

Judicial Council of California  
ADMINISTRATIVE OFFICE OF THE COURTS  
455 Golden Gate Avenue, San Francisco, California 94102



**APPLICATION FOR  
California DUI Court Expansion Project  
State FY 2007-2008**

**Application Checklist**

1. Grant Application Cover Page
2. Proposal Narrative
3. Statement Regarding Verifying Use of *The Ten Guiding Principles of DWI Courts*
4. Application Budget Sheet
5. Reporting Commitment Form

Completed applications must be e-mailed and hard copies postmarked by:  
**July 13, 2007**

Send applications electronically to:  
dave.bressler@jud.ca.gov

AND

Mail an original plus two copies of the signed application to:

Dave Bressler  
Judicial Council of California  
Administrative Office of the Courts  
455 Golden Gate Avenue  
San Francisco, California 94102

This application kit is also available via the Internet at  
<http://serranus.courtinfo.ca.gov/programs/grants/current.htm>

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# 1 INFORMATION ON THE APPLICATION PROCESS

## 1.1 Introduction

The Judicial Council of California, Administrative Office of the Courts, Center for Families, Children & the Courts received a grant from the California Office of Traffic Safety (OTS) to implement the California DUI Court Expansion Project. The project is designed to assist in the development, expansion and evaluation of DUI courts in California. The selected DUI courts will apply a collaborative justice model<sup>1</sup> to their DUI case processing and will adhere to the National Drug Court Institute's (NDCI) *The Ten Guiding Principles of DWI<sup>2</sup> Courts* (see Section 3.5). This grant will fund no less than five (5) new DUI court expansion pilot sites throughout California. The courts will be funded for a two year period.

The Judicial Council of California, chaired by the Chief Justice of California, is the policy making body for the California court system. The Administrative Office of the Courts (AOC), the staff agency for the council, assists both the council and its chair in performing their duties. The Center for Families, Children & the Courts (CFCC), a division of the AOC, is dedicated to improving the quality of justice and services to meet the diverse needs of children, youth, families, and self-represented litigants in the California courts.

## 1.2 General Information

### 1.2.1 Applicant Eligibility

All California superior courts that are interested in implementing a DUI court program are eligible to apply. Counties with existing DUI/DWI courts may apply to expand to a new location within the jurisdiction if the existing DUI/DWI court programs are fully funded by the court. Counties may choose to partner with neighboring jurisdictions to submit a regional, multi-county application.

### 1.2.2 Due Date and Submission Instructions

Completed applications must be e-mailed to the AOC by July 13, 2007. In addition, an original and two copies of your signed application must be submitted in hard copy by hand-delivery or postmarked by U.S. mail by midnight, July 13, 2007. For assistance, contact Dave Bressler at [dave.bressler@jud.ca.gov](mailto:dave.bressler@jud.ca.gov) or 415-865-7703.

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<sup>1</sup> The Collaborative Justice Courts Advisory Committee, appointed by the Chief Justice of California, has adopted the following brief definition: "Collaborative justice courts include the integration of services with judicial case processing, ongoing judicial intervention, close monitoring of and immediate response to behavior, multidisciplinary involvement, and collaboration with community-based and government organizations."

<sup>2</sup> Driving While Intoxicated

### 1.2.3 Grant Award Size

The project will distribute a total of \$2.5 million dollars to no less than five courts chosen through a competitive application process. Funds are to be disbursed over a two year cycle. Grant award funding levels will be based on the following:

- Court program components;
- Number of defendants estimated to participate in the DUI court based on current DUI filings in the jurisdiction covered; and
- Other review criteria as listed in Section 1.2.5.

Please note that grant funds will be disbursed via reimbursement on a monthly basis only after required monthly financial reports and invoices are received. Quarterly statistical reports are required. Only expenses incurred during the contractual funding cycle can be reimbursed. Goods and services procured must be provided or performed during the contractual funding cycle.

### 1.2.4 Use of Funds

**Grantees must adhere to all funding, procurement, and reporting requirements as put forth in the OTS Grant Program Manual. To access this manual:**

**<http://www.ots.ca.gov/grants/program.asp>**

Grant funds may not be used to supplant (or replace) already allocated funding for salaries of any current trial court or other justice system partner staff (including judges, district attorneys, public defenders, DUI court coordinators, probation officers, or support staff from partnering agencies).

Acceptable expenses can include:

- Personnel and contractual services costs for DUI court program staff working directly on the delivery of the DUI court program. Examples of services include: intake and psychosocial assessment; physical exams and lab tests; urine testing; individual, group, and family counseling; and case management;
- Travel to project-related activities including the Effective Practices Summit Project Kick-Off, regional planning symposia, and conferences;
- Educational activities and research to enhance the program performance;
- Supplies;
- Indirect costs (capped at 10% of DUI court salaries); and
- Other direct costs such as printing, computer equipment (cannot exceed \$5,000 per item) and software as approved by the AOC project manager.

Ineligible uses of funds include:

- Supplantation of existing funds or salaries;
- Drug treatment (e.g. Naltrexone);
- Interlock devices;
- Facilities and construction costs;

- Office furniture; and
- Food and/or drink.

Please see Chapter 2 of the OTS Grant Program Manual for a more detail description of allowable and non-allowable costs. Please see: <http://www.ots.ca.gov/grants/program.asp>

### 1.2.5 Application Review

A review committee will be formed to make funding recommendations to the Judicial Council's Collaborative Justice Courts Advisory Committee. The timeline for funding recommendations and project implementation is as follows:

Applications due to AOC:	July 13, 2007
Application review/notification of awards:	July 20, 2007
Project period:	August 1, 2007 to July 31, 2009

Recommendations for awards will be based on the following criteria:

- Completeness and comprehensiveness of the application;
- Perceived ability of your court to effectively establish a DUI court based on *The Ten Guiding Principles of DWI Courts* set forth by NDCI;
- Level of your court's experience and expertise with the collaborative justice court model;
- Commitment to meeting the goals of the project;
- Reasonableness of budget request given proposed program objectives;
- Ability to work productively with outside agencies and AOC staff and contribute meaningful data/results;
- Existing component(s) within your court program that address issues dealing with cultural competency;
- Successful expenditure of funds during previous AOC grant funding programs (if applicable); and
- Successful completion of quarterly and/or monthly financial reporting requirements for previous grant funding programs (if applicable).

## 2 BACKGROUND INFORMATION

DUI is a major, continuing problem that endangers both the public at large and the individual driver. The California Department of Motor Vehicles reported 1,445 alcohol-involved fatalities statewide in 2003, accounting for 34 percent of all fatalities. There were 31,322 alcohol-involved injuries in the same year, and 185,973 total DUI arrests. From 1998-2003, California has witnessed a 35 percent increase in alcohol-involved DUI fatalities (Annual Report of the California DUI Management Information System, 2005).

Traditional sanctions designed to address DUI offenders (often jail time, less than rigorous probation, and a mandatory educational program) have yielded mixed and unsatisfactory results. Recidivism is of great concern. DUI offenders originally convicted in 1994 were studied over nine years. At that time 25 percent had at least one subsequent DUI conviction and 28 percent had at least one DUI incident. As this study indicates, DUI offenders continue to be substance dependent and pose a serious danger to the community.

As a result, new types of DUI courts, modeled from drug courts, have developed across the country, as well as in California. These courts focus on high-risk multiple DUI offenders, who are held accountable and make lasting behavioral changes as a result of regular testing for substance use, self-help meetings or court approved treatment programs, and close participation by probation departments and service providers. Nationally, there are over 200 DUI/DWI Courts and hybrid DUI/Drug Courts, the latter being drug courts that also take DUI offenders.

Evaluation results of these developing programs have been very promising, and compare favorably with the proven effectiveness of drug courts. A National Institute of Justice study of 2,020 drug court graduates from 95 courts showed 16.4 percent had been arrested and charged with a serious offense after one year and 27.5 percent after two years (Roman, Townsend, & Bhati, 2003). Similarly, the University of New Mexico's evaluation of the Bernalillo County DWI/Drug Court showed a recidivism rate of only 10.6 percent (Guerin, 2002). Finally, the Idaho Office of Highway Safety found a 70 percent completion rate and 4 percent re-arrest rate for the DUI Court in Kootenai County (2003).

The goal of this project is to apply effective collaborative justice court principles and practices in targeting repeat DUI offenders by establishing DUI courts in no less than five jurisdictions throughout the state.

## **2.1 DUI Court Expansion Project Participation Requirements**

The courts selected as DUI courts must agree to:

1. Implement the specific program components required by this grant application, including those described in the court's proposal;
2. Identify an individual to serve as coordinator for the effort proposed in response to the grant application. The person must be an employee or on contract with the court and be in a position to coordinate within the court to implement the project. The coordinator must also be able to coordinate between the court and the AOC over the course of implementation;

3. Participate fully in the program evaluation and cost benefit analysis by providing requested data to AOC research staff as described in Section 2.2;
4. Participate in the Effective Practices Summit. At the beginning of the grant cycle, a project kick-off summit will convene. The purpose of the summit is for experienced DUI courts to share lessons learned with new DUI court expansion pilot sites. Courts must also agree to participate in other program activities such as periodic conference calls;
5. Participate in a Regional Planning/Implementation Symposia. Two regional symposia will be held for court teams from expansion sites to provide technical assistance in planning and implementing DUI courts and to train sites on the use of cost-benefit evaluation tools;
6. Serve as a mentor to other courts interested in implementing DUI court programs; and
7. Work collaboratively with the AOC to help identify promising practices and essential service standards and provide input as needed in the development of rules, protocols, and relevant legislation needed for the implementation of additional DUI courts in California.

## **2.2 Evaluation Requirements**

The AOC has built in an evaluation component of the DUI Court Program and, as part of this evaluation, will be conducting a cost-analysis study. The evaluation is designed to measure the costs of the DUI Court Program, and compare them to traditional DUI case processing.

In order to meet the data requirements for this study, pilot sites must comply with AOC data collection requests and evaluation needs. The following are examples of data that courts may be asked to retrieve and/or collect for this purpose:

- DUI court data on individual participants (e.g. hearings attended, status of compliance with court orders, testing results, etc.);
- Administrative data on individual DUI court participants from relevant partner agencies such as probation or behavioral health treatment providers; and
- Budget and finance reports from DUI Courts and partnering agencies.

## **3 APPLICATION INSTRUCTIONS**