

State Court Improvement Program

OMB Information Collection Request 0970 - 0307

Supporting Statement Part A - Justification

September 2022

Submitted By:
Children's Bureau
Administration for Children and Families
U.S. Department of Health and Human Services

1. Circumstances Making the Collection of Information Necessary

Authorizing legislation makes clear that an application is required in order for State courts to receive CIP funding. A copy of the statute is attached with this submission for review (Attachment A - SSA Section 438). There are two parts of the application, which are necessary to properly administer the State Court Improvement Program (CIP): an annual year-end self-assessment report with an updated strategic plan.

A complete application is required from state courts every five years which includes the self-assessment and new strategic plan. Annually, the self-assessment should thoroughly be updated to reflect progress and challenges over the prior year. The strategic plan is to be written as a five-year plan which looks forward and is updated as needed annually. Because it is a high-level summary, and the two documents work in tandem, the primary burden annually is completing the more detailed self-assessment and updates to strategic plans are often minor notes that flow out of that review. These documents are required to monitor progress of the program according to statute.

Both the self-assessment and strategic plan template were developed with in-depth grantee input and feedback. The goal has been to design a process and tools that meet reporting requirements but also serve as helpful documents to grantees in conducting their work.

Both collections have previously received OMB clearance. This current request includes the following revisions:

- New infrastructure questions regarding the Title IV-E Child and Family Services Reviews (CFSR) have been added to the Self-Assessment. The statute has long required CIPs to collaborate with the child welfare agency. During the last round of CFSR, CB made a concerted effort to support CIPs and the agencies to engage broader legal and judicial involvement in the reviews. These questions are designed to support that on-going effort.
- Overall court structural questions are now included which are intended to facilitate peer and partner supports.
- Changes to bring the program into compliance with section 438 of the Social Security Act. On December 27, 2020, P.L. 116-260, the Consolidated Appropriations Act, 2021 was enacted into law. This law included provisions reauthorizing the CIP through FY 2022 and amending the program. The primary change to the CIP made by the new law was to consolidate the former three CIP grants (basic, data and training) into a single grant that can be used for all program purposes. Under the new single CIP grant structure, each state CIP grantee is required to use at least 30 percent of funds for collaboration and data sharing. This change means two fewer fiscal forms are necessary; states still submit the same information but on fewer forms.

2. Purpose and Use of the Information Collection

This data collection serves a number of related purposes:

- The collection provides information for annual approval of funding and oversight of compliance with the statute.
- The collection provides information for review by the Children's Bureau (CB) and our technical assistance provider, the Capacity Building Center for Courts, to provide programmatic feedback and assistance to CIPs outside of any compliance issues that may be found.
- The collection is summarized across grantees and shared back with grantees which facilitated peer connections, national technical assistance, and a community of learning.

3. Use of Improved Information Technology and Burden Reduction

Only electronic submissions of the collections are accepted. States submit through regional email boxes.

4. Efforts to Identify Duplication and Use of Similar Information

The information in these data collections reflect information and opinions that are generally only within the purview of CIP staff. Thus, this type of information does not exist anywhere else. For the new overall system structure questions that are noted in A1 and A15, a copious amount of research was done to determine what elements could be found on public websites as to not add burden for grantees. Only those that were unable to be found reliably are included.

5. Impact on Small Businesses or Other Small Entities

This collection should not impact small businesses and has been designed to minimize the burden on respondents.

6. Consequences of Collecting the Information Less Frequently

Applications are statutorily required. Absent applications, awards are not authorized and the program cannot continue to operate. The year-end self-assessment report is the primary form of accounting and accountability to ensure funds are being used in compliance with the statute. Self-assessment reports are necessary to demonstrate how grant funds have been used. Strategic plans provide a high level overview of future activities that allow CB to provide support at key junctures.

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

There are no special circumstances associated with this collection.

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

In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13) and Office of Management and Budget (OMB) regulations at 5 CFR Part 1320 (60 FR 44978, August 29, 1995), ACF published a notice in the Federal Register announcing the agency's intention to request an OMB review of this information collection activity. This notice (87 FR 40244) provided a sixty-day period for public comment. During the notice and comment period we did not receive comments.

A number of efforts were made to consult with individuals outside the agency to develop and solicit input on these program requirements. Grantee feedback is sought informally during calls in the course of providing technical assistance and training for grantee new staff.

The below grantee technical assistance providers were involved in ongoing review of the information collection. These providers have extensive experience in court evaluation and high degrees of familiarity with the CIP:

- Dr. Alicia Summers, federal technical assistance provider
- Dr. Kristen Woodruff, federal technical assistance provider
- Dr. Andy Yost, federal technical assistance provider
- Zubair Siddiqi, Esq., federal technical assistance provider
- Christine Kiesel, Esq., federal contractor

9. Explanation of Any Payment or Gift to Respondents

No payment or gifts of any kind will be provided to respondents.

10. Assurance of Confidentiality Provided to Respondents

No such assurances are required by statute or policy for this program.

11. Justification for Sensitive Questions

No questions of a sensitive nature will be asked as a part of the collection.

12. Estimates of Annualized Burden Hours and Costs

Information	Total	Annual Number	Average	Annual	Average	Total
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Collection Title	Number of Respondents	of Responses Per Respondent	Burden Hours Per Response	Burden Hours	Hourly Wage	Annual Cost
Annual Self-Assessment	53	1	40	2,120	\$70.20	\$148,824
Strategic Plan	53	.20 ¹	52 ²	551.20	\$70.20	\$38,694.24
Estimated Annual Burden Total:				2671.2	Estimated Annual Cost Total:	\$187,518.24

These estimates were derived from conversations with a small number of experienced CIP directors about their time spent. Burden estimates from the prior period were lowered due to the elimination of certain state-wide data metrics ('Toolkit' measures). The additions for the CFSR questions were estimated from conversations with CIPs, during the course of technical assistance, where very similar questions were discussed and answered. Finally, the court structure questions were time-tested by a team from a technical assistance provider familiar with CIP work.

The cost to respondents was calculated using the Bureau of Labor Statistics (BLS) job code for Legal Support Workers, All Other 23-2099 and wage data from May 2021, which is \$35.10 per hour. To account for fringe benefits and overhead, the rate was multiplied by two which is \$70.20. Therefore, the total annual cost to respondents is estimated to be \$187,518.24 (see <https://www.bls.gov/oes/current/oes232099.htm>)

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

There is no other annual cost burden to respondents.

14. Annualized Cost to the Federal Government

Review of the annual self-assessment typically takes the equivalent of one work-day (8 hours). The reviews are conducted by CB Child Welfare Specialists within our regional offices. The average grade of specialists is G-11, step 5. Average hourly wage accounting for locality is \$30.94 per hour. To account for fringe benefits and overhead the average hourly wage is multiplied by two which is \$61.88. Therefore, the annualized cost to the federal government is approximately of hours 8 x \$61.88 x 53 jurisdictions = \$26,237.12.

15. Explanation for Program Changes or Adjustments

¹ The full Strategic Plan is completed every 5 years. In years when the Strategic Plan is not completed, respondents may spend minimal time updating relevant sections of the Strategic Plan. This is accounted for in the estimate for the Annual Self-Assessment.

² To show a total annual burden estimate in ROCIS that matches our estimated total annual burden, we had to input a response time of 50.109 hours. The accurate average time estimate is 52 hours per response, as shown in the burden table in A12.

- The reduction of burden estimates since the prior approval are due to the elimination of the ‘Toolkit’ measures. This resulted after discussions with CIPs over the burden versus the benefit of collecting these measures as well as due to changes in the CFSR measures causing the Toolkit measures to come out of alignment.
- New infrastructure questions for the CFSRs in the Self-Assessment have been added, which reflect updated guidance to courts and agencies about the CFSR. A new page has been added to the Strategic Plan template as well for these infrastructure questions. This change to the Strategic Plan addition does not increase the estimated burden as CIP were already reporting CFSR related work on the Strategic Plans. The currently approve current form was topical such that certain fundamental infrastructure questions resulted in many ‘not applicable’ responses, so this change helps improve data provide.
- The updated documents also now include overall court structural questions. These are not needed for CB compliance purposes. They were developed out of repeated requests from grantees for these types of information. Grantees would like this information to facilitate peer connections of similarly situated states or to do comparative analyses on their own.

16. Plans for Tabulation and Publication and Project Time Schedule

Though noted above that summary results of this data collection are shared with grantees, that is not done in a publicly available format. It is shared directly with CIP grantees. There are no complex analytical aspects involved. Largely this involves percentages of states with projects by type. This is done under a technical assistance grant.

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

Not applicable.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

There are no exceptions being sought with this submission.