

<h1>ACF</h1> <p>Administration For Children And Families</p>	U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES Administration for Children and Families	
	1. Log No: ACYF-CB-PI-21-02	2. Issuance Date: February 12, 2021
	3. Originating Office: Children’s Bureau	
	4. Key Words: State Court Improvement Program Grant	

PROGRAM INSTRUCTION

TO: Highest State Courts of Appeal

SUBJECT: Changes to Court Improvement Program (CIP) and Updated Instructions for State Courts on Submitting New Five-Year Strategic Plan for FY 2022 – 2026 and Applying for CIP Funds for Fiscal Year (FY) 2022

REFERENCES: Section 438 of the Social Security Act, as amended by Public Law (P.L.) 116-260, Section 305 of title III of Division CC of the Consolidated Appropriations Act, 2021.

PURPOSE: The purpose of this Program Instruction (PI) is to provide information on changes to the CIP that become effective in FY 2022 and to provide updated and supplemental guidance on actions need to apply for FY 2022 state CIP funding.

BACKGROUND: On December 17, 2020, the Children’s Bureau issued [ACYF-CB-PI-20-12](#)¹ providing guidance on how to apply for FY 2022 CIP funding. Just after the issuance of that PI, on December 27, 2020, P.L. 116-260, the Consolidated Appropriations Act, 2021 was enacted into law. This law included provisions amending the CIP, effective October 1, 2021, the first day of FY 2022.²

The primary change to the CIP made by the new law is to consolidate the former three CIP grants (basic, data and training) into a single grant that can be used for all of the program purposes. Under the new single CIP grant structure, each state CIP grantee will be required to use at least 30 percent of funds for collaboration and data sharing. The funding formula for the program is updated to reflect the change in the structure of the program from three grants to one grant, ensuring that grantees will receive approximately the same amount of funding that they would have received if they participated in all three CIP grants. The law also extended the authorization of mandatory appropriations for the program through FY 2022.

¹ See, <https://www.acf.hhs.gov/cb/policy-guidance/pi-20-12>

² Section 305(c) of title III of Division CC of the Consolidated Appropriations Act, 2021.

In light of the changes in the law, CB is providing updated guidance on actions needed to apply for FY 2022 state CIP funding. For ease of comparison, this PI is organized in the same manner as the recently issued ACYF-CB-PI-20-12³, but omits sections where there were no changes. To receive FY 2022 CIP funding, State courts must comply with all of the requirements delineated in ACYF-CB-PI-20-12, unless superseded by the instructions provided in this PI.

INFORMATION: Organization of the Program Instruction:

- Section I. Program Eligibility and Funding
- Section II. Program Requirements
- Section III. Self-Assessment Process Requirements
- Section IV. Strategic Plan Requirements
- Section V. Application Requirements
- Section VI. Fiscal Reporting Requirements
- Attachments

I. PROGRAM ELIGIBILITY AND FUNDING

Funding

- Allotments: State courts with an approved application will be allotted \$255,000 and, after the sum of all states’ base amounts and the \$1 million set aside for grants to tribes are subtracted from the total appropriation, a percentage of the remainder based on the state’s proportionate share of children under age 21.⁴ For reference, FY 2020 allotment tables were included with ACYF-CB-PI-20-12. The sum of the three CIP grants received in FY 2020 may be used as an estimate of funding that will be available under the single CIP grant for FY 2022.

II. PROGRAM REQUIREMENTS

The Consolidated Appropriations Act, 2021 merged the former basic, training, and data grants. However, the section formerly authorizing the ‘data grant,’ now provides that of the new single grant total the CIP “will use not less than 30 percent of grant funds to collaborate and jointly plan for the collection and sharing of all relevant data and information to demonstrate how improved case tracking and analysis of child abuse and neglect cases will produce safe and timely permanency decisions.”⁵

³ See, <https://www.acf.hhs.gov/cb/policy-guidance/pi-20-12>

⁴ 42 U.S.C. 629h(c).

⁵ 42 U.S.C. 629h(b)(1).

III. SELF-ASSESSMENT PROCESS REQUIREMENTS

The Consolidated Appropriations Act, 2021 does not change the requirements for the 2021 Self-Assessment, due June 30, 2021.

IV. STRATEGIC PLAN REQUIREMENTS

The Strategic Plan submission due June 30, 2021 is unchanged except that for efforts beyond October 1, 2021:

- grantees need not identify which grant is supporting each project in the plan.
- the plan should demonstrate that not less than 30% of grant funds are used for the data purposes described in Part II above.

V. APPLICATION REQUIREMENTS

To receive funds for FY 2022, State courts must complete and submit an application including all of the requirements detailed below by June 30, 2021. Items that have been added or revised since issuance of ACYF-CB-PI-20-12 are highlighted in bold. All other items remain the same as previously presented in ACYF-CB-PI-20-12 but are repeated here to ensure that State courts have clear and complete information on all application requirements. Annual awards are subject to the availability of funds and to the CIP demonstrating program progress.

Applications for FY 2022 CIP Grants

Fiscal Year 2022 begins a new five-year cycle for CIP. Accordingly, to receive funding for FY 2022, state courts must submit a complete application containing the below components by June 30, 2021.

1. An application cover sheet, providing organizational information and a checklist for the application packet (see Attachment A **in ACYF-CB-PI-20-12**).
2. A letter from the highest state court requesting FY 2022 funding for the **single CIP grant**, including assurances that:
 - a. the court has in effect a rule requiring state courts to ensure that foster parents, pre-adoptive parents, and relative caregivers of a child in foster care under the responsibility of the state are notified of any proceeding held with respect to the child and are afforded the right to be heard;
 - b. the court will share all relevant data stemming from CIP projects and data collection efforts with the title IV-B/IV-E agency for purposes of joint child welfare program planning;
 - c. at least one representative per each CIP grant received will participate in the annual CIP Grantee Meeting each year funding is received;

- d. the court will ensure training was/is to be provided on the congregate care provisions of the Family First Prevention Services Act;⁶
 - e. the court will pursue cross-training opportunities with the title IV-B/IV-E agency, tribes, and other important stakeholders including working to utilize professional partner training for judges, attorneys and court personnel; and
 - f. the court will work with the title IV-B/IV-E agency to consider options for accessing title IV-E reimbursement to ensure high quality legal representation for parents, children and youth in child welfare proceedings; and
 - g. the court will use not less than 30 percent of grant funds to collaborate and jointly plan for the collection and sharing of all relevant data and information to demonstrate how improved case tracking and analysis of child abuse and neglect cases will produce safe and timely permanency decisions.**
3. A letter of support from the state agency administering the title IV-B and IV-E programs that assures:
 - a. ongoing, high-level agency participation on the CIP Multidisciplinary Statewide Taskforce, including task force meetings, planning and improvement efforts, and attendance of the annual CIP grantee meeting;
 - b. full and ongoing inclusion of the state court/CIP in child welfare program planning and improvement efforts, including the APSR/CFSP, CQI/QA, CFSR, and title IV-E Foster Care Eligibility Review and program improvement processes;
 - c. timely and ongoing data sharing with the state court/CIP of all relevant child welfare data for purposes of program planning and continuously quality improvement of the child welfare system;
 - d. the agency will pursue cross-training opportunities with the state court/CIP including working to utilize professional partner training for judges, attorneys and court personnel; and
 - e. the agency will work with the administrative office of the courts to consider options for accessing title IV-E reimbursement to ensure high quality legal representation for parents, children and youth in child welfare proceedings.
 4. A list of the members of the statewide multidisciplinary taskforce including the:
 - a. name of the member; and
 - b. professional affiliation and title and/or role or area of expertise.
 5. In a case where the recommended state agency participants are not included on the statewide multi-disciplinary team, the state court must provide narrative explanation and rationale for not including the identified members.
 6. A budget narrative **which includes details about how not less than 30% of the funds be used for the data purposes noted above.**
 7. An updated Self-Assessment (see Section III and Attachment B of **ACYF-CB-PI-20-12**).

⁶ 42 U.S.C. 629h(b)(1) (2018)

8. A proposed five-year Strategic Plan that reflects how grant funds will be used to identify and implement approaches to ensure continuous quality improvement (see Section IV and Attachment E of **ACYF-CB-PI-20-12**).

VI. FISCAL REPORTING REQUIREMENTS

The CIP grants have a two-year project/obligation period starting the first day of the federal fiscal Year, October 1, for which funds were awarded and ending September 30, the last day of the following federal fiscal. An interim financial report, covering the first fiscal year (year of award), must be submitted no later than 90 days following the end of the fiscal year. In addition, and in accordance with Federal regulations at 45 CFR 75.309(b), the final financial report, covering the entire two-year obligation and liquidation periods, must be submitted no later than the last day of the liquidation period. Expenditures under the CIP grant must be reported on an SF-425 Financial Status Report. For fiscal year 2021 and earlier years, a separate report is required for each grant (basic, data and training) received. Beginning with the FY 2022 award, only one SF-425 Report will be required each year. **State courts are required to file SF-425 report electronically through the HHS Payment Management System.**

Paperwork Reduction Act

Under the Paperwork Reduction Act of 1995 (P.L. 104-13), 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. The OMB control number for this collection is 0970-0307 and it expires 11/30/2022. The estimated time to complete the CIP application process is 92 hours.

INQUIRIES TO: [CB Regional Program Managers](#)

/s/
Amanda Barlow
Acting Commissioner
Administration on Children,
Youth and Families