



## 2023-24 Indigent Defense Grant Program

### Funding Announcement Q&A Tracker

[Funding Announcement Link](#)

About this Document:

This guide will provide an overview of questions and answers regarding the [2023-24 Indigent Defense Grant Program](#) funding announcement and application process, which opened on 4/26/2024. Responses will be provided as staff is able to process questions through 5/22/2024.

Questions?

Please contact PCCD staff at [RA-PCCD\\_ExecutiveOfc@pa.gov](mailto:RA-PCCD_ExecutiveOfc@pa.gov) with "2023-24 Indigent Defense Grant Program" in the subject line.

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## 1. Application Process

- a) *Do counties need to get their local Criminal Justice Advisory Board (CJAB) to sign off on the grant?*

**Answer:** While coordination and collaboration with CJABs is encouraged, counties do not need to provide sign-off from their CJAB in order to apply for these grant funds.

- b) *Will counties be able to submit applications if they don't have answers to everything in the "current indigent defense services" application page?*

**Answer:** Yes, most of the data questions in the "Current Indigent Defense Services" section are optional. It's not required to answer all questions in order for the application to be submitted.

## 2. Eligible Applicants

- a) *Are we required to collaborate with our county to pursue funding for this grant?*

**Answer:** Under this solicitation, only counties are eligible to apply directly for funding under this funding announcement (see section 4, page 5). Counties shall ensure funding awarded under this solicitation supports their county's public defender office (and court-appointed counsel, if applicable), as well as any non-profit corporations that serve as the county-wide provider of indigent defense services. Counties may utilize subawards to satisfy this requirement.

- b) *Would our nonprofit organization be able to apply for the salary/benefits of our legal advocate of a Sexual Assault Prevention and Counseling Center? If yes, would we be required to submit quantitative data on performance indicators (Q10) related to public defenders?*

**Answer:** Counties are the eligible applicants to apply under this funding announcement (see section 4, page 5). As noted on pages 5-6, counties may utilize subawards to ensure funding supports their county's public defender office (and court-appointed counsel, if applicable), as well as any non-profit corporations that serve as the county-wide provider of indigent defense services. Eligible expenses include salaries and benefits for full-or part-time staff including, but not limited to, attorneys, social services staff, investigators, paralegals, and administrative staff, and must be related to the provision of indigent defense services (see "Eligible Program Activities and Expenses" and "Ineligible Program Activities and Expenses" on page 6 of the funding announcement for additional details).

- c) *Must the application come from the County Commissioners Office? Can the Public Defender Office submit as the applicant agency?*

**Answer:** The applicant agency for this funding opportunity is the County Commissioners; the County Commissioners/County Chief Executive must be the direct applicant. All counties are already registered and set up in Egrants. The Public Defender Office may register as an Egrants user, if not already registered, and then request access to their County Commissioners application in Egrants. If the Public Defender Office will be the recipient agency, that can be indicated when completing the application.

### 3. Eligible Activities

a) *Does this funding opportunity only support public defender offices?*

**Answer:** Counties shall ensure that funding awarded supports their county's public defender office, court-appointed counsel office (if applicable), and/or any non-profit corporations that serve as the county-wide provider of indigent defense services (see sections 4 and 5, pages 5-6 of the funding announcement).

b) *The funding announcement for this grant list salaries and benefits as eligible expenses but also states grants funds shall not supplant existing county spending. Would any positions that would be included in the grant application need to be newly created or could current positions be used?*

**Answer:** Per Act 34 of 2023, grant funding shall be used to supplement and not supplant existing county spending on indigent defense services. Supplanting occurs when a unit of local government reduces funding budgeted for an activity, specifically because grant funds are available (or expected to be available) to fund that same activity. Supplementing occurs when grant funds are used to enhance existing funds for program activities. Requesting funding for activities, personnel, and/or items currently included in the county's annual budget, including salaries for existing positions, would be considered supplantation.

Generally, requesting funding for personnel or other items not included in the county's budget would be considered supplementing. Examples of supplementing current county funding may include the following:

- Hiring new staff
- Increasing hours of part-time personnel above and beyond current budgeted/authorized levels
- Increasing salaries/compensation of existing full-time staff
- Increasing program activity/capacity