

## JUDICIAL COUNCIL ARPA GRANT APPLICATION

Prior to completing this application, please review the ARPA [Overview and Instructions](#). The Application Notes on pages 10-14 of this document also highlight important instructions for certain sections. Please complete all sections to receive full consideration for federal [American Rescue Plan Act](#) (ARPA) grant funding allocated to the Judicial Branch. Type "N/A." if a particular section is not applicable.

**Type of Application (check applicable box):**

- New grant application (no current award)  
 Amend CY 2023 Award as described below

**Judicial Circuit or Appellate Court Name**

Alcovy Judicial Circuit

**Chief Judge/Justice of Judicial Circuit or Appellate Court Address**

First Name	Last Name
W. Kendall	Wynne

Street  
1132 Usher St., Room 213

City	ZIP Code
Covington	GA 30014

E-mail Address	Business Phone
<a href="mailto:kwynne@co.newton.ga.us">kwynne@co.newton.ga.us</a>	770-788-3781

**Application Contact**

Name the point of contact for application questions and status updates:

First Name	Last Name
Kathy	Kitchens

Job Title	Business Phone
Judicial Assistant	770-788-3781

[kkitchens@co.newton.ga.us](mailto:kkitchens@co.newton.ga.us)

E-mail Address (application status updates):

**Grant Compliance Official**

Name the person who will be responsible for ARPA grant compliance:

First Name	Last Name
T.J.	BeMent

Job Title	Business Phone
District Court Administrator	706-613-3173

[tjbement@gmail.com](mailto:tjbement@gmail.com)

E-mail Address (grant compliance/reporting):

**Grant Reimbursement Official (Fiscal Agent)**

Name the person from the lead county serving as the fiscal agent for the requested ARPA funds:

First Name	Last Name	
Milton	Cronheim	
Job Title	Business Phone	
Director of Finance	770-267-1964	
Street		
303 S. Hammond Dr.		
City	ZIP Code	County
Monroe	GA 30655	Walton

<a href="mailto:Milton.cronheim@co.walton.ga.us">Milton.cronheim@co.walton.ga.us</a>
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E-mail Address (grant reimbursement matters)

**(A) USE OF ARPA FUNDS SUMMARY**

The Alcovy Circuit (composed of Walton County and Newton County) has implemented the ARPA funds by creating new positions in the District Attorney’s Office, increasing the availability of senior judges, and providing overtime compensation for courtroom security personnel.

The District Attorney’s Office hired three of the four positions originally awarded for two investigators and two investigative assistants. The Office hired one investigator and one investigative assistant for Walton County and one investigative assistant for Newton County. These positions handle serious violent felony (“SVF”) cases, freeing the non-grant funded investigators to handle routine felony cases. These new positions have allowed the office to close more SVF cases than in previous years, as evidenced by the improved clearance rate for SVF cases, which is slightly higher than the pre-pandemic rate. These positions have been vital to this effort and the effort to reduce the overall felony case backlog created by Covid-19.

The District Attorney's Office is seeking to continue funding for the three ARPA-funded positions: one investigator in Walton County, one investigative Assistant in Walton County, and one investigative Assistant in Newton County. The Office is no longer seeking to fill the other investigator position in Newton County due to a lack of qualified candidates. Qualified candidates in Newton County felt they were able to find better paying jobs (the pay in Newton County is lower than in Walton County) and were not interested in a grant-funded position that is only guaranteed for a limited time period. [CYCLE 1]

The Alcovy Circuit has used the grant funds allocated to senior judges to increase the number of jury trials by setting special trial sessions using multiple judges (including senior judges) sitting simultaneously in multiple courtrooms and by using senior judges to preside over motions calendars while the elected judges held jury trials. Senior judge funds allowed the Alcovy Circuit to hold five more trial weeks than originally scheduled, resulting in guilty pleas, settlements, and jury verdicts, thereby decreasing the backlog existing due to Covid-19. [CYCLE 1]

Although the Alcovy Circuit is not renewing its request for overtime funds for courtroom security personnel, these funds have permitted the circuit to extend court time and dispose of more cases.

**(B) CASE BACKLOGS REQUIRED TO JUSTIFY ARPA FUNDS**

**(1) Description of Case Backlogs**

The Alcovy Circuit has increased the number of trial weeks per year to reduce the backlog caused by the pandemic. In a normal year, the circuit may have 40 trial weeks. However, in 2022, the circuit completed 46 trial weeks, including five weeks with the assistance of at least one senior judge. This allowed the circuit to begin to reduce the backlog of serious violent felony cases, returning our clearance rate to the same as, or slightly better than, pre-pandemic rates.

In 2020, the circuit saw the number of pending felony cases jump from 3,733 at the end of 2019 to 3,851 at the end of 2020. In 2022, the circuit succeeded in decreasing the number of pending felony cases to near the pre-pandemic level due, in part, to the ARPA funds allocated to the circuit. For CY2023, the Alcovy Circuit will continue to use additional senior judge days to cover trials and hearings to work through the backlog of cases, prioritizing SVF cases.

Additional funds for Eligible Administrative Expenses include ADR Mediation and Judicially Hosted Settlement Conferences, Court Reporting, a Grants Manager, and A/V Equipment Modernization. These funds will assist in grant administration, paying for court transcripts, and diversion of cases for resolution by means other than trial. The A/V Equipment Modernization funds will upgrade our audio capabilities and our ability to hold hearings via videoconferencing platforms, while increasing the efficiency of trials and hearings through improved courtroom evidence presentation.

**(2) Case Backlog Data (NOTE: The Case Backlog Data is from a report produced by Tyler Technologies, the vendor for the case management system used by both Newton County and Walton County. I am told by the Newton County Clerk's Office that this report, developed by the vendor for the ARPA grant, was not available when the initial grant application was submitted, and it appears these numbers vary from those in the initial application for that reason. However, these figures represent the best data available to us at this time. Additionally, the vendor incorrectly counts child molestation as a serious violent felony. We are working with them to correct this and will submit amended data as they are available.)**

(a) Cases Pending

As of Date	Cases Pending by Case Type			
	All Cases (Civil & Criminal)	All Felony Cases	Serious Violent Felony Cases	Serious Violent Felony Cases % of All Felony Cases Pending
12/31/2019	9,419	3,733	180	4.8%
12/31/2020	9,371	3,851	177	4.6%
12/31/2021	9,393	3,752	191	5.1%
12/31/2022	9,784	3,740	202	5.4%
2/28/2023	9,915	3,887	201	5.2%

*Note:* For this chart, enter the number of cases pending in each box. Only include cases pending in the courts applying for ARPA funds. “Serious Violent Felony Cases” means the types of cases listed in OCGA § 17-10-6.1 (a) (1)-(7) only.

(b) Number of Jury Trials

Date Range	Number of Jury Trials by Case Type		
	All Cases (Civil & Criminal)	All Felony Cases	Serious Violent Felony Cases
1/1/19 - 12/31/19	46	33	17
1/1/20 - 12/31/20	19	17	5
1/1/21 - 12/31/21	39	32	10
1/1/22 - 12/31/22	48	35	10
1/1/23 - 2/28/23	10	6	3

*Note:* For this chart, include the total number of jury trials conducted during the date ranges indicated. “Serious Violent Felony Cases” means the types of cases listed in OCGA § 17-10-6.1 (a) (1)-(7) only.

(c) Clearance Rates

Date Range	Clearance Rates (%) by Case Type		
	All Cases (Civil & Criminal)	All Felony Cases	Serious Violent Felony Cases
1/1/19 - 12/31/19	95.9%	46.8%	2.1%
1/1/20 - 12/31/20	100.9%	49.0%	2.0%
1/1/21 - 12/31/21	100.0%	53.9%	1.9%
1/1/22 - 12/31/22	92.6%	48.8%	2.4%
1/1/23 - 2/28/23	88.9%	38.1%	2.2%

*Note:* For this chart, include the number of disposed cases as a percentage of the number of filed cases for the date ranges indicated within each category. “Serious Violent Felony Cases” means the types of cases listed in OCGA § 17-10-6.1 (a) (1)-(7) only.

(d) Description of Pending Warrants and Unindicted Cases

Newton County currently has 628 pending warrants and unindicted cases.

Walton County currently has 788 pending warrants and unindicted cases.

Data received did not provide a breakdown of warrants and unindicted cases.

**(C) TOTAL ARPA GRANT FUNDS REQUESTED FROM THE JUDICIAL COUNCIL TO ADDRESS CASE BACKLOGS**

- (1) Overall total ARPA grant funds requested to address case backlogs: \$ 1,071,384.
- (2) Amount of overall total ARPA grant funds requested that will be dedicated to addressing backlogs of serious violent felonies (as defined in OCGA § 17-10-6.1 (a)): \$ 543,630.
- (3) Overall number of staff and contractor positions requested: 5.
- (a) Overall number of full time staff positions: 3.
- (b) Overall number of part time staff positions: 1.
- (c) Overall number of contractor positions: 1.
- (4) Portion of overall number of staff and contractor positions requested that will be dedicated to addressing backlogs of serious violent felonies (as defined in OCGA § 17-10-6.1 (a)): 4.
- (a) Full time staff positions dedicated to serious violent felonies: 3.
- (b) Part time staff positions dedicated to serious violent felonies: 1.
- (c) Contractor positions dedicated to serious violent felonies: 0.

Note: As used in this application, “staff” means government employee.

**(D) ARPA GRANT FUNDS REQUESTED OR RECEIVED FROM OTHER SOURCES TO ADDRESS CASE BACKLOGS**

- (1) Applicants (except appellate courts) are required to request ARPA funds from one or more counties in their circuit. Have you requested ARPA funds from any counties in your circuit?  
 Yes  No

(2) List the counties from which you have requested ARPA funds (attach request & response):

County	Purpose(s) For Which ARPA Funds Were Requested with Dates Requested	Amount Requested	Amount Approved
Newton County	<i>Please see attached letter. Newton County did not respond.</i>	\$	\$
Walton County	<i>Please see attached letter and response.</i>	\$	\$

Note: If your request for county ARPA funds and/or the county’s response was verbal (i.e., not in writing), please attach a memorandum documenting your request and/or the county’s response.

(3) County Resources Provided to Courts

Walton County renovated and expanded an existing courtroom at a cost of over \$700,000 in 2022, upgrading its A/V capabilities in the process.

- (4) Total ARPA grant funds requested from other sources: \$ 0.
- (5) Total ARPA grant funds received from other sources: \$ 0.
- (6) Total ARPA grant funds from other sources expended to date: \$ 0.
- (7) Total ARPA grant funds from other sources obligated to date: \$ 0.

**(E) REQUESTS UNDER EACH ARPA EXPENDITURE CATEGORY (EC)**

**(1) Payroll-Public Sector Staff Responding to Case Backlogs (EC 3.1; 31 CFR § 35.6 (b) (3))**

(ii) (E) (1))

- (a) Subtotal of funds requested for this EC: \$ 213,466.
- (b) Amount of subtotal for this EC dedicated to addressing the backlog of serious violent felonies, as defined in OCGA § 17-10-6.1 (a): \$ 128,080.
- (c) More than 50 percent of **total personnel costs** awarded each calendar year **under this EC** must be dedicated to serious violent felonies, as defined in OCGA § 17-10-6.1 (a). What percentage of the personnel costs requested under this EC will be dedicated to serious violent felonies? 60%.
- (d) Overall number of staff positions to be funded under this EC: 4.
- (i) Full time staff positions: 3.
- (ii) Part time staff positions: 1.
- (e) Number of staff positions requested under this EC dedicated to serious violent felonies, as defined in OCGA § 17-10-6.1 (a): 4.
- (i) Full time staff positions: 3.
- (ii) Part time staff positions: 1.
- (f) The following applies for this EC only (check one):
- Maintain CY 2023 award for this EC with no amendments.
- Maintain CY 2023 award for this EC with the following amendments:
- No funds have been awarded for this EC in CY 2023, so the following describes a new request:
- No funds are requested for this EC.

SENIOR JUDGES: Senior Judges funds to allow judges to address the backlog of serious violence felony cases and continue to manage their current caseload with the support of twenty (20) additional senior judge days. (\$13,280 – CYCLE 1)

OFFICE OF THE DISTRICT ATTORNEY: To reduce the backlog of serious violent felonies, the District Attorney's Office will use the funds requested to support one (1) investigator position and two (2) investigative assistant positions. The investigators will focus on serious violent felonies within the Alcovy Judicial Circuit. The investigative assistant positions will be used to shift more tasks from other investigators to the investigative assistants so that the investigators will have more time available to focus on serious violent felonies.

The positions were granted in the 2022 ARPA Application, and as described in that

application, will last for a term of three years with an ARPA Application filed each year to renew the positions at the salaries described in the initial application. (\$200,186 – CYCLE 1)

**(2) Court-Based Mental Health Diversion** (EC 1.12; 31 CFR § 35.6 (b) (3) (i) (C))

- (a) Subtotal of funds requested for this EC: \$ 0
- (b) Overall number of staff and contractor positions to be funded under this EC: 0.
  - (i) Full time staff and contractor positions: 0.
  - (ii) Part time staff and contractor positions: 0.
- (c) The following applies for this EC only (check one):
  - Maintain CY 2023 award for this EC with no amendments.
  - Maintain CY 2023 award for this EC with the following amendments:
  - No funds have been awarded for this EC in CY 2023, so the following describes a new request:
  - No funds are requested for this EC.

N/A

**(3) Court-Based Substance Use Diversion** (EC 1.13; 31 CFR § 35.6 (b) (3) (i) (C))

- (a) Subtotal of funds requested for this EC: \$ 0
- (b) Overall number of staff and contractor positions to be funded under this EC: 0.
  - (i) Full time staff and contractor positions: 0.
  - (ii) Part time staff and contractor positions: 0.
- (c) The following applies for this EC only (check one):
  - Maintain CY 2023 award for this EC with no amendments.
  - Maintain CY 2023 award for this EC with the following amendments:
  - No funds have been awarded for this EC in CY 2023, so the following describes a new request:
  - No funds are requested for this EC.

N/A

**(4) Court-Based Eviction Prevention and Diversion** (ECs 2.2, 2.18; 31 CFR § 35.6 (b) (3) (ii)

(A) (1), (5))

- (a) Subtotal of funds requested for this EC: \$ 0
- (b) Overall number of staff and contractor positions to be funded under this EC: 0.
  - (i) Full time staff and contractor positions: 0.
  - (ii) Part time staff and contractor positions: 0.
- (c) The following applies for this EC only (check one):
  - Maintain CY 2023 award for this EC with no amendments.
  - Maintain CY 2023 award for this EC with the following amendments:
  - No funds have been awarded for this EC in CY 2023, so the following describes a

new request:

- No funds are requested for this EC.

N/A

**(5) Temporary Facilities or Workspace to Respond to Case Backlogs** (ECs 3.5, 7.1; 31 CFR § 35.6 (b) (3) (ii) (E) (4))

- (a) Subtotal of funds requested for this EC: \$ 0.
- (b) Amount of subtotal for this EC dedicated to addressing the backlog of serious violent felonies, as defined in OCGA § 17-10-6.1 (a): \$ 0.
- (c) The following applies for this EC only (check one):
- Maintain CY 2023 award for this EC with no amendments.
  - Maintain CY 2023 award for this EC with the following amendments:
  - No funds have been awarded for this EC in CY 2023, so the following describes a new request:
  - No funds are requested for this EC.

N/A

**(6) ARPA-Eligible Administrative Expenses** (ECs 3.5, 7.1; 31 CFR § 35.6 (b) (3) (ii) (E) (3)-(4))

- (a) Subtotal of funds requested for this EC: \$ 52,918.
- (b) Overall number of staff and contractor positions to be funded under this EC: 0.
- (i) Full time staff and contractor positions: 0.
  - (ii) Part time staff and contractor positions: 1.
- (c) The following applies for this EC only (check one):
- Maintain CY 2023 award for this EC with no amendments.
  - Maintain CY 2023 award for this EC with the following amendments:
  - No funds have been awarded for this EC in CY 2023, so the following describes a new request:
  - No funds are requested for this EC.

Supplies & Materials (\$5,000 – CYCLE 1): The Office of the District Attorney renews its request for funds to cover the cost of supplies and materials for the three positions it is seeking in this grant. The supplies and materials include computer software and programs for each new position, and supplies necessary for the positions, including vests, phones, and protective equipment.

Grants Coordinator (\$12,918 – CYCLE 1): in lieu of supplement for DCA and staff and to support local county grant management efforts, the 10th District will contract with a Grants Coordinator as a part-time 1099 contractor for approximately 8 hours per week at \$30/hour plus FICA.



ADR Mediation and Judicially Hosted Settlement (\$10,000 – CYCLE 1): The Alternative Dispute Resolution program is requesting funds for mediation services to help address the backlog of civil, domestic, and dispossessory cases. Between Superior Court and Magistrate Court, we anticipate 300 cases could benefit from mediation services and Judicially Hosted Settlement Conferences.

Court Reporting (\$25,000 – CYCLE 1): Funds used to ensure court reporters are available for trial and other proceedings, so senior judges can oversee other daily court work to reduce the backlog across all counties to cover takedown, typing, transcription and related costs.

**(7) Audio-Visual Equipment Modernization** (ECs 3.5, 7.1; 31 CFR § 35.6 (b) (3) (ii) (E) (4), (b) (4); 87 Fed. Reg. 4,389 (Jan. 27, 2022))

(a) Subtotal of funds requested for this EC: \$ 805,000.

(b) Per federal regulations and OPB requirements, audio-visual 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. The total number of staff and contractor positions responding to case backlogs to be funded in CY 2023 by this ARPA grant if approved, including all staff and contractor positions requested in sections (E) (1)-(4), (6) of this application, are as follows:

(i) Full time staff and contractor positions: 0.

(ii) Part time staff and contractor positions: 0.

*Note:* No staff or contractor positions should be requested under this EC, which is reserved for “audio-visual equipment modernization” expenditures only, as defined in the [Audio-Visual Equipment Modernization Policy](#) (“AV Policy”). All staff and contractor positions should be requested under sections (E) (1)-(4), (6) of this application. The intent of (b) (i)-(ii) directly above is to make sure your overall ARPA-funded staff and contractor headcount is proportional to the number of courtrooms you intend to modernize to comply with federal regulations and OPB requirements. AV Policy § (d).

(c) **Audio-Visual Equipment Modernization Policy** checklist (check all that apply to indicate compliance):

X A detailed justification letter is attached stating that audio-visual equipment modernization in the courtrooms listed in table (7) (d) below is a necessary component of a response to court case backlogs caused by the pandemic, with a primary focus on cases involving serious violent felonies. Id. at § (b) (2).

X A detailed summary of each audio-visual modernization project requested under this EC is attached, including a complete project timeline. Id. at § (b) (3).

X A detailed proposal from each vendor is attached, including an estimate of the cost of each project and all equipment to be installed. Id. at § (b) (4).

X Each attached proposal **will be** subject to local competitive bidding requirements and procedures and reflects market prices for comparable goods and services for the geographic area where the courtroom is located. Id. at §§ (c)-(d). **The undersigned assumed responsibility for this grant application upon the retirement of the former Chief Judge December 31, 2022, and upon the departure of the former staff member responsible for this grant. Due to the short period in which the undersigned had to become familiar with the grant requirements and the short period in which to meet**

**competitive bidding requirements, the applicant obtained quotes to have some idea of the cost of the project to request in the grant application. The Alcovy Circuit requests that the funds for this item be awarded subject to the Circuit submitting proof that it has complied with local competitive bidding requirements and procedures, as well as proof that the proposal reflects market prices for comparable goods and services for this area.**

X The projects are requested for existing courtrooms only, as defined. Id. at § (a) (2).

X The projects are requested for courtrooms where personnel are responding to case backlogs caused by the pandemic, with first priority given to courtrooms where personnel are responding to cases involving serious violent felonies. Id. at §§ (b) (2), (d).

X The projects requested are compliant with all other provisions of the ARPA Committee’s [Audio-Visual Equipment Modernization Policy](#).

(d) For each existing permanent courtroom where new audio-visual equipment is to be installed, fill in the following information:

County	Location of Courtroom	Classes of Court That Use Courtroom	Amount Requested
Newton County	Covington, GA	Superior, Probate, Magistrate	\$460,000
Walton County	Monroe, GA	Superior, Probate, Magistrate	\$345,000

*Note:* Add additional rows to the table above if requesting funds for more than three courtrooms.

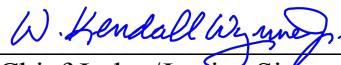
**(F) SUPPORTING DOCUMENTATION AND BUDGET FORM**

The following supporting documentation is attached to this application (check all that apply):

- X A completed [ARPA Budget Form](#) in an Excel spreadsheet file format (required).
- X Correspondence to and from county governments requesting ARPA funds (required).
- X All documents required under section (b) (2)-(4) of the [Audio-Visual Equipment Modernization Policy](#) (if requesting funds under section (E) (7) of this application).
- Any other documentation needed to support this application (if applicable).

**(G) CERTIFICATION**

X By checking this box, I, the undersigned, certify that (1) the information in this application is true and correct to the best of my knowledge; and (2) the proposed activities are eligible expenditures under the federal American Rescue Plan Act of 2021 and 31 CFR Part 35 (“Final Rule”). I understand that the use of ARPA grant funds is subject to certain reporting requirements, audits, and recoupment if put toward impermissible uses. 31 CFR § 35.10.



Chief Judge/Justice Signature

Printed Name: W. Kendall Wynne, Jr.

Title: Chief Judge

Date: April 14, 2023

**(H) SUBMIT APPLICATION**

E-mail a .pdf of your completed, certified, and signed application (with supporting documentation) to [ARPA@georgiacourts.gov](mailto:ARPA@georgiacourts.gov).

## APPLICATION NOTES

**Only judicial circuits and appellate courts are currently authorized to apply for ARPA funds. The ARPA Grants Team will automatically reject any application from a court or entity that is not a judicial circuit or appellate court.** See the [Overview and Instructions](#) for full details beyond the basic instructions presented below.

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### **(B) CASE BACKLOGS REQUIRED TO JUSTIFY ARPA FUNDS**

All applicants must objectively demonstrate that case backlogs exist to qualify for ARPA grant funds or continued funding. All expenditures requested in this application must be reasonably proportional to the applicant’s objectively demonstrated need to address case backlogs, with priority given to serious violent felonies (as defined in OCGA § 17-10-6.1 (a)). 87 Fed. Reg. 4,344; 4,388 (Jan. 27, 2022). When calculating the need for additional resources to respond to case backlogs, a court may provide statistics comparing its case volume from a “normal” pre-pandemic year (e.g., case volume in 2019) to its current case volume. If statistics do not demonstrate the full picture of an applicant’s case backlog, other facts may be included in the description, e.g., space constraints or other factors. Applicants should also identify what portion of case backlogs are serious violent felony cases, as defined in OCGA § 17-10-6.1 (a).

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### **(D) ARPA GRANT FUNDS REQUESTED OR RECEIVED FROM OTHER SOURCES TO ADDRESS CASE BACKLOGS**

**Applicants (except appellate courts) must request ARPA funds from their respective county governments.** For ARPA grant funds requested or received by any court or other entity included in this application from any other sources (including a county, municipality (to include a “nonentitlement unit of local government”), or an eligible non-profit entity), attach documentation explaining how requested, received, expended, or obligated funds have been or will be used, including whether such funds have been or will be used to address the backlog of serious violent felonies, as defined in OCGA § 17-10-6.1 (a). Also attach any correspondence to and from each county from which ARPA funds were requested.

As used in this section, “obligated” means “an order placed for property and services and entering into contracts, subawards, and similar transactions that require payment.” 31 CFR § 35.3. Section 9901 (a) of ARPA defines the term “nonentitlement unit of local government” to mean a “city” (as defined in 42 USC § 5302 (a) (5)) that is not a “metropolitan city” (as defined in 42 USC § 5302 (a) (4)). Codified at 42 USC § 803 (g) (4)-(5).

### **(E) REQUESTS UNDER EACH ARPA EXPENDITURE CATEGORY (EC)**

#### **(E) (1) Payroll-Public Sector Staff Responding to Case Backlogs (EC 3.1)**

**More than 50 percent of total personnel costs awarded each calendar year under this EC must be dedicated to responding to serious violent felonies, as defined in OCGA § 17-10-6.1 (a).** As used in (E) (1) (c), “total personnel costs” means the subtotal of funds requested under section (E) (1) only, as stated in (E) (1) (a). To get the percentage used in (E) (1) (c), divide the amount provided under (E) (1) (b) by the amount provided in (E) (1) (a).

**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. 87 Fed. Reg. 4,341; 4,388 (Jan. 27, 2022) (Eligible use must “respond to the identified negative economic impact” of the pandemic, “e.g., backlogs in court systems”). 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 (or backfilling others so they can respond) must be tracked and documented for reimbursement and auditing purposes.

Per U.S. Treasury Compliance and Reporting Guidance, federal “EC 3.1” is reserved for “Public Sector Workforce” payroll and benefits, so (E) (1) must exclude contractors, which fall under federal administrative ECs “3.5” and “7.1.” 31 CFR § 35.6 (b) (3) (ii) (E) (1). To categorize contractors correctly under federal guidance, request contractors responding to case backlogs generally (i.e., not performing mental health, substance use, or eviction prevention diversion services) under (E) (6), which corresponds to federal administrative expenditure ECs “3.5” and “7.1.” 31 CFR § 35.6 (b) (3) (ii) (E) (3)-(4).

#### **(E) (2) Court-Based Mental Health Diversion (EC 1.12)**

Per Executive Branch limitations, ARPA funds for court-based mental health diversion services must: (a) respond to case backlogs; and (b) conserve staff time and resources to respond to case backlogs of serious violent felony cases, as defined in OCGA § 17-10-6.1 (a). Accordingly, for purposes of this expenditure category, grant applicants **must provide a numerical estimate** in the description regarding the staff hours and resources court-based mental health diversion services will conserve so staff may respond to serious violent felonies. As used in this section, “numerical” means containing one or more of the number symbols 0, 1, 2, 3, 4, 5, 6, 7, 8, or 9; e.g., 20 hours of staff time per week, 18 percent of a judge’s caseload, or some other numerical measurement. Please also note that ARPA funds allocated to the Judicial Council may be used for court-based services only and not for out of court mental health treatment services.

Contractors performing court-based mental health division services to respond to case backlogs must be requested under (E) (2) and not (E) (6) because federal “EC 1.12” applies to “Mental Health Services” generally. 31 CFR § 35.6 (b) (3) (i) (C).

#### **(E) (3) Court-Based Substance Use Diversion (EC 1.13)**

Per Executive Branch limitations, ARPA funds for court-based substance use diversion services must: (a) respond to case backlogs; and (b) conserve staff time and resources to respond to case backlogs of serious violent felony cases, as defined in OCGA § 17-10-6.1 (a). Accordingly, for purposes of this expenditure category, grant applicants **must provide a numerical estimate** in the description regarding the staff hours and resources court-based substance use diversion services will conserve so staff may respond to serious violent felonies. As used in this section, “numerical” means containing one or more of the number symbols 0, 1, 2, 3, 4, 5, 6, 7, 8, or 9; e.g., 20 hours of staff time per week, 18 percent of a judge’s caseload, or some other numerical measurement. Please also note that ARPA funds allocated to the Judicial Council may be used

for court-based services only and not for out of court substance use treatment services.

Contractors performing court-based substance use diversion services to respond to case backlogs must be requested under (E) (3) and not (E) (6) because federal “EC 1.13” applies to “Substance Use Services” generally. 31 CFR § 35.6 (b) (3) (i) (C).

**(E) (4) Court-Based Eviction Prevention and Diversion (ECs 2.2, 2.18)**

Per Executive Branch limitations, ARPA funds for court-based eviction prevention and diversion services must: (a) respond to case backlogs; and (b) conserve staff time and resources to respond to case backlogs of serious violent felony cases, as defined in OCGA § 17-10-6.1 (a). Accordingly, for purposes of this expenditure category, grant applicants **must provide a numerical estimate** in the description regarding the staff hours and resources court-based eviction prevention and diversion services will conserve so that staff may respond to serious violent felonies. As used in this section, “numerical” means containing one or more of the number symbols 0, 1, 2, 3, 4, 5, 6, 7, 8, or 9; e.g., 20 hours of staff time per week, 18 percent of a judge’s caseload, or some other numerical measurement. Please also note that ARPA funds allocated to the Judicial Council may not be used for direct payments to landlords or tenants.

Contractors performing court-based eviction prevention and diversion services to respond to case backlogs must be requested under (E) (4) and not (E) (6) because federal ECs “2.2” and “2.18” respectively apply to “Household Assistance: Rent, Mortgage, and Utility Aid” and “Housing Support: Other Housing Assistance” generally. 31 CFR § 35.6 (b) (3) (ii) (A) (1), (5).

...

**(E) (6) ARPA-Eligible Administrative Expenses (ECs 3.5, 7.1)**

Describe proposed ARPA-eligible administrative expenses in the space provided. Contractors performing mental health, substance use, or eviction prevention diversion services must be requested under (E) (2), (3), or (4) respectively. All other contractors responding to case backlogs and contractors performing grant administration must be requested under (E) (6). 31 CFR § 35.6 (b) (3) (ii) (E) (1), (3)-(4).

*Grant Administration Payroll*

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.

Grant administration includes costs related to disbursing payments of ARPA funds and managing ARPA grant programs. 87 Fed. Reg. 4,435-4,436; 4,444 (Jan. 27, 2022).

#### *Supplies, Materials, and Equipment*

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 case backlogs or perform ARPA grant administration. If valued at under \$5,000, such expenditures are generally classified as non-capital permitted expenditures and should be listed under (E) (6) 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 below.

#### *Audio-Visual Equipment*

Effective December 8, 2022, audio-visual equipment modernization in existing permanent courtrooms is an ARPA-eligible expenditure and not subject to the OPB prohibition on capital expenditures mentioned immediately above. Movable or temporary audio-visual equipment for temporary courtrooms must be requested under (E) (6). The purchase and installation of permanent audio-visual equipment (i.e., fixtures) in existing permanent courtrooms must be requested under section (E) (7) and is subject to specific rules and procedures.

#### **(E) (7) Audio-Visual Equipment Modernization (ECs 3.5, 7.1)**

On December 8, 2022, the ARPA Committee approved audio-visual equipment modernization in existing permanent courtrooms as an eligible expenditure, subject to certain rules and procedures. See the [Audio-Visual Equipment Modernization Policy](#) and section 15 of the [Overview and Instructions](#) for details and restrictions. Use the Audio-Visual Equipment Modernization Policy checklist provided in (E) (7) (c) to assist with compliance.

#### **(F) SUPPORTING DOCUMENTATION AND BUDGET FORM**

The [ARPA Budget Form](#) must be submitted in an Excel spreadsheet format and not a .pdf file format. Copies of correspondence requesting county ARPA funds must also be attached, as well as any response to such request. If requesting funds under (E) (7), attach all documents required under section (b) (2)-(4) of the [Audio-Visual Equipment Modernization Policy](#). Attach any other supporting documentation the ARPA Committee will need to sufficiently and efficiently review your application. Use the checklist provided in this section to assist with compliance.

...

#### **(H) SUBMIT APPLICATION**

The ARPA Grants Team will confirm receipt and follow up with you regarding any issues with your application and next steps. Applications that are not timely completed during the application review window may need to be considered by the ARPA Committee in a subsequent

application period. Promptly notify the ARPA Grants Team at [ARPA@georgiacourts.gov](mailto:ARPA@georgiacourts.gov) if you need to revise or withdraw a submitted application.