

## SJi Newsletter

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### SJi Priority Investment Areas Announced for FY 2021

Each fiscal year, SJi allocates significant financial resources to support its [Priority Investment Areas](#) (PIAs). The PIAs are applicable to all grant types, and the categories within allow for greater flexibility to be responsive to current and emerging court trends. These broad PIAs are closely aligned with SJi's mission in both statute and policy. SJi strongly encourages potential grant applicants to consider projects addressing one or more of these PIAs, and to integrate the following factors into each proposed project:

- Evidence based, data-driven decision making
- Cross sector collaboration
- Systemic approaches (as opposed to standalone programs)
- Ease of replication
- Sustainability

For FY 2021, the Priority Investment Areas are listed below in no specific order:

#### **Opioids and Other Dangerous Drugs, and Behavioral Health Responses** **Behavioral Health Disparities**

Research indicates that justice involved persons have significantly greater proportions of mental, substance use, and co-occurring disorders than are found in the public. SJi supports cross-sector collaboration and information sharing that emphasizes policies and practices designed to improve court responses to justice-involved persons with behavioral health and other co-occurring needs.

## **Promoting Access to Justice and Procedural Fairness**

### ***Self-Represented Litigation***

SJI promotes court-based solutions to address increases in self-represented litigants; specifically making courts more user-friendly by simplifying court forms, providing one-on-one assistance, developing guides, handbooks, and instructions on how to proceed, developing court-based self-help centers, and using Internet technologies to increase access. These projects are improving outcomes for litigants and saving valuable court resources.

### ***Language Access***

SJI supports language access in the state courts through remote interpretation (outside the courtroom), interpreter training and certification, courtroom services (plain language forms, websites, etc.), and addressing the requirements of [Title VI of the Civil Rights Act of 1964 and the Omnibus Crime Control and Safe Streets Act](#).

### ***Procedural Fairness***

A fundamental role of courts is to ensure fair processes and just outcomes for litigants. SJI promotes the integration of research-based procedural fairness principles, policies, and practices into state court operations to increase public trust and confidence in the court system, reduce recidivism, and increase compliance with court orders.

## **Reducing Disparities and Protecting Victims, Underserved, and Vulnerable Populations**

### ***Human Trafficking***

SJI addresses the impact of federal and state human trafficking laws on the state courts, and the challenges faced by state courts in dealing with cases involving trafficking victims and their families. These efforts are intended to empower state courts to identify victims, link them with vital services, and hold traffickers accountable.

### ***Rural Justice***

Rural areas and their justice systems routinely have fewer resources and more barriers than their urban counterparts, such as availability of services, lack of transportation, and smaller workforces. Programs and practices that are effective in urban areas are often inappropriate and or lack supported research for implementation in rural areas. SJI supports rural courts by identifying promising and best practices, and promoting resources, uniquely designed for rural courts and court users.

### ***Guardianship, Conservatorship, and Elder Issues***

SJI assists courts in improving court oversight of guardians and conservators for the elderly and incapacitated adults through visitor programs, electronic reporting, and training.

### ***Disparities in Justice***

SJI supports research and data-driven approaches that examine statutory requirements, policies, and practices that result in disparities for justice-involved persons. These disparities can be because of inequities in socio-economic, racial, ethnic, gender, age, health, or other factors. In addition to identifying disparities, SJI promotes systemic approaches to reducing disparities.

## **Advancing Justice Reform**

### ***Criminal Justice Reform***

SJI assists state courts in taking a leadership role in reviewing fines, fees, and bail practices to ensure processes are fair and access to justice is assured; implementing alternative forms of sanction; developing processes for indigency review; promoting transparency, governance, and structural reforms that promote access to justice, accountability, and oversight; and implementing innovative diversion and re-entry programs that serve to improve outcomes for justice-involved persons and the justice system.

### ***Juvenile Justice Reform***

SJI supports innovative projects that advance best practices in handling dependency and delinquency cases; promote effective court oversight of juveniles in the justice system; address the impact of trauma on juvenile behavior; assist the courts in identification of appropriate provision of services for juveniles; and address juvenile re-entry.

### ***Family and Civil Justice Reform***

SJI promotes court-based solutions for the myriad of civil case types, such as domestic relations, housing, employment, debt collection, which are overwhelming court dockets.

## **Transforming Courts**

### ***Emergency Response and Recovery***

Courts must be prepared for natural disasters and public health emergencies, such as pandemics. SJI supports projects that look to the future of judicial service delivery by identifying and replicating innovations and alternate means of conducting court business because of pandemics and natural disasters such as hurricanes, earthquakes, and wildfires.

### ***Cybersecurity***

Courts must also be prepared for cyberattacks on court systems, such as denial of service and ransomware attacks on court case management systems, websites, and other critical information technology infrastructure. SJI supports projects that assist courts in preparing for, and responding to, these attacks, and share lessons-learned to courts across the United States.

### ***Technology***

SJI promotes and supports innovative technology projects that will improve court processes and procedures, including technology projects that: streamline case filing and management processes, thereby reducing time and costs to litigants and the courts; provide online access to courts to litigants so that disputes can be resolved more efficiently; make structural changes to court services that enable them to evolve into an online environment.

### ***Training, Education, and Workforce Development***

State courts require a workforce that is adaptable to public demands for services. SJI supports projects that focus on the tools needed to enable judges, court managers, and staff to lead their courts in future reform efforts.



## Implementing the CDC Eviction Moratorium Order

On September 4, 2020, the [Centers for Disease Control and Prevention](#) issued an [order](#) to halt most evictions through December 31, 2020, in order to curb the spread of COVID-19 by keeping evicted people from becoming homeless, or crowding into apartments with friends and relatives.

Under the order, “a landlord, owner of a residential property, or other person with a legal right to pursue eviction or possessory action, shall not evict any covered person from any residential property in any jurisdiction to which the order applies.” The Order does not apply to an area with a moratorium on residential evictions that provides the same or greater level of public health protections, and does not preclude jurisdictions from imposing additional requirements that provide greater public-health protections. The order does not relieve the individual of the obligation to pay rent, make housing payments, or comply with other obligations under the housing contract, nor does the order preclude fees, penalties, or interest as a result to pay on time under the applicable contract.

To halt an eviction the tenant, and each adult listed on the lease or housing contract, must provide an executed Declaration Attachment A of the Order, to the person or entity with the right to have them evicted or removed from the property.

The tenants are required to pay rent and abide by the rest of the terms of the lease or housing contract, and can be evicted for reasons other than not paying rent or making a housing payment, including:

1. Engaging in criminal activity while on the premises;
2. Threatening the health or safety of other residents;
3. Damaging or posing an immediate and significant risk of damage to property;
4. Violating any applicable building code, health ordinance, or similar regulation relating to health and safety;
5. Violating any other contractual obligation, other than the timely payment of rent or similar housing-related payment (including non-payment or late payment of fees, penalties, or interest).

Across the country, judges and court administrators are responding differently, and state court leaders have been asked to provide guidance on how best to apply the order.

NCSC Principal Court Management Consultant Danielle Hirsch who is monitoring how states are implementing the CDC order, said courts must strive to ensure consistent and uniform application of the law.

“Given the pressing and serious nature of the eviction crisis facing the country,” Hirsch said, “court systems should promulgate court orders, education and training, self-help resources, and procedures to assist with handling eviction filings in accordance with the CDC order.”

NCSC recommends the following steps for implementing the order:

- Supplement the CDC order with a state or local order. The order can include changes to pleading and summons requirements, amendments to eviction forms, and instructions regarding the declaration forms that the CDC order requires tenants to submit. Orders that may be considered models come from the [Texas Supreme Court](#) and [Rhode Island District Court](#).
- Devise a plan to educate judges and other court employees about the CDC order.
- Communicate with landlords and tenants about the order. [Alaska](#) and [Utah](#), for example, have done a good job of providing information to tenants who are not represented by lawyers.
- Reach out to lawyers and other stakeholders. Massachusetts, Tennessee, and Texas have held large stakeholder meetings to address this issue.
- Set up eviction diversion programs. This is happening in many places nationwide, such as Michigan, Illinois, Indiana, Washington, and Kentucky.

For more resources on navigating the novel coronavirus visit the [NCSC Pandemic Resource Center](#).



## SJI Launches Online Grant Management System

On October 1, 2020, the State Justice Institute (SJI) launched the [Grant Management System](#) (GMS) to better serve applicants and grantees, and further improve the grant-making process. The GMS is an online, end-to-end system, that spans the entire grant lifecycle. The GMS provides applicants and grantees with the ability to apply for and manage grants, including fulfilling reporting requirements and requesting reimbursement of grant-funded activities.

Beginning in FY 2021, all new grant applications submissions must be submitted through the GMS. Additionally, all grantees from FY 2021 forward are required to manage their awards in the GMS. Grantees with open awards made prior to FY 2021, may elect to create a new account and complete all requirements in GMS. While not required, current grantees are encouraged to utilize the new system.

The launch of GMS represents a considerable investment by SJI, and reinforces our commitment to improving the grant application and management process, and advancing the use of technology by state courts. Users may access GMS at [gms.sji.gov](https://gms.sji.gov) to create an account and begin new applications, or manage current grant awards. SJI staff are available to answer questions and provide support, and can be reached at [contact@sj.gov](mailto:contact@sj.gov). A series of brief [videos](#) are also available for GMS users. Additional resources include a [Grant Application Guide](#) and a [Grant Management Guide](#).



## SJI Initiates Court Pandemic Response and Recovery Grant Opportunity

The State Justice Institute (SJI) is seeking to fund projects that assist state courts in their response to, and recovery from, COVID-19, with a look towards the future of court operations. In addition to meeting all other application requirements, SJI will give priority consideration for funding to projects that focus on institutionalizing and/or replicating practices that were implemented during the pandemic. Read the formal solicitation [here](#).

Applications for this opportunity must be submitted via the [SJI Grant Management System](#) (GMS). Applications will be reviewed, and if approved, awarded on a rolling basis in FY 2021. Visit the [Virtual Learning](#) section of the Funding Toolkit for State Courts and Justice System Partners to learn more about SJI funding, including a podcast about this funding opportunity. Email [contact@sj.gov](mailto:contact@sj.gov) with questions regarding this [solicitation](#).

### **Special Note on Prohibited Costs for this Solicitation:**

No grant funds or cash match may be used to pay the salary and related costs for a current or new employee of a court or other unit of government because such funds would constitute supplanting state or local funds in violation of 42 U.S.C. 10706(d)(1); this includes new employees hired specifically for the project. Grant funds cannot be used for the purpose of purchasing software and/or equipment, such as software and/or equipment for conducting remote hearings, as these are considered basic court operations.





## Funding Toolkit Offers Intensive Federal Grant Application Development Series

As part of SJI's ongoing commitment to support court access to federal grant funds, we are pleased to announce that 16 courts have been selected to participate in an intensive federal grant application development series. This series is sponsored by SJI in collaboration with [Rulo Strategies](#). The virtual training series will integrate traditional grant training and technical assistance (TTA) with intensive, one on-one support to assist selected sites in the development of a federal application for the FY 2021 grant season. Courts from the following states/territories will be participating in this initiative:

- Arizona
- Delaware
- Georgia
- Hawaii
- New Hampshire
- New Jersey
- Ohio
- Pennsylvania
- Tennessee
- Wisconsin

Congratulations to these courts on their selection! If you missed the deadline to apply, but are interested in this grant training, some of the course materials will be made available on the [SJI Funding Toolkit](#) in mid-November. Stay tuned for additional details.





## Family Justice Initiative Progress: New Resources Available

Despite presenting challenges to numerous court processes, the pandemic also afforded opportunities for courts to implement innovations that are making family courts more accessible, efficient, high priority – and less adversarial. The innovations are part of the Conference of Chief Justices/Conference of State Court Administrators [Family Justice Initiative](#) (FJI), which is celebrating many milestones:

- Passage of a [CCJ/COSCA resolution](#) that supports FJI's "bold, national recommendations"
- Release of [an online report](#) that serves as a repository for courts that have effectively responded the needs of families before, during, and after the pandemic
- The launch of [redesigned web pages](#) that provide guidelines, recommendations, and best practices

FJI, established in 2017 with funding from SJI, is supported by the [National Center for State Courts](#) (NCSC), the [Institute for the Advancement of the American Legal System](#) (IAALS), and the [National Council of Juvenile and Family Court Judges](#) (NCJFCJ).

The project's first phase included a national assessment of domestic relations case processing in urban courts. Phase two included the development of national [Principles for Family Justice Reform](#). Following CCJ's approval of the Principles, project partners launched Phase Three to implement the Principles in four [pilot jurisdictions](#): Miami-Dade, Florida; Cuyahoga County, Ohio; Pima County, Arizona; and King County, Washington.

Soon after the pilot sites began improvement efforts, the COVID-19 pandemic hit. The four sites met virtually in June 2020 to share progress and reevaluate needs as a result of the pandemic. Some of the "silver linings" the sites identified include: improved communication with parties as court staff walked parties through the processes remotely; improved scheduling options, giving parties autonomy to schedule their hearings online; and increased use of remote proceedings that resulted in improved appearance rates and party satisfaction. Massachusetts, Connecticut, and Marion County, Indiana have since joined the FJI implementation efforts.

The FJI team – taking into consideration adaptations courts made as a result of the pandemic – identified supplemental recommendations, which CCJ and COSCA endorsed in [Resolution 4](#) in July. The new recommendations include:

- Affording family cases the same prestige and respect as other court matters
- Aggressively triaging cases as early as possible
- Simplifying court procedures to allow self-represented litigants to engage in the justice system and are treated fairly
- Ensuring that self-help information and services are available both in person and remotely
- Offering families a choice of dispute resolution options
- Promoting the well-being of families through the life of their case as the primary desired case outcome

Alaska Chief Justice Joel Bolger, FJI chair, said he hopes this resolution “will help family courts respond to the common barriers presented by high caseloads, limited staffing, complex procedures, and narrow service options, and increased numbers of self-represented litigants. The COVID-19 pandemic brings new urgency around the need for family courts to implement positive adaptations and support continuous innovation.”

“We all recognize the strains brought on by the pandemic,” said Alicia Davis, FJI project manager and NCSC principal court consultant. “It is encouraging to see how these courts and others are redesigning processes to meet the needs of families.”



## SJI Releases FY 2021 Grant Guideline

SJI recently released the Grant Guideline for FY 2021. The Grant Guideline appears as part of the [National Archives and Records Administration's Federal Register](#), and sets forth the administrative, programmatic, and financial requirements for applying for and administering SJI grants.

Fiscal Year 2021 Deadlines for Project, Technical Assistance, and Curriculum Adaptation Grants are as follows:

- 1st Quarter – November 1, 2020
- 2nd Quarter – February 1, 2021
- 3rd Quarter – May 1, 2021
- 4th Quarter – August 1, 2021

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*The State Justice Institute is a federally-funded, non-profit corporation established by federal law in 1984 to improve the quality of justice in the state courts.*



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