

Supporting Statement for OMB Control Number 0970-0245

Court Improvement Program

April 2009

A. Justification

1. Circumstances Making the Collection of Information Necessary

Section 438 of the Social Security Act (42 U.S.C 629h) grants the Secretary authority to require certain information and assurances from the highest State court as part of an application for Court Improvement Program funds. 45 CFR Part 92 Subpart C specifies requirements for the annual program and financial reports. The financial report is submitted on Standard Form 269, which has been approved by OMB No. 0348-0039.

This Program Instruction provides guidance to the State courts on the required content of the Court Improvement Program application as well as the content requirements for the annual program and financial reports. A copy of the statute is attached. There are no regulations for this program.

2. Purpose and Use of the Information Collection

All of the information submitted is used by the Administration for Children and Families (ACF): (1) to ensure compliance with the statute, and (2) as the basis for determining training and technical assistance needs of the grantees.

The annual application provides to ACF an update on the activities completed and planned under the grant. The annual program report provides detailed information about court improvement projects and their results. This information is used by ACF and the resource center on legal and judicial issues to determine T&TA needs and resources and to link states who are working on the same initiatives.

3. Use of Improved Information Technology and Burden Reduction

State courts must submit applications and program reports via e-mail or compact disk. They must be submitted electronically; hard copies only will not be accepted.

4. Efforts to Identify Duplication and Use of Similar Information

No other data source collects similar information.

5. Impact on Small Businesses or Other Small Entities

Only the highest court in each State is eligible to submit an application for this grant award. The information required is the absolute minimum necessary for meeting the statutory requirements and providing the information on which the grant award decisions are based.

6. Consequences of Collecting the Information Less Frequently

The application and the annual program and financial reports are each one-time per year requirements. Without the prescribed application, as required by the statute, and the program and financial reports, ACF will be unable to adequately monitor a court's activities to determine that funds are being spent for the purposes for which they were awarded. Annual collection permits the Department to minimally meet its stewardship obligations without overburdening the grantees.

7. Special Circumstances Relating to the Guidelines of 5 CFR 1320.5

There are no special circumstances required in the collection of this information in a manner other than required by OMB.

8. Comments in Response to the Federal Register Notice and Efforts to Consult Outside the Agency

A Federal Register Notice was published which solicited comments under the Paperwork Reduction Act to ACF on Monday, November 17, 2008. No comments were received, but there was a request for a copy of the Program Instruction. The Program Instruction was sent and there has been no follow-up from the requestor.

After the Court Improvement Program (CIP) was first enacted, the ACF issued a Program Instruction which described the requirements for the CIP grant award and provided a copy of the legislation to the highest State Courts of Appeal. On August 22-23, 1994, the ACF convened an orientation meeting in Washington, D.C. The purpose of the meeting was to orient State courts to the new CIP, clarify its purposes and intent, and answer questions regarding the first Program Instruction. State courts sent a team to this meeting consisting of a key juvenile/family court judge and an administrator who would be instrumental in implementing the program. Representatives from the State child welfare agency also attended this meeting, and State courts collaborated with the agency to prepare for and attend the meeting. An interactive discussion was conducted about the CIP requirements.

For many years after that first meeting, the Childrens Bureau convened an annual Permanency Partnership Forum, which brought together child welfare agency and CIP representatives for discussions and training about strengthening collaboration between agencies and courts. In the last few years, instead of convening a Permanency Partnership Forum, the CIP representatives have been included in the annual States and Tribes Meeting, now called the Agencies and Courts Meeting, which brings together top agency officials involved in the Child and Family Services Reviews (CFSRs). These meetings, a CIP listserve, and a newly launched CIP Community of Practice provide opportunities for consultation with the grantees about the application and reporting requirements, and the implementation of their programs. The Children's Bureau's National Child Welfare Resource Center on Legal and Judicial Issues provides training and technical assistance to child

welfare agencies and the courts, with a special focus on the CIP grantees and their involvement in the CFSRs.

9. Explanation of Any Payment or Gift to Respondents

No payments, other than a one-time grant award per application, will be made to States.

10. Assurance of Confidentiality Provided to Respondents

Data in the applications and reports are not confidential.

11. Justification for Sensitive Questions

There are no questions of a sensitive nature in the application or report requirements.

12. Estimates of Annualized Burden Hours and Costs

The information collection burden hours listed below are only estimates. The CIP application is submitted on an annual grant award basis. The hours per response are based on an average amount of time needed by the States for consultation, coordination, collection of baseline information, and for developing and submitting the required applications. The application is the basis for States to receive funding under Section 438 of the Social Security Act.

The annual financial reports are submitted 90 days after the end of the program period. The program assessment reports are submitted by December 31<sup>st</sup> each year. These reports provide compliance information, indicate progress with meeting program goals and objectives, and pinpoint technical assistance needs.

The estimated information collection burden hours required to complete the application and the annual program report are based on the assumption that all States will submit

applications under this authority. Cost and respondent time are based on experience with prior similar activities and information obtained from potential respondents.

ANNUAL BURDEN ESTIMATES

INSTRUMENT	NUMBER OF RESPONDENTS	NUMBER OF RESPONSES PER RESPONDENT	AVERAGE BURDEN HOURS PER RESPONSE	TOTAL BURDEN HOURS
Application	52	1	40	2080
Annual Program Report	52	1	36	1872

Estimated Total Annual Burden Hours: 3,952

We estimate that it will take approximately 40 hours for each applicant to complete the application and approximately 36 hours to complete the annual program report. We estimate the average hourly wage for staff developing the applications and reports @ \$30/hour. We estimate the total annual cost of the CIP to be \$118,560.

13. Estimates of Other Total Annual Cost Burden to Respondents and Record Keepers

There are no additional annual direct costs to respondents as a result of this information collection.

14. Annualized Cost to the Federal Government

There are no additional Federal costs as a result of this information collection.

15. Explanation for Program Changes or Adjustments

There is an adjustment which increased the number of respondents and therefore the burden hours due to the method of computing burden.

16. Plans for Tabulation and Publication and Project Time Schedule

The Department does not plan to publish the information collected.

The information required to be submitted in the annual application and in the annual program and financial reports does not require the use of statistical methods.

17. Reason(s) Display of OMB Expiration Date is Inappropriate

The Department will display the expiration date on the Program Instruction. The States will submit the application and annual program report in the format of their choice.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

There are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods

NA