

Supporting Statement

INFORMATION COLLECTION (PRA) – STATEMENT A

1. **Explain the circumstances that make the collection of information necessary.**

Identify any legal or administrative requirements that necessitate the collection.

Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The national landscape of treatment courts is constantly changing. To develop the most helpful training and technical assistance, as well as a current understanding of treatment court trends in the field, national surveys must be conducted periodically to obtain and distribute this valuable information to a broad audience. Under the National Drug Court Resource funded by the Bureau of Justice Assistance, the Justice Programs Office at American University will administer the Annual Treatment Court Survey (ATCS) Series includes the Local ATCS for the local treatment courts (N=4,172), the Tribal ATCS for healing to wellness courts (N=117), and the State Coordinator ATCS for state and territory court coordinators (N=54). These surveys address the structure (e.g., funding, personnel, partnerships), operation (e.g., services offered, eligibility, decision making), and successes and challenges (e.g., adherence to or deviance from best practices; racial, ethnic, and gender disparity or equity). The purpose of the ATCS is to develop a current portrait of treatment courts including their needs and emerging trends nationally, locally (state, region), and by location type (e.g., rural, urban).

- 2. Indicate how, by whom, and for what purpose the information is to be used.**

Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

To reach a broad audience, results will be disseminated in a variety of formats, including grant deliverables (i.e., final report, a webinar, fact sheets, conference presentations), as well as academic articles. Survey results will contribute to the extant knowledge on treatment courts and identify areas in need of further training, technical assistance, and research.

- 3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.**

The ATCS series is automated in Qualtrics and will be administered electronically via a Qualtrics link.

- 4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

National-level treatment court, tribal court, and state coordinator surveys are not currently being conducted. With the rapid changes consistently occurring in the treatment court field, prior survey data is considered out of date at this point in time.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

Not applicable. The ATCS series is not administered to any small business, independently-owned nonprofit enterprise, or city, county, town, township, school district, or special district government with a population of less than 50,000. The Local ATCS is administered to non-tribal treatment courts across the country (N=4,172) with one respondent from each court, while the Tribal ATCS is distributed to the tribal courts across the country (N=117) with one respondent from each court. The State Coordinator ATCS is disseminated to all state/territory court coordinators (N=54).

Each survey in the ATCS series is automated and contains skip patterns to eliminate the administration of any unnecessary items. Each survey has undergone thorough review to ensure only measures pertinent to the field are included. Finally, the ATCS survey series is administered electronically to reduce respondent effort.

6. Describe the consequence to the Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

The ATCS series is a Bureau of Justice Assistance deliverable for the Justice Programs Office, a center in the School of Public Affairs at American University, under the National Drug Court Resource, Policy, and Evidence-Based Practice Center (NDCRC).

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines: (a) requiring respondents to report information to the agency more often than quarterly; (b) requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it; (c) requiring respondents to submit more than an original and two copies of any document; (d) requiring respondents to retain records, other than health, medical government contract, grant-in-aid, or tax records, for more than three years; (e) in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study; (f) requiring the use of statistical data classification that has not been reviewed and approved by OMB; (g) that includes a pledge of confidentiality that is not supported by authority established in stature of regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; (h) requiring respondents to submit proprietary trade secrets or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

The following responses refer to all the three surveys in the ATCS Series (Local ATCS, Tribal ATCS, and State Coordinator ATCS): (a) participation in the survey is voluntary and will occur at most annually; (b) respondents are not required to participate in the survey as participation is voluntary; (c) respondents are not required to submit

any documents; (d) respondents are not required to retain any records for more than three years; (e) the survey is administered to the full target population frames instead of sampling from them; (f) statistical data classification is not employed in the data collection process, while statistical analysis of the data obtained will occur; (g) study protocol, including consent, confidentiality, and data security, are reviewed and approved by American University's Institutional Review Board; (h) respondents are not required to submit proprietary trade secrets or other confidential information.

- 8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.**

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees. All Tribal ATCS respondents are offered to voluntarily enter a lottery for a Pendleton blanket. All Local, Tribal, and State Coordinator ATCS respondents will be sent the final report for the survey they completed.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. Confidentiality protocol will be reviewed and approved by the American University Institutional Review Board. Participant confidentiality will be ensured in the following ways: (1) Survey results will be reported in aggregate; (2) Individual responses will not be attributed to any respondent, court, tribe, or state/territory office of court administration; (3) A list of respondent names, courts, tribes, or programs will not be published or shared; (4) The survey's Principal Investigator will de-identify the data for internal analysis; (5) The data will not be shared externally.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

None of the items in the ATCS Series are not of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 13.**

For each survey, the response time for individuals is less than one hour, amounting to a fraction of an hourly wage for each respondent. Respondents are requested to report information that is readily available as part of court operations.

Estimated amounts of time to complete the surveys in the ATCS Series are 20 minutes for the State Coordinator ATCS, 35 minutes for the Local ATCSs, and 35 minutes for the Tribal ATCS. To estimate the maximum number of total annual hours, the calculations below utilize the maximum response rate of 100%.

ATCS Series: 2,501.92 hours

- State Coordinator ATCS: 18 hours
 - o $20 \text{ minutes} \times 54 \text{ respondents} = 1,080 \text{ minutes} / 60 \text{ minutes} = 18 \text{ hours}$
- Local ATCS: 2,433.67 hours
 - o $35 \text{ minutes} \times 4,172 \text{ respondents} = 146,020 \text{ minutes} / 60 \text{ minutes} = 2,433.67 \text{ hours}$
- Tribal ATCS: 68.25 hours
 - o $35 \text{ minutes} \times 117 \text{ respondents} = 4,095 \text{ minutes} / 60 \text{ minutes} = 68.25 \text{ hours}$

Using the maximum response rate of 100%, the total annual hours for the ATCS Series is approximately 2,502 hours across the 4,343 courts in the population frame. Specifically, total completion time of the State Coordinator ATCS is an estimated 18 hours (20 minutes for each of the 54 potential respondents); the Local ATCS's total completion time is estimated at 2,433.67 hours (35 minutes for each of the 4,172 potential courts). The total time to complete the Tribal ATCS across the population frame is 68.25 hours (35 minutes for each of the 117 tribal courts).

13. **Provide an estimate for the total annual cost burden to respondents or record-keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14)** Not applicable. Time estimates for respondents are located in Item 12. For each survey, the response time for individuals is less than one hour, amounting to a fraction of an hourly wage for each

respondent. Respondents are requested to report information that is readily available as part of court operations.

14. The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**

- **Generally, estimates should not include purchases of equipment or services, or portions thereof, made:**
 - o **Prior to October 1, 1995,**
 - o **To achieve regulatory compliance with requirements not associated with the information collection,**
 - o **For reasons other than to provide information or keep records for the government, or**
 - o **As part of customary and usual business or private practices.**

Not applicable. Time estimates for respondents are located in Item 12. For each survey, the response time for individuals is less than one hour, amounting to a fraction of an hourly wage for each respondent. Respondents are requested to report information that is readily available as part of court operations.

15. Provide estimates of annualized costs to the Federal government. Also provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies may also aggregate cost estimates from Items 12, 13, and 14 in a single table. Administration of the ATCS is part of the National Drug Court Resource Center operation.

16. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I. Not applicable.

17. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions. To reach a broad audience, results will be disseminated in a variety of formats, including grant deliverables (i.e., final report, a webinar, fact sheets, conference presentations), as well as academic articles. Analytic plan includes descriptive, comparative descriptive, correlation, and regression analyses. Data will be collected for a period of up to approximately 3 months. Data cleaning and codebook creation is anticipated to take 1 month. Creation of a final report is estimated at no longer than 2 months, followed by a conference presentation in July of 2019. Additional products include a webinar and fact sheets prior to September 2019. Articles may also be published using these data during this time period and after..

18. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

Not applicable.

19. Explain each exception to the certification statement identified in Item

19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

Not applicable.