

JUDICIAL COUNCIL OF GEORGIA AMERICAN RESCUE PLAN ACT GRANT FUNDING OVERVIEW AND INSTRUCTIONS

Process Overview

1. Background

The U.S. Department of the Treasury (“Treasury”) has established a process for the dissemination of Coronavirus State and Local Fiscal Recovery Funds (“ARPA funds”), as provided by the federal [American Rescue Plan Act of 2021](#) (Public Law No: 117-2; hereinafter “ARPA”). ARPA appropriated \$350 billion in emergency funding for eligible state, local, territorial, and Tribal governments to respond to the COVID-19 pandemic. Treasury has created a [website](#), a [Final Rule](#) (31 CFR Part 35), and [supporting guidance](#) detailing how ARPA funds may be used under federal laws and regulations.

The State of Georgia has been allocated \$4.8 billion in ARPA funds. Governor Brian P. Kemp (“Executive Branch”) has allocated up to \$110 million in ARPA funds to address backlogs of court cases (prioritizing cases involving serious violent felonies), which will be administered as follows:

- (a) The Judicial Council of Georgia (“Judicial Council”) and its Administrative Office of the Courts (“AOC”) will administer up to \$96 million in grants to authorized classes of court, prosecutors, and related agencies.
- (b) The remaining \$14 million in ARPA funds is allocated to the Georgia Public Defender Council (GPDC) for grants to public defenders and will be administered by the Governor’s Office of Planning and Budget (OPB). (Accordingly, the term “related agencies” used below does not include public defenders).

It is possible that additional ARPA funds may be allocated by the Executive Branch to the Judicial Council in the future for purposes other than addressing backlogs of court cases (prioritizing cases involving serious violent felonies). See section **6. Federally Eligible Uses Not Currently Authorized by the Executive Branch or the ARPA Committee** below for a list of ARPA expenditure categories permitted by federal law but not currently authorized by the Executive Branch or the ARPA Committee.

2. Authorized Courts and Judicial System Stakeholders

The Executive Branch has placed certain limitations on what entities are currently eligible for ARPA grant funds and what such funds may be used for. In accordance with these limitations, ARPA grant funds are currently available to all classes of trial court (except municipal courts), appellate courts, prosecutors, and related agencies for the limited purpose of addressing backlogs of court cases (prioritizing cases involving serious violent felonies). Municipal courts with substantial case backlogs are encouraged to pursue ARPA funds from the city that a municipal court serves. However, please e-mail ARPA@georgiacourts.gov if such pursuit is unsuccessful.

The ARPA funds received by the Judicial Council will be disseminated through the process described herein. Each judicial circuit must apply to the ARPA Committee for ARPA funds on behalf of all authorized classes of trial court (excluding municipal courts), prosecutors, and related agencies within the circuit. Appellate courts are also eligible for ARPA grant funds and may apply directly to the ARPA Committee. All proposed expenditures must demonstrate a nexus to responding to backlogs of court cases (prioritizing cases involving serious violent felonies, as

defined in OCGA § 17-10-6.1 (a)). Administrative expenses to support the response effort and manage ARPA grant funds are also permitted. 31 CFR § 35.6 (b) (3) (ii) (E) (3)-(4); see (E) (6) *ARPA-Eligible Administrative Expenses* below for limitations on administrative costs. On December 8, 2022, the ARPA Committee also approved audio-visual equipment modernization in existing permanent courtrooms as an ARPA-eligible expenditure, subject to certain conditions and restrictions. See section **15. Audio-Visual Equipment Modernization** below for details.

Note: Prosecutors responding to case backlogs may pursue ARPA funds via a judicial circuit's application. However, please e-mail ARPA@georgiacourts.gov if such pursuit is unsuccessful after asking to be included in an application in good faith with supporting data demonstrating an eligible need for ARPA funds.

3. Application Review and Approval

Chief Justice David E. Nahmias established the Judicial Council of Georgia Ad Hoc Committee on American Rescue Plan Act Funding (“ARPA Committee”) on October 28, 2021, to review and approve applications for ARPA grant funds from all authorized classes of trial court (excluding municipal courts), appellate courts, prosecutors, and related agencies for the limited purpose of addressing backlogs of court cases, prioritizing cases involving serious violent felonies (the order creating the ARPA Committee is available under Quick Links at jcaoc.georgiacourts.gov/arpa). The Chief Justice may change the composition of the ARPA Committee throughout the performance period based on the needs of the Judicial Branch and any changes in funding priorities established by the Governor and OPB. The ARPA Committee is staffed by the [Judicial Council/Administrative Office of the Courts \(AOC\)](#). To reach AOC’s ARPA Grants Team (“ARPA Grants Team”), please e-mail ARPA@georgiacourts.gov.

4. Eligible Uses Under the American Rescue Plan Act of 2021

Under federal law, ARPA funds may be used for expenditures in one of the following four statutory categories:

- (a) To respond to the COVID-19 public health emergency or its negative economic impacts;
- (b) To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to such eligible workers of the recipient;
- (c) For the provision of government services, to the extent of the reduction in revenue of such recipient due to the COVID-19 public health emergency, relative to revenues collected in the most recent full fiscal year of the recipient prior to the emergency; or
- (d) To make necessary investments in water, sewer, or broadband infrastructure.

ARPA § 9901 (a) (codified at 42 USC § 802 (c) (1)). Insight into Treasury’s interpretation of these four statutory categories may be found in 31 CFR Part 35 (“[Final Rule](#)”) and Treasury’s [Compliance and Reporting Guidance](#). ARPA funds allocated to the Judicial Council fall under statutory category (a) “negative economic impacts” above because Treasury has identified “backlogs in court systems” as a negative economic impact of the COVID-19 pandemic. 87 Fed. Reg. 4,341; 4,388 (Jan. 27, 2022) (Eligible use “must ‘respond to’ the identified negative economic impact,” “e.g., backlogs in court systems”); Treasury’s Interim Final Rule [FAQ 2.19](#).

5. Eligible Expenditures and Limitations on Federally Eligible Uses

The Executive Branch and the ARPA Committee have placed certain limitations on: (1) which Judicial Branch entities are eligible for ARPA grant funds; and (2) what expenditures ARPA grant funds may be used for. Treasury has deemed steps to reduce court case backlogs, such as implementing COVID-19 safety measures to facilitate court operations, hiring additional judges,

court staff, security staff, or attorneys to increase the speed of case resolution, as well as other expenses to expedite case resolution, as eligible uses of ARPA funds. 31 CFR § (b) (3) (ii) (E) (4); 87 Fed. Reg. 4,388 (Jan. 27, 2022) (“e.g., backlogs in court systems”); Treasury’s Interim Final Rule [FAQ 2.19](#). However, per Executive Branch limitations and ARPA Committee policies, **only the following expenditures are eligible for Judicial Branch ARPA Funds:**

(a) *Personnel*. Payroll costs for personnel responding to court case backlogs with a primary focus on serious violent felonies; backfilling positions requiring less experience to reassign more experienced staff to expedite the disposition of serious violent felony cases; or personnel administering the ARPA grant. **As used in this expenditure category only, “primary focus on serious violent felonies” means more than 50 percent of total personnel costs awarded in each calendar year is dedicated to responding to serious violent felonies,** as defined in OCGA § 17-10-6.1 (a).

(b) *Court-based Eviction, Mental Health, or Substance Use Diversion*. Payroll costs for personnel performing court-based eviction, mental health, or substance use diversion services only if: (i) such services respond to case backlogs; and (ii) a subrecipient provides a numerical estimate to the AOC demonstrating that such services will conserve staff time and resources to respond to backlogs of serious violent felony cases, as defined in OCGA § 17-10-6.1 (a).

(c) *Other Program Costs*. Reasonable and necessary costs to support a response to court case backlogs with a primary focus on cases involving serious violent felonies or to perform ARPA grant administration, as follows:

- (i) The purchase of necessary supplies and materials used by personnel funded by the ARPA grant;
- (ii) The purchase or rental of equipment used by personnel funded by the ARPA grant, including any reasonable and required license, basic operating software, or service needed to use such equipment;
- (iii) Travel costs of personnel and contractors funded by the ARPA grant traveling between counties in multi-county judicial circuits that are necessary to address the backlog in court cases with a primary focus on cases involving serious violent felonies;
- (iv) Rental of temporary space for personnel funded by the ARPA grant;
- (v) Printing, publication, media, or postage costs;
- (vi) Jury expenditures for the trial of cases that are part of the case backlog caused by the COVID-19 pandemic;
- (vii) Jury sequestration costs if necessary for jurors in serious violent felony cases;
- (viii) Continuing legal education and professional dues for prosecutors funded by the ARPA grant, as required by the State Bar of Georgia to maintain a law license;
- (ix) Mandatory continuing judicial education for judges funded by the ARPA grant, as required by the Institute of Continuing Judicial Education and uniform court rules;
- (x) Contracts for professional services or per diem to respond to court case backlogs, including services provided by interpreters, senior judges, state paid county reimbursed (SPCR) prosecutors, and court reporters; or to perform grant administration;
- (xi) Mandatory training for victim assistance coordinators and victims’ advocates funded by the ARPA grant, as required by law and the Prosecuting Attorneys’ Council;
- (xii) Mandatory training for district attorney investigators funded by the ARPA grant, as required by law and the Peace Officer Standards and Training Council;
- (xiii) Audio-visual equipment modernization in existing courtrooms, as provided in the [Audio-Visual Equipment Modernization Policy](#); and

(xiv) Other program costs necessary to address a court backlog caused or exacerbated by the COVID-19 pandemic with a primary focus on cases involving serious violent felonies may be approved by OPB at its sole discretion following a written request for approval by AOC prior to AOC's approval of said costs.

NOTES ON EXECUTIVE BRANCH LIMITATIONS

New or existing staff may be used to respond to case backlogs, with priority given to serious violent felony cases (as defined in OCGA § 17-10-6.1 (a)). However, only payroll for time spent actually responding to case backlogs may be reimbursed with ARPA grant funds. This includes payroll of new personnel hired to backfill existing personnel responding to case backlogs (prioritizing cases involving serious violent felonies). Therefore, time spent responding to case backlogs must be tracked and documented for reimbursement and auditing purposes.

The following clarifications have been provided by OPB regarding reimbursement for ARPA grant administration payroll expenditures only:

- *Current hourly employees performing ARPA grant administration duties may be paid from ARPA funds for time spent (including overtime) if the time is documented with timesheets.*
- *Current salaried employees performing ARPA grant administration duties may not be paid extra from ARPA funds for added duties, but an employer may be reimbursed from ARPA funds for time spent by those employees performing ARPA grant administration duties if the time is documented with timesheets. To be clear, current employees performing ARPA grant administration duties may not be given a supplement or a raise to be paid from ARPA funds.*
- *New part-time employees (hourly or salaried) may be paid from ARPA funds for time spent working on grant administration duties if the time is documented with timesheets.*
- *New full-time employees (hourly or salaried) may be paid from ARPA funds for time spent working on grant administration duties if the time is documented on a timesheet, labor report, and a Personnel Action or Periodic Certification Form upon hire and a chart of accounts for ARPA funding is provided. See ARPA Fiscal Team for details.*

Per 87 Fed. Reg. 4,387 (Jan. 27, 2022), ARPA grant “recipients may use funds for direct and indirect administrative costs for administering the [ARPA grant] program and projects funded by the [ARPA grant] program.” ARPA funds may also be used for “[c]osts associated with addressing administrative needs of recipient governments that were caused or exacerbated by the pandemic.” 31 CFR § 35.6 (b) (3) (ii) (E) (4); 87 Fed. Reg. 4,388 (Jan. 27, 2022) (“e.g., backlogs in court systems”).

Judicial Branch ARPA funds are authorized for supplies, furniture (valued at under \$5,000), and equipment (valued at under \$5,000; e.g., monitors, computers, software licenses, phones, and printers) that are necessary for personnel to respond to the case backlogs or to perform ARPA grant administration. If valued at under \$5,000, such expenses are generally classified as eligible non-capital expenditures and must be listed in (E) (6) ARPA-Eligible Administrative Expenses and in the Administrative/Indirect Costs section of the ARPA Budget Form. Grant recipients should rent equipment (if possible, practical, and cost-effective) to avoid violating the prohibition on purchasing permanent infrastructure. Special rules apply to audio-visual equipment, as explained in section 15. Audio-Visual Equipment Modernization.

6. Federally Eligible Uses Not Currently Authorized by the Executive Branch or the ARPA Committee

Consistent with Executive Branch limitations on the ARPA funds allocated to the Judicial Council and ARPA Committee policies, the following are eligible uses of ARPA funds under federal law and regulations but not currently authorized uses for Judicial Branch grant awards (but may become authorized uses in future grant cycles):

- Professional dues, continuing education, and training for staff (unless expressly authorized above in section **5. Eligible Expenditures and Limitations on Federally Eligible Uses**) (ECs 3.5, 7.1; 31 CFR § 35.6 (b) (3) (ii) (E) (4); 87 Fed. Reg. 4,438 (Jan. 27, 2022) (Uniform Guidance (2 CFR 200 Subpart E) applies to ARPA funds); 2 CFR § 200.473 (“The cost of training and education provided for employee development is allowable”).
- Case management systems and software (EC 7.1; 31 CFR § 35.6 (b) (3) (ii) (E) (4); 87 Fed. Reg. 4,389 (Jan. 27, 2022) (“improvements to case management systems . . . are eligible”).
- ARPA grants to municipal courts (pursue ARPA funds from cities before contacting the ARPA Committee), public defenders, or conflict attorneys (see funds allocated to [GPDC](#)).
- COVID-19 testing (EC 1.2; 31 CFR § 35.6 (b) (3) (i) (A)). Contact the [Georgia Emergency Management and Homeland Security Agency](#) (GEMA) for COVID-19 testing assistance.
- The purchase of personal protective equipment (e.g., gloves, masks, and hand sanitizer) (EC 1.5; 31 CFR § 35.6 (b) (3) (i) (A)). Contact [GEMA](#) for personal protective equipment.
- Expenditures to prevent COVID-19 in congregate settings (e.g., plexiglass, cleaning supplies or services) (EC 1.4; 31 CFR § 35.6 (b) (3) (i) (A)). Contact [GEMA](#) for assistance with supplies to prevent COVID-19 in congregate settings.
- Payroll supplements, stipends, bonuses, “premium pay,” or any other payroll payments to staff that do not correspond to actual documented payroll time spent responding to case backlogs or performing ARPA grant administration **are not authorized**. “Premium pay” is defined in 31 CFR §§ 35.3, 35.6 (c); (EC 4.1).
- Long-term infrastructure (i.e., capital) investments in public facilities, such as physical plant improvements, permanent adaptations to existing public buildings, or constructing new facilities to respond to the pandemic or its negative economic impacts (ECs 3.5, 7.1; 31 CFR § 35.6 (b) (3) (i) (A), (b) (3) (ii), (b) (4); 87 Fed. Reg. 4,389 (Jan. 27, 2022). *Grant recipients should rent equipment (if possible, practical, and cost-effective) to avoid violating the prohibition on purchasing permanent infrastructure.* See section **15. Audio-Visual Equipment Modernization** below for an exception for audio-visual equipment modernization in existing permanent courtrooms.
- Adding or upgrading a court’s broadband connection, including modernization of cybersecurity for existing or new broadband infrastructure (EC 5.19; 31 CFR § 35.6 (e) (2) (i)-(ii)).
- Offsets to a reduction in government revenue due to the pandemic, which may be used to maintain existing infrastructure, build new infrastructure, or provide any government service, excluding contributions to a rainy-day fund (EC 6.1; 31 CFR § 35.6 (d); 87 Fed. Reg. 4,422-4,430 (Jan. 27, 2022)).
- General modernization of cybersecurity not related to broadband upgrades, including hardware, software, and protection of critical infrastructure (falls under the category of government revenue offsets) (EC 6.1; 31 CFR § 35.6 (d)). See 31 CFR § 35.6 (e) (2) (ii).

7. Application Period

Applications for ARPA grant funds will be accepted from April 1, 2023, to April 15, 2023. The ARPA Committee will schedule additional application periods throughout the performance period, which will be posted at jcaoc.georgiacourts.gov/arpa. E-mail the ARPA Grants Team at ARPA@georgiacourts.gov if you want to subscribe to updates from the ARPA Committee and be notified of future application periods.

8. Performance Period

The overall performance period for the ARPA funds provided to the Judicial Council by the Executive Branch is January 1, 2022, to December 31, 2024. This means that the ARPA Committee may award and disseminate ARPA funds allocated to the Judicial Council until December 31, 2024. Expenses for activities that occurred prior to a grant award date are not eligible for reimbursement. Any funds allocated to the Judicial Council that are not expended for eligible uses by December 31, 2024, will be forfeited to the Executive Branch. 31 CFR § 35.5.

9. Application Procedures

ARPA grant applications will be accepted from judicial circuits on behalf of all authorized classes of trial court (excluding municipal courts), prosecutors, and related agencies during the application period stated in section 7. **Application Period** above. Appellate courts are also eligible for ARPA grant funds and may apply directly during the same application period. Applications will first be reviewed by the ARPA Grants Team for completeness and compliance. The ARPA Grants Team will then forward completed applications to the ARPA Committee for review. Incomplete applications or applications with compliance or other issues will be returned to the applicant by the ARPA Grants Team with a list of items that should be addressed prior to it being reviewed by the ARPA Committee. **The ARPA Grants Team will automatically reject any application from a court or entity that is not a judicial circuit or appellate court.** See section 2. **Authorized Courts and Judicial System Stakeholders** above for details.

Promptly notify the ARPA Grants Team at ARPA@georgiacourts.gov if you need to revise or withdraw a submitted (but not approved) application. If an award recipient needs to amend an award mid-calendar year, an amended **ARPA Grant Application** (available under Quick Links at jcaoc.georgiacourts.gov/arpa) may be submitted to the ARPA Committee during an authorized application period using the regular application process. *Note: Such applicants must check the box “Amend CY 2023 Award as described below” under “Type of Application” on the first page of the ARPA Grant Application to indicate that the applicant seeks to amend a current award. See section 14. Award Amendments and Administrative Budget Revisions below for important details and rules regarding modifications to current awards.*

10. Waiting to Apply Not a Negative Factor

Potential applicants should note that the ARPA Committee recognizes that some judicial system entities and stakeholders may choose to wait to apply for ARPA funds until a future application period. The ARPA Committee will distribute ARPA funds over the full course of the performance period with the goal of expending all ARPA funds awarded to the Judicial Council by December 31, 2024 (assuming a sufficient number of awards are approved and reimbursed to exhaust such funds). The ARPA Committee will accept applications for grant funds during multiple application periods throughout the performance period and the choice not to apply in a given grant cycle will not be counted against any applicant in a subsequent grant cycle.

11. Grant Awards

ARPA funds allocated to the Judicial Council will be awarded by the ARPA Committee to grant recipients after review and approval of an **ARPA Grant Application**, which is available under Quick Links at jcaoc.georgiacourts.gov/arpa and explained below. Notification of awards will be communicated to grant recipients by the ARPA Grants Team on behalf of the ARPA Committee from the e-mail address: ARPA@georgiacourts.gov. The ARPA Committee will generally award funds for the duration of one calendar year. Awardees will need to re-apply each calendar year to continue ARPA funding.

12. Reporting and Reimbursement

ARPA grant recipients will be reimbursed upon submission of monthly requests as eligible costs are incurred, reported, and approved for payment by the AOC and OPB. No advances or retroactive payments are currently authorized by the Executive Branch. The AOC (on behalf of the ARPA Committee) and ARPA funding recipients are required to report to OPB on the use of ARPA funds allocated to the Judicial Council. Accordingly, recipients must submit expenditure reports and supporting documentation to the ARPA Grants Team to initiate reimbursement for eligible expenditures. The AOC will submit the required reports and documentation to OPB on behalf of grant recipients. The ARPA Grants Team will provide ARPA grant recipients with instructions, deadlines, and templates to facilitate the reporting of eligible expenditures and initiate the reimbursement process.

13. Process for reimbursing senior judges with ARPA funds for time worked responding to case backlogs (prioritizing cases involving serious violent felonies) if paid by the Council of Superior Court Judges

The process for reimbursing senior judges with ARPA funds for time worked responding to case backlogs, with priority given to cases involving serious violent felonies, if paid by the Council of Superior Court Judges is as follows:

- A chief judge will request one or more senior judges to respond to case backlogs (with priority given to cases involving serious violent felonies) via their district court administrator (DCA) per the usual process for requesting senior judge assistance. However, such requests must clearly identify proposed ARPA eligible hours (only time spent responding to case backlogs, with priority given to cases involving serious violent felonies, is eligible for ARPA funds).
- Senior judges will submit timesheets to the applicable DCA monthly for approval after performing work responding to case backlogs. Each timesheet must clearly identify ARPA eligible hours (only time spent responding to case backlogs, with priority given to cases involving serious violent felonies, is eligible for ARPA funds).
- Each DCA will submit the approved senior judge timesheets to the Department of Audits and Accounts (DOAA) and the Council of Superior Court Judges per the usual process, but each timesheet must clearly distinguish ARPA eligible hours from State-funded hours.
- The Council of Superior Court Judges will process each senior judge's pay (using State and/or ARPA funds, as available) based on the hours submitted.
- Each DCA will submit a monthly request for reimbursement (invoice) to the AOC, which must include: (1) timesheets and case assignment forms (with senior judge's name) indicating ARPA eligible hours; and (2) a spreadsheet with the following fields:

Circuit Name	Grant Award Amount for Senior Judges	Year-To-Date Expenses	Current Month Reimbursement Request	Remaining Balance

- The AOC will match each DCA’s invoice to the approved ARPA budget for each circuit.
- The AOC will request reimbursement from OPB by circuit for senior judge payroll to respond to the case backlogs (with priority given to cases involving serious violent felonies).
- When the AOC receives the reimbursement from OPB, the AOC will reimburse the Council of Superior Court Judges, in one lump sum, with ARPA funds for the senior judge payroll responding to case backlogs (with priority given to cases involving serious violent felonies).

Please e-mail the ARPA Grants Team at ARPA@georgiacourts.gov if you have questions about the reimbursement process.

14. Award Amendments and Administrative Budget Revisions

On November 2, 2022, the ARPA Committee approved the following revised policy regarding award amendments and administrative budget revisions:

Requests to Amend a Current Award

(a) An awardee must submit an *ARPA Grant Application* (via ARPA@georgiacourts.gov and subject to review by the ARPA Committee) to request an *amendment to a current award* for all the following requests:

- (1) Except as provided in (b) (2), moving funds from the “Personnel Services” category to the “Administrative/Indirect Cost” category on an approved Budget Form;
- (2) Except as provided in (b) (2), moving funds from the “Administrative/Indirect Cost” category to the “Personnel Services” category on an approved Budget Form;
- (3) Any request to add a new budget line item not currently listed on an approved Budget Form;
- (4) Any request that would result in a net increase of the Total Overall Budget on an approved Budget Form; or
- (5) The second or more Budget Revision Request in a calendar year from the same awardee.

Budget Revision Requests

(b) An awardee may submit a *Budget Revision Request* in writing to the ARPA Team (via ARPA@georgiacourts.gov) for *administrative approval* by the ARPA Team as follows:

- (1) A Budget Revision Request may be used to request moving up to ten percent of the total approved funds within a Budget Category (i.e., within “Personnel Services” or within “Administrative/Indirect Cost”) from one or more approved budget line items (e.g.,

bailiffs) to one or more other approved budget line items (e.g., district attorneys) within the same Budget Category.

(2) If an approved position maintains the same function, a Budget Revision Request may be used to request that a public sector employee position be transitioned into a contractor position; or to request that a contractor position be transitioned into a public sector employee position.

(3) A maximum of one Budget Revision Request is permitted each calendar year per awardee.

(4) Budget Revision Requests may be submitted only during the months of July-October.

(5) Any Budget Revision Request that includes significant changes to an approved Budget Form, in the judgment of the ARPA Team, may be referred to the ARPA Committee for review.

(6) The ARPA Team is not required to approve any Budget Revision Request and reserves the option to refer any Budget Revision Request to the ARPA Committee for review.

15. Audio-Visual Equipment Modernization

Treasury has authorized capital expenditures in technology infrastructure to reduce government backlogs caused or exacerbated by the COVID-19 pandemic, including backlogs in court systems, as an ARPA-eligible expenditure. 31 CFR § 35.6 (b) (3) (ii) (E) (4), (b) (4); 87 Fed. Reg. 4,389 (Jan. 27, 2022); Treasury Compliance and Reporting Guidance, p. 28 (September 20, 2022).

On December 8, 2022, the ARPA Committee approved audio-visual equipment modernization in existing courtrooms as an eligible expenditure, subject to the following rules and procedures:

(a) Definitions:

(1) “Audio-visual equipment modernization” means the purchase and installation of fixed and movable equipment necessary to address audio-visual controls, video presentation, audio, video streaming, and video conferencing, including any of the following:

- (i) Control panels to control an audio-visual system, commonly installed at a judge’s bench and/or clerk’s desk;
- (ii) Displays for evidence presentation, control monitoring, and public access in a designated viewing area;
- (iii) Speakers mounted on desks, ceilings, walls, or other locations;
- (iv) Fixed and wireless microphones;
- (v) Fixed video cameras;
- (vi) An evidence presentation cart or station with document cameras and technology inputs;
- (vii) A court reporter interface to connect to courtroom audio and/or video;
- (viii) Assistive listening and assistive display devices;
- (ix) Related peripheral items, such as hardware mounts, power supplies, and networking hardware;
- (x) Design, engineering, and installation;
- (xi) Troubleshooting services for a fixed period after installation; and
- (xii) Other audio-visual equipment modernization costs approved by OPB and the Committee.

(2) “Existing courtroom” means a room that is:

- (i) Fully constructed and in use prior to the date of the award;

- (ii) Permanently dedicated to the primary purpose of conducting court proceedings; and
 - (iii) Not a room or facility only temporarily used to conduct court proceedings.
- (b) Audio-visual equipment modernization in **an existing courtroom** is an ARPA-eligible expenditure, on the condition that all the following documentation is submitted to the Committee for approval:
- (1) An ARPA Grant Application, as provided at <https://jcaoc.georgiacourts.gov/arpa/>;
 - (2) A detailed justification letter stating that audio-visual equipment modernization expenditures are a necessary component of a response to court case backlogs caused by the pandemic, with a primary focus on cases involving serious violent felonies;
 - (3) A detailed summary of the project, including a complete project timeline;
 - (4) A detailed proposal from a vendor, including an estimate of the cost of the project and all equipment to be installed; and
 - (5) A revised Budget Form adding “Audio-visual equipment modernization” and the amount requested for such expenditures under the “ARPA-Eligible Administrative Expenses” category.
- (c) Requests for proposals from vendors for audio-visual equipment modernization shall be subject to local competitive bidding requirements and procedures regarding the purchase of equipment, supplies, services, or other items with public funds.
- (d) Per federal regulations and OPB requirements, audio-visual equipment modernization costs must be necessary, reasonable, and proportional to the objectively demonstrated need to respond to case backlogs caused by the pandemic, with a primary focus on cases involving serious violent felonies. To determine the reasonableness of audio-visual modernization costs, consideration must be given to market prices for comparable goods or services for the geographic area where the courtroom is located, as provided in 2 CFR § 200.404 (c).
- (e) The following expenditures remain prohibited:
- (1) Permanent adaptations to existing facilities unrelated to audio-visual equipment modernization; and
 - (2) Construction of a new courtroom or new court facility, including the cost of audio-visual equipment for a new courtroom or new facility.
- (f) ARPA grant recipients will be reimbursed for audio-visual equipment modernization costs as eligible expenditures are incurred and reported with adequate documentation to AOC. **No advances or retroactive payments are authorized.**
- (g) Applicants may be reimbursed for costs incurred on an audio-visual equipment modernization project that is currently in progress if the entire audio-visual equipment modernization project is approved by the Committee, as provided in (b), subject to the following:
- (1) Reimbursement for an in-progress audio-visual equipment modernization project shall be limited to costs incurred on or after the date of award; and
 - (2) Audio-visual equipment modernization costs incurred prior to the date of award shall not be reimbursed.
- (h) ARPA funds **are subject to recoupment** if used for impermissible purposes, as provided in 31 CFR § 35.10.

(Application Instructions start on the next page)