-Reid, M., & Drake, B. (2017). Lifetime prevalence of investigating child maltreatment among US children. *American Journal of Public Health*, 107, 274–280. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5227926/>

⁶ Yi, Y., Edwards, F. R., & Wildeman, C. (2020). Cumulative prevalence of confirmed maltreatment and foster care placements for US children by race/ethnicity, 2011–2016. *American Journal of Public Health*, 110, 704–709. <https://www.doi.org/10.2105/AJPH.2019.305554>

Prevent Children from Coming into Foster Care

We know that child and family poverty represents a key source of family vulnerability. However, too often, poverty and neglect are conflated leading to unnecessary child welfare involvement and separation of children from their families. As child- and family-serving professionals, we must examine both legal definitions and frontline practice to disentangle poverty from neglect, so that we can provide meaningful support to strengthen families, keep children safe and prevent unnecessary entries into foster care.

Another key strategy is to ensure that families have access to legal services to help them advocate for needed services and resolve issues that lead to child welfare involvement. CB is committed to expanding availability and access to high quality legal representation.

Support Kinship Caregivers

Nationally, about 2.7 million children are being raised in kinship care without a parent present. The term “kinship care” encompasses a variety of situations in which children are raised by other family members, relative caregivers or close non-related caregivers when the child’s parents are unable to care for the child. While kinship caregivers provide essential support to children, they often do not receive adequate support.

CB is committed to strengthening support for grandparents and other kin caring for children by working with states to ensure equitable access to licensure for relative foster care providers and by expanding kinship navigator programs to support all kinship caregivers in learning about and gaining access to financial support, legal assistance and support groups. While direct support for kinship caregivers is not an allowable use of CJA funds, CB encourages grantees to maintain an awareness of this important work.

Ensure Youth Leave Care with Strengthened Relationships, Holistic Supports, and Opportunities

We must support young adults in having a successful transition to adulthood. Youth have repeatedly shared that they need secure connections to loving adults who can guide them into adulthood after foster care. They also tell us they need strong financial resources, as well as opportunities to develop skills and access supports to allow them to further their education, training, and chart their life course. We can support young people by promoting legal and relational permanency and providing robust services and supports, including services to promote physical and mental health and well-being. We must also ensure that youth in foster care are able to participate fully in activities that are a normal part of the transition to adulthood, including activities at school and in their communities

While direct support for children and youth in foster care is not an allowable use of CJA funds, CB encourages grantees to maintain an awareness of these efforts and explore ways to support

reasonable efforts to prevent unnecessary removal and entry into foster care on the front end of the system. Such efforts may include training and supports for legal and judicial staff around strengthening quality legal practice that meaningfully engages youth in court and case planning.

Invest in the Child Welfare Workforce

Since the beginning of the pandemic, CB has heard from states about the issue of a significantly diminished child welfare staff recruitment pool and an increase in staff turnover rate at all levels of the agency. The Quality Improvement Center for Workforce Development (QIC-WD) reports that turnover in child welfare before the pandemic was 6 times the national average for other types of jobs. (QIC-WD, 2018). Other national data suggest that the annual turnover rate in child welfare agencies ranges between 20 and 40 percent, with some areas having turnover rates as high as 90-100 percent during the pandemic.

While staff turnover has been recognized as a widespread problem for years, it has become clear that even basic improvements in child welfare practice and outcomes may not be realized without strengthening the child welfare workforce. Additional funding and innovative strategies are desperately needed for the recruitment, training, and retention of child welfare staff to improve the quality of child welfare practice, including strategies addressing significant secondary traumatic stress.

CB is committed to supporting strategies for retaining current child welfare staff and exploring new and innovative non-traditional pathways to expand agency recruitment pools. This includes prioritizing the hiring of a diverse, stable, and well-trained workforce essential to providing culturally sensitive services to children and families from a wide variety of backgrounds.

CB looks forward to engaging with grantees to address the above priorities as we jointly seek to make meaningful progress in advancing equity and improving the lives of the children, youth, and families that we serve.

Linkages between CJA and Other Children's Bureau Programming

Linkage to Anti-Trafficking Efforts

ACF is committed to supporting ongoing efforts to meet the requirements to address the intersection of trafficking and child welfare. The Children's Bureau has developed resources and guidance for states in implementing mandates under Public Law (P.L.) 113-183: The Preventing Sex Trafficking and Strengthening Families Act, which amends the title IV-E foster care program to address trafficking, and P.L. 114-22: The Justice for Victims of Trafficking Act, which amends the CAPTA state grant program to add new plan requirements related to trafficking and modifies the definition of child abuse and neglect related to trafficking. Additional information on these

pieces of legislation and other resources related to anti-trafficking efforts are available on the [Child Welfare Information Gateway](#).

The Children's Justice Act specifically mentions the issue of exploitation, and a number of CJA State Task Forces have directed CJA funds to projects that address exploitation and trafficking. CJA projects responding to trafficking must be focused on systems improvement in response to cases of child maltreatment. Examples of appropriate use of CJA funds in this area include, but are not limited to: trainings for first responders on identifying children and youth who have experienced trafficking, training/collaborative efforts between child protective services and law enforcement, and/or development of procedures or a resource (tool kit) for professionals to address trafficking or exploitation of children and youth. Other areas might focus on policies and procedures to promote successful prosecution of the traffickers/exploiters of children and ways to reduce child victim trauma.

Linkage to other Children's Bureau Processes

The Children's Bureau is committed to the alignment of formula grants, such as CJA, with the work conducted under other federally-funded programs. CJA programs should be aware of, and identify opportunities to coordinate and collaborate with State work.

Child and Family Services Plan (CFSP)

States are required to develop a Child and Family Services Plan (CFSP), a five-year strategic plan that sets forth the vision and the goals to be accomplished to strengthen the State's overall child welfare system.

A primary purpose of the CFSP is to facilitate states' integration of the programs that serve children and families, including title IV-B, subparts 1 and 2 of the Social Security Act (SSA), and the Chafee Foster Care Program for Successful Transition to Adulthood (Chafee) and Education and Training Vouchers (ETV) programs (section 477 of the SSA) for older youth and/or young adults formerly in foster care, into a continuum of services for children and their families. The CFSP consolidates plans for these programs to help states comprehensively integrate the full array of child welfare services, from prevention and protection through permanency (45 CFR 1357.15(a)). States are required to make these plans available to the public and many of them are [located online](#). In addition, while states are no longer required to submit a new plan for the CAPTA state grant program every five years, they are required to submit an annual update on their use of CAPTA State grant funds each year and to submit other updates to the CAPTA plan, as needed. These CAPTA plan reports and updates are submitted with the CFSP and Annual Progress and Services Reports (APSR) each year.

Since the CFSP process began in 1994, there have been five complete five-year cycles. The most recent CFSP submission, covering FYs 2020-2024, was due June 30, 2019.

In the Program Instruction for the 2020-2024 CFSP, states were asked to provide information on how they are collaborating with CJA grantees. States have been informed that the process of coordination and collaboration implemented during the 2020-2024 CFSP development should be continued and strengthened in the development of the 2024 APSR which is due June 30, 2023. When conducting the annual review in preparation for submission of the APSR, States have been encouraged to engage various entities, including the CJA grantee in their respective State, who are part of the ongoing CFSP-related consultation and coordination process.

The next CFSP for FYs 2025-2029 will be due June 30, 2024. The Children's Bureau encourages states to begin planning now for the next CFSP. The June 30, 2024 submission will include: the 5th APSR/Final Report for the 2020-2024 CFSP period, and the new CFSP for FYs 2025-2029.

Child and Family Services Reviews (CFSR)

The fourth round (Round 4) of the CFSRs began in FY2022 with distribution of the state data profiles to Year 1 states for use in completing the statewide assessment. CFSRs provide federal oversight of states' compliance with title IV-B and IV-E plan requirements; help strengthen state child welfare systems; and improve safety, permanency, and well-being outcomes for children and families served. CFSRs encourage states to complete a comprehensive assessment of their child welfare system using qualitative and quantitative data, including a core set of CFSR data indicators and case record review results, along with information collected through stakeholder interviews. Using findings from the CFSR, along with other data and information, states develop and implement targeted Program Improvement Plans (PIP) to drive meaningful and long-lasting system, program, and practice change and to achieve quantifiable measures of improvement. States are required to demonstrate the active engagement of child welfare system partners and stakeholders throughout the CFSR and PIP process. The state's CFSP/APSRs should be coordinated with PIP efforts related to the CFSR, and CJA grantees should be aware of upcoming efforts around Round 4 activities.

The Children's Bureau encourages CJA grantees to, at a minimum, develop and/or maintain an awareness of the overall goals and strategies of their respective child welfare agency. In addition, the Children's Bureau continues to encourage CJA programs and their State Task Force members to become active and engaged participants in various stakeholder meetings and planning committees related to the CFSR, CFSP, and APSR.

The Children's Bureau Regional Office and Central Office staff can assist CJA programs in making connections to improve collaboration and coordination to improve services for children and families. CJA grantees may contact the CJA Federal Project Officer if they are unsure who to contact in their state regarding the CFSR and CFSP processes.

Linkage to Court and Legal Representation Improvement Work

The Children’s Bureau strongly encourages all child welfare agencies and jurisdictions (including state and county courts, administrative offices of the court, and Court Improvement Programs) to work together to ensure that high quality legal representation⁷ is provided to all parties in all stages of child welfare proceedings, including the front-end stages that are the focus of the Children’s Justice Act. High quality legal representation includes the in-court and out-of-court practices of parents’ attorneys, children’s attorneys and/or attorney GALs, and state or child welfare agency attorneys to ensure competent legal representation in child welfare cases⁸.

High quality legal representation is a powerful tool to help ensure that reasonable efforts⁹ are made and that the voices of parents, children and youth are heard. This requires attorneys to work with parents and youth to identify and advocate for services and supports and to ensure that parents and youth understand their rights and the complicated processes that directly affect their lives and well-being. Attorneys can also provide legal services to remove obstacles for families and youth that may leave them more vulnerable to entering the child welfare system, such as difficulties with housing, educational, employment, determining paternity and other civil legal issues.

Court Improvement Program

The Children’s Bureau’s Court Improvement Program (CIP) is a mandatory formula grant authorized under the Social Security Act. All 50 States, the District of Columbia, Puerto Rico and the Virgin Islands of the United States receive CIP funding. The purpose of the program is to promote the continuous quality improvement of court processes and legal representation in child welfare proceedings through ongoing assessment, data collection and analysis, and training. The CIP is also designed to enhance collaboration between the judicial branch of state government, state child welfare agencies, other executive branch agencies, and tribes. The grant requires the creation of a statewide multi-disciplinary task force, a strategic plan and an annual self-assessment of how the grantee is progressing on its identified priorities.

CJA grantees are encouraged to connect with the CIP Director in their state and become familiar with efforts to improve the handling of child welfare proceedings under the program and explore opportunities for collaboration toward shared outcomes. CIPs have also been encouraged through the recent Children’s Bureau IMs to engage proactively with child welfare agencies to promote the active involvement of the legal and judicial community in efforts to reshape the child welfare system to improve legal representation and reduce child and family trauma, as noted above. A

⁷ See <https://www.acf.hhs.gov/sites/default/files/documents/cb/im2106.pdf>

⁸ See https://www.americanbar.org/content/dam/aba/administrative/child_law/jcamp-vol-v-background-research.pdf

⁹ “Reasonable efforts” are a title IV-E agency requirement to obtain a judicial determination that the child welfare agency has made efforts (1) to maintain the family unit and prevent the unnecessary removal of a child from the home, as long as the child’s safety is ensured, and (2) to make and finalize a permanency plan in a timely manner (sections 471(a)(15) and 472(a)(2)(A) of the Act).

CIP Director listing is included as an attachment to this program instruction, and Children’s Bureau staff are available to assist in making connections between CJA grantees and CIP Directors.

With the support of the Children’s Bureau and CIPs, a [new set of model measures](#) of judicial, attorney, and court performance were developed last year. These include a step-by-step method to assess needs, choose measures, and a suite of model tools to collect data.

Enhanced Response to Children and Families Impacted by Domestic Violence

The co-occurrence of child maltreatment and domestic violence is well-documented, and families experiencing such circumstances often present with complex challenges to first responders including child welfare, law enforcement, and other involved stakeholders¹⁰. The Children’s Bureau recognizes and supports the value of a cross-system approach to improving practice and outcomes for children who experience domestic violence. A collaborative approach between child welfare, law enforcement, domestic violence service providers, and other stakeholders is necessary to appropriately identify, assess, and investigate domestic violence in the home, and reduce the risk posed to children and domestic violence survivors. The importance of a collaborative approach to investigation and assessment of domestic violence and child maltreatment is key to ensuring that professionals engage with children and their caregivers with exposure to domestic violence in a trauma-informed manner that does not expose them to additional harm¹¹. One way to promote effective collaboration in the assessment and investigation of cases involving domestic violence is through cross-training. Regardless of who hosts the training, cross-training allows child welfare, domestic violence, and other professionals to receive and provide relevant information simultaneously about their respective processes and subject areas. CJA grantees are encouraged to explore opportunities, such as cross-training, to enhance and improve the ways in which first responders, including law enforcement and child welfare, engage with children and families experiencing domestic violence in a trauma-informed manner that reduces additional harm to the child and the survivor.

PART II: FINANCIAL INFORMATION AND REPORTING REQUIREMENTS

Federal funds awarded through these grants must be expended for the purposes for which they were awarded and within the time period allotted, in accordance with the deadlines discussed below.

¹⁰ Capacity Building Center for States. (2018). Child protection in families experiencing domestic violence (2nd ed.). Washington, DC: Children’s Bureau, Administration for Children and Families, U.S. Department of Health and Human Services.

¹¹ Child Welfare Information Gateway. (2020). Domestic violence: A primer for child welfare professionals. U.S. Department of Health and Human Services, Administration for Children and Families, Children’s Bureau.

Financial Reporting Schedule and Format

Funding (Project) Period/Obligation Deadline (10/01/2022 – 09/30/2026)

States are encouraged to obligate (e.g., establish and sign contracts, sign Purchase Orders, etc.) CJA Federal funds within one year of award, but are required to obligate CJA funds no later than three years after the end of the fiscal year in which the funds are awarded. Please refer to [ACYF-CB-PI-18-08](#), *Change in Expenditure Period Length for Children’s Justice Act Grant Funds*, for additional information on recent guidance which allows for the four-year obligation/liquidation period for CJA grant funds.

Liquidation Deadline (12/29/2026)

All obligated Federal funds awarded under this grant must be liquidated no later than 90 days after the end of the funding/obligation period. Grantees have until December 29, 2026 to liquidate FY 2023 CJA funds. Any Federal funds from this award not liquidated by this date will be recouped by the Department. This liquidation period, 90 days past the obligation date, is to assist grantees in paying invoices for services not completed but obligated by end of the obligation period (September 30, 2026).

The method of recoupment will be issuance of a negative grant award for any unobligated or unliquidated balances reported as of December 29, 2026, and these funds will be returned to the United States Treasury.

Federal Financial Reporting System and Form SF-425, “Federal Financial Report”

Beginning with the FY 2016 grant awards, HHS consolidated the tracking of cash transactions and reporting of expenditures into a single reporting system. Starting with these awards, both the cash transactions (Lines 10 a, b, and c) and the expenditures, obligations and liquidations (Lines 10d through 10o) are reported through the grantee’s online accounts with the [Payment Management System](#) (PMS). This information is no longer reported separately using OLDC or GrantSolutions.

SF-425 reports will continue to be due as frequently as is required in the award terms and conditions. Reports of expenditures will be due annually at the end of each calendar year.

Every grantee should already have a PMS account to allow access to complete Form SF-425. If your office needs additional user access, please contact your PMS Account Liaison. Questions related to fiscal reporting and other administrative requirements should be directed to the assigned Grants Management Officer identified in your Notice of Award.

Expenditure Report Submission Schedule: Annual

Each annual report must be submitted no later than December 29 - 90 days following the end of each Federal Fiscal Year.

- (a) An Interim report(s) is due within 90 days following the end of each Federal Fiscal Year (e.g. 12/29/2023, 12/29/2024, 12/29/2025) during the obligation period;
- (b) A Final report (cumulative, covering the entire 4-year project period 10/01/2022 – 09/30/2026) is due the last day of the respective liquidation period (e.g. 12/29/2026).

Grant Administration Regulations

The regulations which apply to the administration of these grants are contained in [45 CFR Part 75](#), "UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR HHS AWARDS."

Contact Information

Please note that questions regarding the obligation and liquidation of funds according to the terms and conditions of their grant award should be directed to their Grants Management Officer in the Office of Grants Management. Please see Appendix 2 for contact information for the Grants Management Officers.

PART III: APPLICATION INSTRUCTIONS

A. SUBMISSION INSTRUCTIONS

Format: Grantees are encouraged to complete and submit the [SF-424M](#), "Application for Financial Assistance-Mandatory," as a cover page with their annual submission. We recommend that grantees complete and submit the SF-424M because much of its content is required information for applicants, including the Unique Entity ID (UEI)¹². Should grantees choose not to complete and submit the SF-424M, they must ensure that all the information listed below under C.1. - Grantee Identifying Information, is included elsewhere in the submission.

To receive a grant, States must meet the eligibility requirements identified below in Section B: Eligibility Instructions.

Signature: The application and report may be signed by the Governor or an individual authorized to act on behalf of the State office, agency, or organization designated by the Governor to apply for a CJA grant, and to assume for that agency the obligations imposed by the terms and conditions of the grant award.

¹² The DUNs number is being replaced by a Unique Entity ID (UEI) number effective 4/04/2022. All existing grantees can check the federal website SAM.gov to retrieve their assigned UEI number. New grantees will be assigned a UEI when they register on SAM.gov. Grantees are encouraged to confirm their EIN and UEI with SAM.gov prior to submission of the report and application.

The assurance letter related to the CJA award may be signed by the Governor or an individual authorized to act on behalf of the State office, agency, or organization designated by the Governor to apply for the CJA grant. The assurance letter requirement is detailed on page 20.

Delivery: The Federal government is continually striving to promote efficiency in the management of its programs. As such, States should submit the application and subsequent annual program reports electronically. Consistent with Action Transmittal No. OGM-AT-13-01, issued September 25, 2013 by the ACF Office of Grants Management, as of October 1, 2013, all applications, plans and financial reports for mandatory grants must now be submitted electronically. **States should submit their application and report, and the three-year assessment (if applicable), to the CJA Resource Inbox at: childrensjusticeact@acf.hhs.gov.**

B. **ELIGIBILITY INSTRUCTIONS**

1. **Eligibility Requirements**

Eligibility for a CJA grant is based on two sets of requirements:

- (a) States must be in compliance with the child abuse and neglect State Grant requirements set forth in Section 106(b) of CAPTA at the time of the CJA award. States not eligible for a State Grant will not be eligible for a FY 2023 CJA grant.
- (b) States must fulfill the CJA requirements specified in Section 107 of the Act. These requirements differ for: (A) States which met the three-year assessment requirement and received CJA funding in FY 2020; and (B) all other States. These requirements are specified in the “Documentation of Eligibility” section which follows.

2. **Documentation of Eligibility**

All States must complete Part C below and applicable sections of Part E on pages 23-24. States required to submit a three-year assessment with this application must complete the additional requirements stated in Part D, “Additional Requirements for States” on pages 21-23.

C. **REQUIREMENTS FOR ALL STATES**

All States **must provide** as part of the application information regarding:

1. Grantee Identifying Information¹³

Each submission must include the following information:

- The name, mailing address, and email address of the grantee agency.
- The grantee agency's Employer Identification Number (EIN) and UEI number.
- The name, telephone number, and email address of the program staff member responsible for the CJA grant program.
- The name, telephone number, and email address of the fiscal agent responsible for the CJA grant program.

2. Establishment and Maintenance of a CJA State Task Force (Sections 107(b)(2) and 107(c)(1)) of the Act

States must provide documentation that the State has established or designated and maintained a multidisciplinary Task Force on children's justice, composed of professionals with knowledge of and experience with the criminal justice system and the system handling child physical abuse, child neglect, child sexual abuse and exploitation, and child maltreatment related fatalities. Submitted documentation may include information on the Task Force's meeting schedule, meeting attendance, meeting minutes, description of any subcommittees and their purpose and accomplishments, and/or any other information that documents the work and accomplishments of the Task Force over the last reporting period.

Applicants must clearly list the Task Force member for each discipline. **The documentation must include the names, titles and brief descriptions of the relevant professional experience of each Task Force member, and designation of which professional category the task force member represents.** States have found presenting this information in table format useful.

Applicants are reminded that each Task Force member may only represent one discipline. Though members may have experience in multiple disciplines, submitted documentation must demonstrate that each of the required 14 disciplines is filled by a unique Task Force member.

Documentation must demonstrate that the State Task Force includes members representing the following disciplines **as specified in Section 107(c)(1) of the Act:**

- Law Enforcement Community
- Criminal Court Judge(s)
- Civil Court Judge(s)

¹³ It is incumbent upon the lead agency to provide timely notification to the CJA Federal Project Officer if there are any changes in the following lead agency information during the grant award period. Grantees are encouraged to provide this information by submitting the SF-424M as referenced earlier in this Program Instruction. Should grantees choose not to complete and submit the SF424-M, the information listed here must be provided elsewhere in the submission.

- Prosecuting Attorney(s)
- Defense Attorney(s)
- Attorney(s) for Children
- Court Appointed Special Advocate Representative(s), where such programs are in operation
- Health Professional(s)
- Mental Health Professional(s)
- Child Protective Service Agencies
- Individual(s) experienced in working with children with disabilities
- Parents and Representatives of Parent Groups
- Adult former victims of child abuse and or neglect¹⁴; and
- Individuals experienced in working with homeless children and youths (as defined in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a)).

3. Assurance Letter

A letter addressed to Rebecca Jones Gaston, Commissioner, Administration on Children, Youth and Families (ACYF), signed by the Governor or an individual authorized to act on behalf of the State office, agency, or organization designated by the Governor to apply for the CJA grant certifying the following assurances:

- (a) **the State received the FY 2022 child abuse and neglect Basic State Grant and continues to comply** with the requirements stipulated in Section 106(b) of the Act; or the State has received a recently rendered Federal decision attesting to the State's current compliance with the requirements for the Basic State Grant under Section 106(b); **and**
- (b) **the State has maintained a State multidisciplinary task force on children's justice; and**
- (c) **the State has adopted or continues to progress in adopting recommendations of the State Task Force** or a comparable alternative to such recommendations; **and**
- (d) **the State will make such reports to the Secretary as may reasonably be required, including an annual report** on how assistance received under

¹⁴ While the language in the Act describes this category of Task Force members as “adult former victims of child abuse and or neglect,” we urge all Task Forces to consult with those individuals to determine a designation that may provide a more meaningful and empowering way to describe their experience and role on the Task Force, particularly for use in public events or public facing documents. Changing language can support the empowerment of individuals whose lives were affected by child abuse and neglect, but who now, through their participation on the Task Force, are drawing on that life experience to improve the child protection system.

this program was expended throughout the State, with particular attention to the areas described in paragraphs (1) through (3) of Section 107(a); **and**

- (e) **the State will maintain and provide access to records relating to activities under CJA; and**
- (f) **the State will participate in at least one Federally initiated CJA meeting each year that the grant is in effect and are authorized to use grant funds to cover travel and per diem expenses for two CJA representatives (CJA Coordinator and Task Force Chairperson) to attend the meeting when held in person.**

Please note that a **new and updated** assurance letter with the aforementioned assurances must be included every year as part of the CJA application. The letter should be submitted electronically with the annual report and application per the submission instructions included above on page 17.

4. **Certification**

The following certification is required at the time of application for Federal funds:

Certification Regarding Lobbying

Pursuant to 45 CFR Part 93, the certification ***must be signed and submitted with the application.*** If applicable, a SF LLL-Disclosure of Lobbying Activities, which discloses lobbying payments, must be submitted.

A retyped certification or a State's own certification form **will not** be accepted.

D. **ADDITIONAL REQUIREMENTS FOR STATES**

Three-year Assessment Requirement

Section 107(d) of the Act requires the State Task Force to undertake a comprehensive review and evaluation of the investigative, administrative, and both civil and criminal judicial handling of cases of child abuse and neglect and to make training and policy recommendations in each of the three categories in Section 107(e)(1)(A), (B) and (C). The State Task Force assessment (review, evaluation and recommendations) is required for an initial application and at three-year intervals thereafter.

The assessment must include a report clearly outlining the *review, evaluation, and recommendations* in all the areas required in Section 107(e)(1)(A), (B) and (C). See required areas on page 5.

The report must detail the process used by the State to conduct and complete the Three-year Assessment. The review and evaluation should build on prior assessments and note system improvements related to prior work. The review must outline proposed policy and training recommendations.

Additional information: The report may also include any other relevant comments and recommendations. States may identify numerous training and policy recommendations and choose to prioritize certain recommendations to be supported by CJA funding.

States which completed the three-year assessment requirement **in FY 2020** must **include in their FY 2023 application** documentation that the State Task Force complied with the requirement for a State Task Force study per the three-year interval requirement. Those States are:

Alaska
California
Pennsylvania
Virginia
Wyoming

States required to submit a Three-year Assessment with this application must provide:

1. **A statement of the Task Force's function/purpose**
2. **The date the Task Force was established**
3. **State Task Force Recommendations (Section 107(d))**

Documentation that the State Task Force has comprehensively:

- (a) reviewed and evaluated State investigative, administrative and both civil and criminal judicial handling of cases of child abuse and neglect, including child sexual abuse and exploitation, as well as cases involving suspected child maltreatment related fatalities and cases involving a potential combination of jurisdictions, such as intrastate, interstate, Federal-State, and State-Tribal; and
- (b) made policy and training recommendations in each of the categories described in Section 107(e) of the Act. The task force may make such other comments and recommendations as are considered relevant and useful.

Documentation must include a report of the State Task Force study including its recommendations in all areas required in Section 107(e) of the Act.

4. **State Implementation of the State Task Force Recommendations (Section 107(e) of the Act)**

Documentation that the State adopted the Task Force recommendations as stipulated in 3(b) above.

Note: As provided in Section 107(e)(2) of the Act, a State shall be considered to be in fulfillment of Section 107(e)(1) requirements if it:

- (a) adopts comparable alternatives to the recommendations of the Task Force in each of the categories for which the Task Force's recommendations are not adopted; or
- (b) is making substantial progress toward adopting the Task Force recommendations or comparable alternatives to such recommendations.

The documentation must identify all Task Force recommendations adopted and/or comparable alternatives designed to carry out the purposes of the Act; describe the actions yet to be taken and timetables for implementing each recommendation or comparable alternative; or be sufficient to support a showing that the State is making substantial progress in adopting Task Force recommendations or comparable alternatives.

E. **PROGRAM DESCRIPTION INSTRUCTIONS**

Annual Program Performance Reporting Requirements

The program performance report is required annually. The reporting period for a program performance report should include activities for the 12-month period preceding the date of submission of the application (May 2022 to May 2023). A program performance report should focus on the **programming, outputs, and outcomes** of CJA activities and projects for the prior year.

Reports should include:

- clear statement of the needs of the State as identified by the Task Force in the most recent Three-Year Assessment;
- activities implemented through CJA over the course of the reporting period;

- corresponding outputs and outcomes of each implemented activity (including results from any process or outcome evaluations);
- clear indication of how each funded activity relates to the needs of the State as identified by the Task Force in the most recent Three-Year Assessment; and
- a description of project impact and/or progress related to the required categories in Section 107(e)(1)(A), (B), and (C). See required areas on page 5.

Application for Proposed Activities Requirements

All submissions must also include an application for proposed activities to be supported with Children's Justice Act grant funds over the 12-month period following submission of the application.

The Application should include:

1. the goals and objectives of each proposed project;
2. approaches to be used to achieve the goals and objectives of each proposed project;
3. a clear budget for each proposed project;
4. evaluation efforts related to each project, as appropriate;
5. an explanation of the extent to which each project contributes to the reform of State systems handling cases of child abuse and neglect and furthers implementation of State Task Force recommendations;
6. a description of which required category (as described on page 5 (A), (B), and (C)) will be addressed through each proposed project; and
7. a clearly articulated demonstration of the CJA program's awareness of the CFSP and APSR strategies and goals, and the ways in which the CJA program's activities and goals align with those of the CFSP and APSR, as appropriate.

PART IV: ADDITIONAL INFORMATION

Closing Date for Receipt of Applications

All required documentation must be submitted electronically via email to the CJA Resource Inbox at childrensjusticeact@acf.hhs.gov by **May 31, 2023**.

Intergovernmental Review of Federal Programs (Executive Order 12372)

This program is covered under Executive Order (EO) 12372, "Intergovernmental Review of Federal Programs," for State plan consolidation and simplification only (See 45 CFR 100.12). The review and comment provisions of the EO and Part 100 do not apply.

Paperwork Reduction Act

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid Office of Management and Budget (OMB) Control Number.

Public reporting burden for this collection of information is estimated to average 60 hours per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information.

In accordance with the Paperwork Reduction Act of 1995 (P.L. 104-13), the Department is required to submit to OMB for review and approval any reporting and record-keeping requirements or program announcements. This program announcement meets all information collection requirements approved for ACF grant applications under OMB Control Number 0970-0425 which expires June 30, 2023.

Catalog of Federal Domestic Assistance (CFDA) # 93.643

Inquiries to:

Lauren Fischman
Child Welfare Program Specialist
Office on Child Abuse and Neglect
Children’s Bureau
Telephone: (202) 205-4539
Email address: lauren.fischman@acf.hhs.gov

Effective Date: Upon Issuance.

/s/

Rebecca Jones Gaston
Commissioner
Administration on Children, Youth and Families

Disclaimer Language

The contents of this document do not have the force and effect of law and are not meant to bind the public in any way, unless specifically incorporated into a contract. This document is intended only to provide clarity to the public regarding existing requirements under the law.

Attachment 1: Tentative Fiscal Year 2023 State Allocation Table

Grantee	Tentative Allocation Amount
ALABAMA	264,380
ALASKA	83,961
ARIZONA	359,291
ARKANSAS	184,307
CALIFORNIA	1,730,071
COLORADO	288,391
CONNECTICUT	191,073
DELAWARE	90,047
DISTRICT OF COLUMBIA	74,288
FLORIDA	868,982
GEORGIA	532,955
HAWAII	107,804
IDAHO	139,498
ILLINOIS	586,300
INDIANA	353,044
IOWA	190,968
KANSAS	184,382
KENTUCKY	244,167
LOUISIANA	256,236
MAINE	98,483
MARYLAND	311,045
MASSACHUSETTS	314,358
MICHIGAN	463,252
MINNESOTA	301,465
MISSISSIPPI	182,391
MISSOURI	314,141
MONTANA	94,855
NEBRASKA	142,198
NEVADA	182,856
NEW HAMPSHIRE	99,564
NEW JERSEY	436,675
NEW MEXICO	140,692
NEW YORK	839,300
NORTH CAROLINA	491,597

Grantee	Tentative Allocation Amount
NORTH DAKOTA	85,344
OHIO	548,472
OKLAHOMA	233,296
OREGON	214,777
PENNSYLVANIA	563,990
RHODE ISLAND	90,769
SOUTH CAROLINA	263,460
SOUTH DAKOTA	91,931
TENNESSEE	343,983
TEXAS	1,476,247
UTAH	230,865
VERMONT	72,892
VIRGINIA	411,135
WASHINGTON	369,247
WEST VIRGINIA	118,821
WISCONSIN	294,369
WYOMING	75,253
AMERICAN SAMOA	53,296
GUAM	57,504
NORTHERN MARIANA ISLANDS	52,463
PUERTO RICO	155,775
VIRGIN ISLANDS	53,090
Total	17,000,000

Attachment 2: Office of Grants Management Contact Information

Region	Assigned Grants Management Officer	Contact Information
Region 1	George Barnwell	George.barnwell@acf.hhs.gov
Region 2	George Barnwell	George.barnwell@acf.hhs.gov
Region 3	George Barnwell	George.barnwell@acf.hhs.gov
Region 4	George Barnwell	George.barnwell@acf.hhs.gov
Region 5	Margaret Harrell	Margaret.harrell@acf.hhs.gov
Region 6	Margaret Harrell	Margaret.harrell@acf.hhs.gov
Region 7	George Barnwell	George.barnwell@acf.hhs.gov
Region 8	Margaret Harrell	Margaret.harrell@acf.hhs.gov
Region 9	Margaret Harrell	Margaret.harrell@acf.hhs.gov
Region 10	Margaret Harrell	Margaret.harrell@acf.hhs.gov

Please visit the ACF Regional Map [here](#) to determine your region.