



STATE OF ARKANSAS  
**Department of Finance  
and Administration**

**C**

**OFFICE OF BUDGET**  
1509 West Seventh Street, Suite 402  
Post Office Box 3278  
Little Rock, Arkansas 72203-3278  
Phone: (501) 682-1941  
Fax: (501) 682-1086  
[www.arkansas.gov/dfa](http://www.arkansas.gov/dfa)

December 2, 2022

Senator Jonathan Dismang, Co-Chair  
Representative Michelle Gray, Co-Chair  
Performance Evaluation & Expenditure Review Committee  
Arkansas Legislative Council  
State Capitol Building  
Little Rock, AR 72201

RE: FY 23 American Rescue Plan Act Request

Dear Co-Chairs:

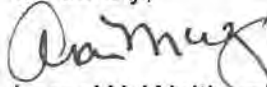
Pursuant to Section 37 (01) of Act 199 of 2022, I am forwarding the attached American Rescue Plan Act request(s) that have received my approval as Chief Fiscal Officer of the State.

- South Arkansas Community College – To provide direct grants to students and support campus technology and security infrastructure  
\$380,960
- Department of Human Services – Division of Child Care and Early Childhood Education – To provide underserved areas via the Emergency Food Assistance Program  
\$3,700,000

Pursuant to Section 37 (02) of Act 199 of 2022, I am forwarding the attached American Rescue Plan Act request(s) that have received my approval as Chief Fiscal Officer of the State.

- Department of Commerce – Economic Development Commission – Broadband  
\$158,086,576
- Administrative Office of the Courts – New Case Management System  
\$20,000,000
- Department of Finance and Administration – Disbursing Officer – Domestic Violence Plan  
\$9,900,000

Sincerely,

  
Larry W. Walther  
Cabinet Secretary

Attachment(s)

**AMERICAN RESCUE PLAN ACT OF 2021 PROGRAM APPROPRIATION  
AND PERSONNEL AUTHORIZATION REQUEST  
SECTION 37 OF ACT 199 OF 2022**

**C.1**

Agency: South Arkansas Community College Business Area Code: 0193  
 Program Title: Education Stabilization Fund, SSARP (Supplemental Support under the America Rescue Plan  
 Granting Organization: Department of Education CFDA #: 84.45T  
 Effective Date of Authorization: Beginning: 7/14/2022 Ending: 7/13/2023  
 Purpose of Grant / Reason for addition or change (include attachments as necessary to provide thorough information):  
 See attached letter.

**American Rescue Plan Act Program Funding**

Func. Area: CCOL Fund Code: 221ARPA Direct Funding: X  
 Funds Center: D70 Internal Order/WBS Element: \_\_\_\_\_ Steering Comm. Approved: \_\_\_\_\_  
 Continuation: \_\_\_\_\_

	Program Funding Amount
Regular Salaries	
Extra Help	
Personal Services Matching	
Operating Expenses	72,776
Conference & Travel Expenses	
Professional Fees	
Capital Outlay	
Data Processing	
Grants and Aid (CI: 04)	190,480
Other: Lost Revenue-Summer 2022	117,704
Other:	
Total	\$ 380,960

Anticipated Duration of Federal Funds: 7-13-2023

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**DFA IGS State Technology Planning** Date \_\_\_\_\_  
 Items requested for information technology must be in compliance with Technology Plans as submitted to DFA IGS State Technology Planning.

**Positions to be established: (list each position separately)**

Org Unit	Pers Area	Pers SubArea	Cost Center	Position Number	Commt Item	Position Title	Class Code	Grade	Line Item Maximum *

State funds will not be used to replace federal funds when such funds expire, unless appropriated by the General Assembly and authorized by the Governor.

Approved by:  11/23/22 Date \_\_\_\_\_  
 Cabinet Secretary/Agency Director Office of Budget Office of Personnel Mgmt  
 Date Date Date

CH 11/28/22

# South Arkansas Community College

P.O. Box 7010 El Dorado AR 71731 1-800-955-2289

ESTABLISHED 1992



November 23, 2022

Secretary Walther  
Department of Finance and Administration  
Office of the Secretary  
1509 West 7<sup>th</sup> Street, Suite 401  
Little Rock, AR 72203-3278

RE: American Rescue Plan Act Funding – (ACT 199 of 2022)

Dear Secretary Walther:

South Arkansas Community College (SouthArk) respectfully requests a review of appropriation from the Supplemental Support American Rescue Plan Act originally authorized in section 37 of act 199 of 2022 to (1) provide direct grants to students for emergency relief under the provisions provided by the US Department of Education, (2) support information technology and campus safety Infrastructure through the purchase WiFi access points and additional security cameras, and (3) support institutional sustainability through the recovery of lost revenue related to decreased enrollment due to the pandemic.

This request is for fiscal year 2023. The total funding to be dispersed from the Supplemental Support American Rescue Plan portion of the Education Stabilization Fund for SouthArk will be \$380,960 (\$190,480 student and \$190,480 institutional). Please find the attached support documentation for this request thank you for your consideration of this request.

Sincerely,

Dr. Bentley Wallace



800.404.3423  
ik-ns.com

TO: South Arkansas Community College  
Tim Kirk

Wireless upgrade  
64 APs+ XIQ  
Quote: conversion  
Date: 11/17/2022  
Terms: NET 30  
Price Firm For: 30 DAYS  
F.O.B: S/P & PPA  
Delivery: As Needed

STATE CONTRACT #4600048764 / Vendor #100001870

QTY	PART#	DESCRIPTION	PRICE	EXTENDED
64	AP4000-1-WW	Indoor Tri Radio Wi-Fi 6E AP 2.4 GHz 5 GHz 6 GHz & Multirate Port.	\$519.00	\$33,216.00
64	97000-AP410C-1-FCC	Integrated Light Power Sensors AI/ML Green Mode INT Antennas T-Bar Incl Mt (AH-ACC-BKT-AX-TB) Domain: World SKU EW Software & TAC - AP410C-1-FCC This Term: 365 Days	\$23.50	\$1,504.00
145	XIQ-PIL-S-C-EW	XIQ Pilot SaaS EW SaaS Support - ExtremeCloud IQ Pilot SaaS Subscription and EW SaaS Support for One (1) Device This Term: 365 Days	\$43.00	\$6,235.00
			Subtotal	\$40,955.00
			Tax	\$3,993.11
			<b>TOTAL</b>	<b>\$44,948.11</b>

- All information contained in this design and or quotation is not for use or disclosure outside (customer).
- Any and all quotations and configurations prepared by IK Network Solutions represent our best efforts and are completed in good faith.
- Any errors and/or omissions on customer provided configurations are not the responsibility of IK Network Solutions.
- IK Network Solutions is not responsible for any unmarked utilities, private or public.
- IK Network Solutions standard insurance is included.
- All workmanship is guaranteed against defects for a period of one year from the date of substantial completion of installation of work described in this proposal. THIS WARRANTY IS IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. The exclusive remedy shall be to replace or repair any part of this offer which is found to be defective.
- IK Network Solutions will not be responsible for any data loss, special, incidental, or consequential damages.
- In submitting this proposal, IK Network Solutions reserves the right to negotiate mutually agreeable contract terms and conditions that incorporate this Scope of Work.

\*\*\* Unless explicitly stated prices do NOT include shipping charges. \*\*\*

Mike Seitz  
Vice President

P: 501-320-0431  
C: 501-352-7172



**Quote #QN23359**

Thank you for the opportunity to Quote this for you. Please let us know if you have any questions by replying to this email. This quote was created by **Mitchell Willard** on October 26th 2022.

Daphane Shultz  
300 South West Avenue  
EL Dorado, Arkansas 71730

Notes:



**Vivotek MA9322-EHTVL 5MPx4**  
**Night Vision Outdoor Multi-**  
**sensor IP Security Camera,**  
**3.7-7.7mm Motorized Lens**

\$ 2,376.00

x 1

~~\$ 2,376.00~~

\$ -57.00

\$ 2,319.00

Notes: ETA mid December

Subtotal	\$ 2,376.00
Discount	\$ -57.00
Shipping	<u>Select Shipping at</u>
	<u>Checkout</u>
<b>Total</b>	<b>\$ 2,319.00</b>

**Proceed To Checkout**

12 TOTAL  
TO order

**About this Quote/Questions?**

- If you want to proceed with purchasing this Quote, Please simply click the checkout button above. If you want to make changes to your quote please reply to this email with the changes you'd like to make or Call **866-441-2288**. This quote was created by **Mitchell Willard**
- Pricing is subject to change at any time.
- If you have any questions about your quote request please contact us at [sales@a1securitycameras.com](mailto:sales@a1securitycameras.com) or call us at **866-441-2288** during Monday - Friday 08:00 AM - 6:00 PM Central Standard Time.

AMERICAN RESCUE PLAN ACT OF 2021 PROGRAM APPROPRIATION  
AND PERSONNEL AUTHORIZATION REQUEST  
SECTION 37 OF ACT 199 OF 2022

C.2

Agency: Department of Human Services - DCCECEBusiness Area Code: 0710

Program Title: Local Food Purchase Assistance (LFPA)

Granting Organization: USDACFDA #: 10.182

Effective Date of Authorization:Beginning: 10/1/2022Ending: 6/30/2023

Purpose of Grant / Reason for addition or change (include attachments as necessary to provide thorough information):

These funds are being provided by the USDA's Agricultural Marketing Service (AMS) and are to be utilized for those food banks and food distributors interested in the Program within the State of Arkansas who distribute food to individuals and families. It will provide an opportunity to purchase fresh and processed foods from local, socially disadvantaged farmers and producers. The distribution of this food is intended for underserved areas of the State by the Emergency Food Assistance Program (TEFAP). The coherent goal for the grant funding is to build relationships between our TEFAP agencies and local farmers and producers to improve the accessibility of locally grown and produced foods to the individuals, children, and families of Arkansas.

American Rescue Plan Act Program Funding

Func. Area: 710Fund Code:Steering Comm. Approved:Direct Funding: X

Funds Center:Internal Order/WBS Element:Continuation:

	Program Funding Amount
Regular Salaries	
Extra Help	
Personal Services Matching	
Operating Expenses	
Conference & Travel Expenses	
Professional Fees	
Capital Outlay	
Data Processing	
Grants and Aid (CI: 04)	3,700,000
Other:	
Other:	
Total	\$ 3,700,000

Anticipated Duration of Federal Funds: 09/30/2024

DFA IGS State Technology PlanningDate

Items requested for information technology must be in compliance with Technology Plans as submitted to DFA IGS State Technology Planning.

Positions to be established: (list each position separately)

Org Unit	Pers Area	Pers SubArea	Cost Center	Position Number	Cmnt Item	Position Title	Class Code	Grade	Line Item Maximum *

State funds will not be used to replace federal funds when such funds expire, unless appropriated by the General Assembly and authorized by the Governor.

Approved by:Robert Brech11/22/22

Cabinet Secretary/Agency DirectorDateOffice of BudgetDateOffice of Personnel MgmtDate

A. Shaw11/8/22

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## PROPOSAL FOR AMERICAN RESCUE PLAN ACT (ARPA) FUNDS

### Local Food Purchase Assistance (LFPA) Cooperative Agreement Program

The Commodity Distribution Unit (CDU) was notified on September 7, 2022, that it would receive \$3,700,000 through USDA's Agricultural Marketing Service (AMS) Local Food Purchase Assistance Cooperative Agreement Program (LFPA). The contract starts on October 1, 2022, and it ends on September 30, 2024. The funding will be utilized for those food banks and food distributors interested in the Program within the State of Arkansas who distribute food to individuals and families. It will provide an opportunity to purchase fresh and processed foods from local socially disadvantaged farmers and producers. The distribution of this food is intended for underserved areas of the State by The Emergency Food Assistance Program (TEFAP).

The coherent goal for the grant funding is to build relationships between our TEFAP agencies and local farmers and producers to improve the accessibility of locally grown and produced foods to the individuals, children, and families of Arkansas. The CDU will be partnering with interested TEFAP agencies and other distributors with local farmers and producers and providing the funds, within this grant, for distributors to purchase these foods and pay for any delivery, storage, and distribution costs.

The state of Arkansas is already in partnership with Eligible Recipient Agencies' (ERAs) to provide the ability to purchase these foods. These foods will be in addition to the foods ERAs receive through USDA's The Emergency Food Assistance Program. The ERA will be awarded sub grants based on their county of distribution, number of estimated people being served and the number of ERA's wishing to participate. The CDU has requested that all interested ERAs complete an application which includes counties served, distribution sites, storage capacity and transportation methods.

With the distribution of sub grants to our partnering agencies, we are expected to see a large increase of locally grown and produced foods being utilized for home consumption while at the same time assisting local socially disadvantaged farmers and producers to form a relationship with those agencies for the future.

The CDU will monitor all agreements and invoices between the ERA's and the farmers/producers. In addition, the CDU will monitor the affect these funds have had on all parties as well as the individuals and families being served. The CDU will visit partnering agencies to monitor the progress of the grant and to ensure compliance of the grant.

Agency:Arkansas Economic Development CommissionBusiness Area Code:0790

Program Title:ARPA - Capital Projects Fund - Broadband

Granting Organization:U.S. Treasury, America Rescue Plan Act (ARPA)CFDA #:

Effective Date of Authorization:Beginning:12/15/22Ending:06/30/23

Purpose of Grant / Reason for addition or change (include attachments as necessary to provide thorough information):

The U.S. Treasury has awarded the State of Arkansas \$158,086,576 from the Capital Projects Fund (CPF) authorized under the America Rescue Plan Act (ARPA). Funding from the CPF is separate from the \$1.6B in funding awarded under the ARPA State and Local Fiscal Recovery Funds (SLFRF) program. Unlike the SLFRF program, which may be spent in a variety of authorized categories, the CPF award from Treasury specifies that it may only be used for broadband projects and related administrative expenses (regular salaries and personal services matching for staff; fees for management consultants and strategic program design advisory services and program management support; costs related to project engineering design review; legal expenses related to project management support; media and communications expenses; educational related expenses to educate and teach citizens how to use and utilize broadband services; payroll for extra help staff or contract labor). Treasury has allocated \$150,236,576 of the award to be used for broadband projects with the balance of \$7,850,000 to be used for broadband administrative expenses through 2026. Attached is a list of grant awardees, respective project areas, and award amounts. The availability and use of funds is subject to all applicable State and Federal laws including guidance from Treasury regarding the Coronavirus Capital Projects Fund (CPF) established by Section 604 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021 (ARPA). OPB is facilitating the distribution of the State's CPF through the CPF Grant Program which has been designed in accordance with Treasury's Capital Projects Fund Guidance for States, Territories, and Freely Associated States and their FAQs issued 04/2822. Supplementary guidance may be published at any time by Treasury and/or the State. Capital Projects must invest in capital assets designed to directly enable work, education, and health monitoring. The CPF Grant Program has been designed to address the critical need for high-speed, reliable connectivity that was highlighted by the COVID-19 pandemic.

American Rescue Plan Act Program Funding

Func. Area:COMMFund Code:NewDirect Funding:Steering Comm. Approved:XContinuation:

Funds Cen.:NewInternal Order/WBS Element:New

	Program Funding Amount
Regular Salaries	
Extra Help	
Personal Services Matching	
Operating Expenses	
Conference & Travel Expenses	
Professional Fees	
Capital Outlay	
Data Processing	
Grants and Aid (CI: 04)	150,236,576
Other: 590:00:46	7,850,000
Other:	
Total	\$158,086,576

Anticipated Duration of Federal Funds:12/15/22 - 06/30/26

DFA IGS State Technology Planning

Date

Items requested for information technology must be in compliance with Technology Plans as submitted to DFA IGS State Technology Planning.

\* unclassified positions only

Positions to be established: (list each position separately)

Org Unit	Pers Area	Pers SubArea	Cost Center	Position Number	Cmnt Item	Position Title	Class Code	Grade	Line Item Maximum *



## Capital Projects Fund Application

State of Arkansas | Arkansas Economic Development Commission/Broadband Office

Use Code 1A – Broadband Infrastructure Projects

### **Use Code 1A Questionnaire**

Program Identifier: Arkansas – Broadband Infrastructure Project: ARC

Program Title: Arkansas Rural Connect (“ARC”)

How will the recipient implement the Program? [selection] “competitive sub-grant program”

Will the Program deliver speeds of 100/100 or higher? [x] yes

Is the Program designed to deliver service to households lacking access to wireline service at speeds of 100/20? [x] yes

Will the Recipient ensure that the service provider for a completed Capital Projects Fund-funded Broadband Infrastructure Project participate in federal programs that provide low-income consumers with subsidies on broadband internet access services as required in the Guidance, including ensuring that completed service offerings funded by the Capital Projects Fund allow subscribers in the service area to utilize the Federal Communications Commission’s (FCC) Emergency Broadband Benefit (EBB) program as well as other program(s) that Treasury identifies that service providers must participate in in accordance with the Guidance? [x] yes

Will CPF grant funds for this Program be used to cover costs incurred after March 15, 2021, but prior to execution of the Grant Agreement? [x] yes

### **Program Narrative**

#### **Program Summary**

##### *Description of the Program*

The Arkansas Rural Connect (“ARC”) grant program is a competitive grant application program administered by the Arkansas Economic Development Commission’s Broadband Office. The ARC grant program is designed and intended to fund broadband infrastructure projects in unserved/underserved areas and locations throughout Arkansas, defined as areas and locations without a reliable wireline internet connection of at least 100 Mbps download and 20 Mbps upload (100/20 Mbps) through wireline technology.

The program priority is to define eligible areas as those areas and locations without access to 100/20 Mbps. Following extensive community and stakeholder engagement throughout the State of Arkansas, via our Broadband Consultant, Broadband Development Group (“BDG”) includes over 300 statewide meetings with an audience consisting of representatives from sectors such as government, healthcare, education, agriculture, business, public libraries, and law enforcement. Notably, the most intensive critical need for the State of Arkansas, as it relates to digital equity and connectivity, are the areas and locations with no broadband access at all, or those with access of less than 100/20 Mbps. With an older population,

these unserved areas are less densely populated, more rural, contain increased levels of socioeconomically disadvantaged residents, lower overall educational achievement, and depressed economic activity.

It is the State of Arkansas' public policy determination to serve the unserved and underserved communities that have less than 100/20 Mbps.

#### *Program Objectives*

The ultimate objective of the ARC grant program is to fund eligible broadband infrastructure projects through a competitive grant application process that will deploy broadband internet service to prospective broadband recipients, including households, homes, businesses, educational facilities, healthcare facilities, community anchor points, agricultural operations, and agricultural processing facilities that are currently unserved or underserved.

The ARC grant program aligns perfectly with the objectives and priorities of the State of Arkansas. It is anticipated the ARC grant program will account for broadband infrastructure deployment to over 100,000 unserved and underserved households across Arkansas. It is Governor Asa Hutchinson's vision and the Arkansas Economic Development Commission Broadband Office mandate to eliminate the digital divide in Arkansas by 2029.

#### *Target Capital Assets*

The ARC grant program will fund eligible broadband infrastructure projects that may include wireline and fixed wireless technologies, each of which must meet or exceed transmission speed and scalability eligibility criteria of 100/100 Mbps. We will fund projects that will meet or exceed 100/100Mbps. If it would be impracticable, because of geography, topography, or excessive cost to design a broadband infrastructure project that can deliver 100/100 Mbps, the applicant must provide an explanation. Infrastructure capable of meeting or exceeding transmission speeds of at least 100/20 Mbps are the minimum allowable under this grant program. The ARC grant program will not fund satellite technology infrastructure.

#### *Program's History*

The program was the inspiration of Governor Asa Hutchinson in the spring of 2019. Governor Hutchinson directed a team to be assembled under the leadership of Mike Preston, Secretary of the Department of Commerce. Governor Hutchinson directed the Arkansas Economic Development Commission, a division of the Arkansas Department of Commerce, to set up the broadband grant program.

The result is the creation and promulgation of the Arkansas Rural Connect rules that received public comment and legislative approval. We followed this endeavor with the forming of a partnership with the Institute for Digital Health & Innovation ("IDHI"), a division of the University of Arkansas for Medical Sciences ("UAMS"), the leading teaching and research hospital in Arkansas. IDHI has extensive experience in fiber and fixed wireless deployments throughout the State of Arkansas. IDHI is responsible for reviewing the technical feasibility of submitted grant projects. IDHI also facilitates project monitoring including both construction and financial monitoring. The Arkansas Economic Development Commission ("AEDC") Broadband Office provides the initial review of all ARC grants to ensure compliance with state and federal rules. To date, we have administered over 163 broadband infrastructure projects totaling over \$390 million. These projects will serve over 110,000 households. This means approximately 250,000 Arkansans now have access to quality high speed internet.

We are currently developing an updated broadband portal that will streamline project submissions and data. This will increase our efficiency and in turn help us to better serve the citizens of Arkansas.

The State of Arkansas expects to file an Emergency Rule that follows Treasury guidance in providing for the encouragement of subrecipients without a recent violation of federal or state labor and employment law, requiring the deployment of broadband speeds that can meet or exceed at least 100/100 Mbps. With certain permitted exceptions, require:

- the scalability of broadband infrastructure to speeds of at least 100/100 Mbps;
- encouraging subrecipients to prioritize the hiring of local workers;
- requiring subrecipients to participate in federal consumer subsidy programs;
- requiring additional reporting metrics, federal oversight, civil rights compliance and;
- the regulatory authority of other applicable federal law upon approval of this plan.

The first application period for the ARC grant program opened on July 1, 2020, and closed on February 15, 2022. Arkansas operated on a continuous review and award cycle for approximately a year and a half. The efforts produced the following results:

- 163 projects funded;
- \$392,924,037.15 disbursed in grants;
- 107,506 households were reached by funded projects (almost 10% of the state);
- 74% of the projects are entirely fiber-optic deployments reaching 80,000 households;
- 55 out of 75 counties have been significantly reached by awards; and
- Over 35 different awardees (private providers and electric cooperatives).

It is anticipated we will open our grant application portal in April 2023, with award approvals in August 2023. Actual grant funding will be in September 2023.

The State of Arkansas has been allocated \$158,086,576 through the federal Capital Projects Fund, and the ARC grant program will only use and award up to \$50,000,000 for broadband infrastructure deployment. The remaining amount of the \$158,086,576 should be used for other Arkansas projects unrelated to broadband infrastructure.

#### *Recipient's Approach for Carrying Out the Program (Project Eligibility, Selection Criteria, & Application Process)*

An eligible project as defined by the ARC grant program is a discrete and specific project located in an unserved or underserved area of the state seeking to provide broadband service to homes, households, businesses, educational facilities, healthcare facilities, and community anchor points not currently served or underserved. A project that is primarily engaged in middle-mile, backhaul, or similar work is not an eligible project. The inclusion of middle-mile, backhaul, or similar capacity is permissible in an eligible project, if the capacity does not otherwise exist and is necessary for the project's last-mile broadband connectivity to end-users. An eligible project, among other requirements, must utilize wireline or fixed wireless technology capable of meeting or exceeding, at a minimum, transmission speeds of at least 100:100 Mbps or be scalable to the same, under certain permitted exceptions like geography, topography, or excessive cost. Deployment, under such an exception, would have to meet or exceed 100:20 Mbps. The State, however, intends to fund those projects that can reach the 100/100Mbps symmetrical standard.

The ARC grant program utilizes a competitive grant application process. Recognize that pursuant to state law, private internet service providers and electric cooperatives are the only eligible applicants for the ARC grant program.

The selection criteria for awarding grants are based on an objective scoring criterion consisting of 8 different scoring metrics: 1.) speed of service, 2.) future-proof, 3.) quality of coverage, 4.) time to deploy, 5.) qualifications/experience/financial strength, 6.) Contribution, 7.) cost of project and 8.) affordability.

All project areas will be scored individually, with the highest scored project areas receiving priority for ARC grant funding. There is no minimum or maximum limit on the geographical size or dollar amount requested for ARC grant program applications.

The ARC grant program application process consists of a challenge period, administrative review of all challenge submissions, a 60-day application submission period and award announcements.

The essence of ARC grant program is the public-private partnership. Every ARC grant application must involve a Mayor or County Judge partnering with an internet service provider. Together they file a joint application through an online application made available by the AEDC Broadband Office. The application can be accessed through our website at [www.broadband.arkansas.gov](http://www.broadband.arkansas.gov). But as mentioned earlier, we are developing a new portal which will be active on or before October 1, 2022.

The application consists of the following components: applicant information, statement of qualifications, and partnerships; project area(s) and locations to be served; a technical report, a project budget, matching funds, costs, and proof of funding availability; and proposed services, marketing, adoption, and community support.

Following the close of the application period, ARC will conduct a two-week administrative review to validate the responsiveness of all applications, and the applications found to be responsive will move into the 14 to 30-day challenge period. During the evaluation and challenge period, contracted third-party evaluators will conduct evaluations of the applications and score each based upon the established objective scoring criteria as provided by our rules. At the conclusion of the evaluation and challenge period, award announcements will be made.

#### *Program Timeline*

It is ARC's expectation and intent to expend all Capital Projects Fund allocations by year-end, 2025. The anticipated ARC grant program timeline is as follows:

ARC Phase I (\$158,086,576)

October 1, 2022:	Challenge Period Opens
November 1, 2022:	Challenge Period Closes
December 1 - 31, 2022:	Administrative Review of Challenges and Rescoping Projects
January 20 – March. 20, 2023:	Applications Submissions for Cleared Challenge Projects
April. 1, 2023:	Awards Announcement
Dec. 2026:	Projects Completed*

\*ARC grant fund disbursement is based on project completion and will be disbursed on a reimbursement method holding back 20% of grant funds until the project is 95% complete. Through the application scoring criteria, the least number of points are awarded for construction completion dates that are 24 months or longer, so it is anticipated that construction completion dates relative to projects awarded funding in ARC Phase I are likely to be earlier than or on December 2026.

#### *Link to Program Website & Guidance Documentation*

The ARC grant program website/application is located at [www.broadband.arkansas.gov](http://www.broadband.arkansas.gov). **UPON APPROVAL OF THIS PLAN, THE STATE OF ARKANSAS WILL CODIFY THESE TENTATIVE RULES UNDER THE ARKANSAS ADMINISTRATIVE PROCEDURE ACT.**

## Eligibility

The communities identified to be served by the ARC grant program have a critical need for funded broadband infrastructure projects as it relates to access. All eligible communities, as defined by the program, are areas that have access to less than 100/20 Mbps through either wireline or fixed wireless technology. The program is designed to deploy broadband service to homes, households, businesses, educational facilities, healthcare facilities, and community anchor points that are not currently served.

**Although lacking strong clarity and guidance, the information reported by FCC Form 477 provides a driving force of quantitative data and has informed this program plan.** Additionally, speed tests, such as the one promoted on our website, serve as both quantitative and qualitative data points. Lastly, surveys, affidavits, and testimonials work as qualitative instruments that can inform the program plan.

To better inform the program, AEDC Broadband Office has placed a priority on community and stakeholder engagement throughout the State of Arkansas and at all levels of government. The Broadband Development Group (“BDG”), a consultant for the AEDC Broadband Office, has organized and participated in countless town hall events across the state, at which representatives from sectors including agriculture, healthcare, education, law enforcement, government, business, and local library systems have been active and engaged participants. Input and comment on experiences, concerns, and ideas have been solicited and considered in the formation of the ARC grant program guiding regulations. Extensive engagement has also taken place with County Judges, Mayors, state legislators, private internet service providers, electrical cooperatives, and school districts.

Digital equity was considered in the design of the program on several fronts. Many eligible areas across Arkansas are:

- (1): in some of the most economically depressed locations in the state;
- (2): consisting of some of the state’s poorest residents, in areas that are considered the most rural; and
- (3): with a population that skews older.

These three characteristics are priority characteristics as it relates to digital equity.

Additionally, contained within the scoring criteria for the ARC grant program are metrics that award points based on the ruralness of proposed project areas, the number of unserved households and businesses, and consumer price. Lastly, as part of the application, an applicant is required to disclose any low-cost service option, digital equity or literacy support, or programs or partnerships to provide these services.

Like access and digital literacy, affordability, for some, is a barrier to full use of the internet. Feedback received from residents and stakeholders has placed affordability at the forefront of this program design, as well as in the development of the upcoming five-year-plan required by IJJA. Overwhelming public sentiment indicates that residents feel broadband service packages are too expensive, with too few options, although the range of what was considered affordable varied greatly, from \$10 per month to over \$50 per month. Acknowledging, in the current state, the internet is not a utility and exists in a deregulatory environment within which the federal government and states are unable to institute artificial price floors or ceilings. Accordingly, Arkansas has provided an innovative solution within the ARC grant program scoring criteria to lower the cost of broadband service for residents who will receive new or improved connectivity because of an ARC grant award. The Consumer Price scoring metric forces ARC grant applicants to compete against each other by assigning higher point awards to the top subgrantee applicants submitting the lowest average price of all broadband service packages offered to consumers. This scoring metric allows for the best price of broadband service to the consumer as a result of a proposed project and fundamentally allows for subgrantee applicants to compete against themselves,

relative to low-cost options, and ultimately drives the average cost to the consumer to as low as the free market will tolerate.

AEDC Broadband Office will place affordability and pricing protections within subsequent grant agreements, ensuring that awardees offer the prices submitted as part of the application process. Grant agreements will also include reporting requirements and monitoring processes to certify compliance with established pricing structures. Notably, through the evaluation and scoring process, if an application is deemed to be technically untenable for any reason, including financial stability, AEDC Broadband Office shall, at its sole discretion, remove the application from consideration for the grant program. Additionally, and in alignment with Treasury guidance, the program requires grant awardees participate in federal consumer subsidy programs as designated by Treasury, currently represented by the Emergency Broadband Benefit Program, with the Affordable Connectivity Program to follow.

Affordability of broadband is also a consideration in the development of the five-year-plan required by IJA. Arkansas is considering eligible anchor institutions to serve as community Wi-Fi hotspots, the provision of free broadband access to low-income housing residents, and the creation of a novel affordability program designed to offer a monthly benefit to those residents most in need.

Arkansas will be diligent at ensuring against duplicative investments from enforceable federal or state funding commitments for reliable wireline services that meet or exceed speeds of at least 100:100 Mbps. The Act allows for providers receiving Universal Service, Connect America Phase II, Rural Digital Opportunity Fund, or other federal or non-federal funding to deploy broadband service to qualify those designated areas for protection from ARC grant funding. Arkansas considers these areas with a wireline service of at least 100/20 Mbps as served and therefore ineligible for the ARC grant program. Updated guidance from the Treasury Department also reinforced this concept.

## **Program Administration**

To ensure compliance with award requirements, including performance management and subrecipient monitoring, the ARC grant program, via the grant agreement, will dictate that awardees must submit, at least annually, reporting the awardee is providing speeds meeting or exceeding the speeds contained in the grant agreement.

Awardees will also be required to submit reporting, including, but not limited to, expenditures, project status, subawards, civil rights compliance, equity indicators, community engagement efforts, geospatial data, workforce plans and practices, subcontracted entities, outputs, outcomes, the number of residential and commercial locations that have broadband access as a result of the project, the percentage of households in the project area who have access to broadband service, the percentage of subscribers in the project area to the broadband service, the average monthly subscription rate for residential and commercial broadband service in the project area, any right-of-way fees or permit fees paid to local government, state government, railroad, private entity or person during the fulfillment of the grant awarded, and any delays encountered when obtaining a right-of-way permission.

Aside from reporting requirements, AEDC Broadband Office, through IDHI, its technical review and monitoring team, will conduct on-site performance and compliance inspections, at least, in correlation with the grant reimbursement thresholds of 25%, 50%, 80%, and 100% project completion, in addition to a post-completion inspection. As part of the on-site inspection process, sample testing will be completed to ensure deployments are capable of meeting or exceeding end-user transmission speed minimum requirements of 100:100 Mbps, or 100:20 Mbps, under certain permitted exceptions.

With respect to AEDC Broadband Office's institutional, managerial, and financial capability necessary to ensure proper planning, management, and completion of any project, the office has access to one percent of the Capital Projects Fund allocation for administrative needs, in addition to state funding for full-time staff and expenses. AEDC Broadband Office is housed within the Arkansas Department of Commerce, an executive branch entity under the Office of the Governor.

Should an awardee fail to perform in any material respect with regard to the provisions provided for in the grant agreement, the AEDC Broadband Office will have contract authority to claw-back any grant funding provided, via a required irrevocable letter of credit. The AEDC Broadband Office can contractually assess up to a 5% monetary penalty of the value of the awarded grant for each month beyond the project completion date.

It bears mentioning that community engagement not only assisted in shaping program implementation and operations but will also continue to function as an ongoing priority for the AEDC Broadband Office. It is the AEDC Broadband Office's intention to continue to engage with affected residents and stakeholders on at least a quarterly ongoing basis. These community engagement activities will serve to assist in the development of office and program process improvements, solicit on-the-ground status reports and updates regarding the progress of ARC grant program awarded projects and continue to foster community involvement, support, and transparency. Aside from affected residents in areas that have been awarded ARC projects, stakeholder groups include representatives from:

- ARC grant program awardees,
- Agriculture,
- Healthcare,
- Education (K-12 and higher education),
- Economic development organizations,
- Government officials (Congressional, state, and local),
- Law enforcement,
- Local libraries,
- Non-profit organizations, and
- Civic organizations.

**Program Budget**

	<b>PROGRAM BUDGET</b>					
	<b>Program Administrative Costs</b>					
	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>
2a. Administering the CPF funds (by the Recipient)		\$1,000,000	\$2,000,000	\$2,000,000	\$1,500,000	500,000
2c. Complying with grant administration and audit requirements		\$100,000	\$180,000	\$180,000	\$250,000	100,000
2d. Community Engagement			\$20,000	\$10,000	\$10,000	
<b>2. Total Program Administrative Costs (not to exceed amounts listed in source of funding)</b>		\$1,100,000	\$2,200,000	\$2,190,000	\$1,760,000	\$600,000
	<b>Project Costs</b>					
3a. ARC I			\$100,000,000	\$50,236,576		
3b. ARC II						
<b>3. Total Project Costs</b>			\$100,000,000	\$50,236,576		

**Pre-Award Cost Annex**

Does the applicant provide reasonable assurance that the intended source of funds for the Pre-Award Costs was the CPF Grant? [x] No



**AMERICAN RESCUE PLAN ACT OF 2021 PROGRAM APPROPRIATION  
AND PERSONNEL AUTHORIZATION REQUEST  
SECTION 37 OF ACT 199 OF 2022**

**C.4**

Agency: Administrative Office of the Courts Business Area Code: 0023  
 Program Title: New Case Management System  
 Granting Organization: ARPA Steering Committee CFDA #: \_\_\_\_\_  
 Effective Date of Authorization: Beginning: 12/01/2022 Ending: 06/30/2023  
 Purpose of Grant / Reason for addition or change (include attachments as necessary to provide thorough information):

See attached.

**American Rescue Plan Act Program Funding**

Func. Area: CNST Fund Code: FRP0230 Direct Funding: \_\_\_\_\_  
 Funds Center: NEW Internal Order/WBS Element: \_\_\_\_\_ Steering Comm. Approved: X  
 Continuation: \_\_\_\_\_

	Program Funding Amount
Regular Salaries	
Extra Help	
Personal Services Matching	
Operating Expenses	
Conference & Travel Expenses	
Professional Fees	
Capital Outlay	
Data Processing	
Grants and Aid (CI: 04)	
Other: 590:00:44	20,000,000
Other:	
Total	\$ 20,000,000

Anticipated Duration of Federal Funds: 12/31/2025

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**DFA IGS State Technology Planning Date**  
 Items requested for information technology must be in compliance with Technology Plans as submitted to DFA IGS State Technology Planning.

**Positions to be established: (list each position separately)**

Org Unit	Pers Area	Pers SubArea	Cost Center	Position Number	Cmnt Item	Position Title	Class Code	Grade	Line Item Maximum *

**State funds will not be used to replace federal funds when such funds expire, unless appropriated by the General Assembly and authorized by the Governor.**

Approved by:  12/1/20  
 Cabinet Secretary/Agency Director Date

Robert Brech 12/2/22  
 Office of Budget Date  
 ey 12 /1 /22

Office of Personnel Mgmt Date



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December 1, 2022

Robert Brech, Administrator  
Department of Finance and Administration, Office of Budget  
1509 West Seventh Street, Suite 401  
Little Rock, AR 72203

The approval by the ARPA Steering Committee of 20 million dollars for the effort to build a modern court management system will allow the Administrative Office of the Courts (AOC) to dramatically accelerate the development of a new system to replace the patchwork of legacy systems currently being used.

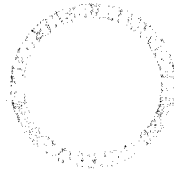
Over the next three years, the AOC will leverage multiple vendors and modern agile methodologies to develop a landmark court management system based on the principles of continuous improvement. As Arkansas courts grow and change, this new system will grow and change to better serve the people of Arkansas.

For the past two years, the AOC has been working with limited resources to build a new statewide court management solution to replace the aging legacy systems used by Arkansas's district, circuit, and appellate courts for case management, jury management, electronic filing, online public access, and online payment processing. The case management vendor has been unable to provide Arkansas courts with a viable modernization path. The AOC determined that the only course for Arkansas courts is to build a court management system.

The AOC began its Court Automation Program in 2001 with initial funding from highway safety funds, and that initial funding allowed the AOC to deploy what was at the time a modern court solution. Electronic filing and online access to case management information is an integral part of providing access to the justice system for attorneys and the public. The technologies underlying the current CourtConnect systems have reached their limits.

The courts and citizens of Arkansas deserve a court system that is easier to navigate and use. Simple services such as text reminders of court dates and payment due dates are not practical through the legacy systems. With this funding AOC will be able to leverage modern tools, such as artificial intelligence and machine learning, to help streamline court processes and simplify participant interactions with the courts.

A more detailed plan is enclosed.



*Arkansas Supreme Court*

JUSTICE BUILDING

625 MARSHALL STREET

LITTLE ROCK, ARKANSAS 72201

November 2, 2021

Larry Walther  
Chairman

Via Email: [ARJIA\\_SteeringCommittee@dcf.arkansas.gov](mailto:ARJIA_SteeringCommittee@dcf.arkansas.gov)

Arkansas American Rescue Plan Act Steering Committee  
1515 West 7th Street, Suite 700  
Little Rock, AR 72201

Re: Request for American Rescue Plan Act Funding

Dear Chairman Walther:

Please consider this letter as a request for funds from the American Rescue Plan Act to implement new technology in courtrooms across the state and to build a new case management system.

In 2018, the Arkansas Judiciary delivered its first long-term strategic plan. This document represented the thoughtful and determined work of representatives from the bench, court staff, and the state's legal community and reflected the desire to improve the service that the judiciary provides to the public. Three of the strategic goals were to improve access to justice, communicate effectively with the public, and embrace technology.

There has been increasing emphasis in recent years on the need to modernize the state's case management system. The COVID-19 pandemic coupled with the work of Senator Missy Irvin, Senator Bob Ballinger, Senator Clarke Tucker, Representative Robin Lundstrum, Representative Keith Sape and the Criminal Justice Task Force on Offender Costs and Collections further illuminated the need to create a single statewide repository for court-related data, to streamline the assessment and collection of legal financial obligations, and to create of a single payment portal.

Although the Administrative Office of the Courts previously sought to build an integration between the Department of Correction's eOMIS and Contexte, the aging Contexte architecture made the effort untenable. The integration of a new case management system into the criminal justice system would be by design and not an afterthought. The new system would consider a person's involvement in the court system from beginning to end, including their interaction with Department of Correction and reintegration into society.

RE: Request for Funding

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Building a modern case management system and implementing new technology in courtrooms across the state fit perfectly with the goals of the strategic plan. These projects ensure that justice will be delivered to all Arkansans. Additionally, the expansion of self-service options, the reduction of in-person court appearances, and the improvement of data-exchange and integration processes between courts and their justice partners will further ensure the public health and be of particular benefit to disproportionately impacted communities.

#### **New Technology in Courtrooms**

We are requesting approximately \$385,000 to purchase three hundred eighty-five Meeting Owl Pro cameras at a cost of \$999 per camera for every circuit courtroom and district courtroom in the state. This is a premium 360-degree camera, microphone, and speaker combined into one easy-to-use device. It creates the experience of in-person participation for hybrid proceedings. Additionally, these cameras integrate seamlessly with the Zoom conferencing platform already in use and would benefit citizens in every county of the state.

#### **Modern Court Management System**

We are requesting approximately \$40 million over a three-year period to support building a court management solution. For several years the Administrative Office of the Courts sought a modernization solution for court management. The current vendor, Avenu Insights, has been unable to deliver on its promise to provide a modern solution for the aging case and jury management systems and has suspended development of its new system. After significant cost/benefit analysis and discussions with other jurisdictions who manage their own in-house systems – which states include Kentucky, Colorado, Utah, Missouri, Michigan, and Virginia – we have determined that the only way to deliver a solution that will meet the needs of the Arkansas judiciary and the public it serves is to build a system.

Note that in 2019, North Carolina awarded an \$85 million contract to Tyler Technologies for implementation of its case management system. Although Tyler is dominating the marketplace, jurisdictions in which it has been implemented are becoming increasingly impatient with Tyler's responsiveness to the Courts' needs. We believe that substantial progress could be made towards the modernization goal with special funding for four teams of twelve with a technical specialist guiding the overall effort. One of the teams will be an integration team focused on integrating the deliveries from the other three teams into the final production software delivery.

Page Three  
November 2, 2021

RE: Request for Funding

An estimate of the funds needed to develop and deliver a modern case management system is attached. We appreciate your consideration and hope that you will grant these requests from available funds. Please contact Marty Sullivan if he can provide any additional information regarding these requests.

Sincerely,



Chief Justice John Dan Karp



Justice Karen R. Baker



Justice Courtney Rae Hudson



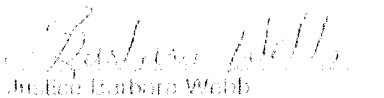
Justice Rhonda K. Whed



Justice Robin L. Wynne



Justice Shawn A. Womack



Justice Barbara Webb

# Estimate of Funds Needed

## Purchase of Meeting Owl Pro Cameras for Circuit and District Courtrooms

### Develop and Deliver Modern Case Management System

The rates listed for each position are Compaid rates under the state contract:

	Per Hour	Per Year	No.	Year 1	Year 2	Year 3
Senior Architect	\$139.32	\$289,785.60	4	\$ 1,159,142.40	\$ 1,159,142.40	\$ 1,159,142.40
Programmers	\$ 87.02	\$181,001.60	28	\$ 5,068,044.80	\$ 5,068,044.80	\$ 5,068,044.80
UI/UX Designers	\$ 87.02	\$181,001.60	4	\$ 724,006.40	\$ 724,006.40	\$ 724,006.40
Tester	\$ 60.18	\$125,174.40	4	\$ 500,697.60	\$ 500,697.60	\$ 500,697.60
Senior Business SME	\$127.53	\$265,262.40	12	\$ 3,183,148.80	\$ 3,183,148.80	\$ 3,183,148.80
Technical Specialist	\$224.45	\$466,856.00	1	\$ 466,856.00	\$ 466,856.00	\$ 466,856.00
Technical Specialist	\$145.34	\$302,307.20	2	\$ 604,614.40	\$ 604,614.40	\$ 604,614.40
			55	\$11,706,510.40	\$11,706,510.40	\$11,706,510.40

	Year 1	Year 2	Year 3
Total Compaid Expenditures	\$11,706,510.40	\$11,706,510.40	\$11,706,510.40
Team Hardware and Software	\$ 825,000.00	\$ 825,000.00	\$ 825,000.00
Cloud Licenses	\$ 250,000.00	\$ 500,000.00	\$ 500,000.00
Travel Training Education Office			
Supplies	\$ 300,000.00	\$ 400,000.00	\$ 500,000.00
Meeting Owl Pro Cameras	\$ 384,615.00		
Total	\$13,466,125.40	\$13,431,510.40	\$13,531,510.40

**Addendum  
Arkansas Supreme Court  
Request for American Rescue Plan Act Funding**

**I. IMPLEMENT NEW TECHNOLOGY TO SAFEGUARD PUBLIC HEALTH , PUBLIC SAFETY, AND CONTINUITY OF COURT OPERATIONS**

- Avoid Crowded Courthouses and Courtrooms
- Reduction in Unnecessary Physical Contact
- Reduction in Number of In-Person Court Appearances
- Expansion of Self-Service Options
- Added Convenience
- Increased Accessibility
- Reduction in Arrests for Failure to Appear and Failure to Pay
- Continuity of Essential Court Functions
- Ensures Efficient Operations
- Single Statewide Repository for Court-Related Data

Thousands of Arkansans are involved in the court system daily as parties to a case, jurors, witnesses, court staff, law enforcement officers, attorneys and judges. When someone is ordered to be present in court, their presence is mandatory. Therefore, courts have a responsibility to take reasonable measures and precautions to ensure safety.

The Administrative Office of the Courts (AOC) is responsible for supporting courts across the state. In accordance with this responsibility and in response to the COVID-19 pandemic, AOC has provided all circuit judges with access to Zoom video conferencing to conduct proceedings. Integration of additional technology, such as the Meeting OWL Pro cameras, ensures the public access to justice and that courts continue to perform essential functions.

Development and implementation of a single statewide repository for court-related data and a single payment portal will streamline the assessment and collection of legal financial obligations. It would also consider a person's involvement in the court system from beginning to end, including their interaction with Department of Correction and reintegration into society.

A recent survey of public opinion conducted by the National Center for State Courts found that "a majority of respondents believe courts should continue to hold hearings by video because it allows them to hear more cases and resolve cases more quickly, and it makes it easier for people to participate without traveling to a courthouse, taking time off work and finding childcare." Additionally, this year's survey also found that "large numbers of respondents indicate that barriers to getting to a physical courthouse exist, including a remarkable 49% who indicated that the distance they would need to travel to reach their courthouse would be a problem for them." A link to this national public opinion survey follows: <https://www.ncsc.org/topics/court-community/public-trust-and-confidence/court-accessibility/state-of-the-state-courts-in-a-post-pandemic-world>.

The anticipated expansion of self-service options and the reduction of in-person court appearances will further ensure the public health by enabling members of the court and members of the public to reduce unnecessary physical contact.

## **II. IMPLEMENT NEW TECHNOLOGY TO INCREASE ACCESSIBILITY AND ACCESS TO JUSTICE**

- Benefits All Arkansans
- Reduces Barriers to Services to Underserved Groups
- Leverages Technology to Improve Access to Underserved Groups

Access to Justice has been defined as the ability for all people to seek and obtain the resolution of justice problems affecting them. The impact of Covid-19 has been a catalyst for further use of technology in judicial systems to ensure access to justice for all Arkansans.

These funds will support efforts of the Arkansas Judiciary in communities across the state. The addition of self-service options makes the courts more accessible to those who cannot travel due to inability or incarceration furthering the inclusion of potentially marginalized populations in the state in disproportionately impacted communities.

Meaningful Access to Justice and the courts is vital to building a justice system that can adequately serve the citizens of Arkansas. Because the Arkansas Judicial system serves individuals in all communities in Arkansas, they necessarily serve people with significant barriers to services, including people of color, people with low incomes, limited English proficient populations, and other traditionally underserved groups. The anticipated improvements will significantly decrease and, in some cases, remove barriers to services by making the courts more accessible.

## **III. IMPLEMENT NEW TECHNOLOGY TO INCREASE SECURITY, TRANSPARENCY AND ACCOUNTABILITY**

- Improved System Security
- Increased Transparency
- Increased Accountability

Many courts currently use standalone court management systems on servers that are likely not properly secured against cyber-attacks. These courts lack sufficient staff and resources to appropriately secure court information. Many of these systems are separated and disconnected from the rest of the judiciary and other government systems. Manual processes are required to report court results to other agencies. A modern uniform case management system will improve security, increase transparency and improve the accountability of the courts.



**Addendum II**  
**Arkansas Supreme Court**  
**Request for American Rescue Plan Act Funding**

**I. American Rescue Plan (ARP) - New Federal Assistance Funds**

The State Fiscal Recovery Funds can be used in the following ways:

- (A) to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
- (B) to respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the State, territory, or Tribal government that are performing such essential work, **or by providing grants to eligible employers that have eligible workers who perform essential work;**
- (C) for the provision of government services to the extent of the reduction in revenue of such State, territory, or Tribal government due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the State, territory, or Tribal government prior to the emergency; or
- (D) to make necessary investments in water, sewer, or broadband infrastructure.

**II. American Rescue Plan (ARP) - New Federal Assistance Funds**

On June 23, 2021, the U.S. Treasury updated its guidance on ARPA/Coronavirus State and Local Fiscal Recovery Funds. The Treasury's FAQ now specifically cites case backlogs as an eligible use.

The Interim Final Rule recognizes that "decrease[s to] a state or local government's ability to effectively administer services," such as cuts to public sector staffing levels, can constitute a negative economic impact of the pandemic. During the COVID-19 public health emergency, many courts were unable to operate safely during the pandemic and, as a result, now face significant backlogs. Court backlogs resulting from inability of courts to safely operate during the COVID-19 pandemic decreased the government's ability to administer services. Therefore, steps to reduce these backlogs, such as implementing COVID-19 safety measures to facilitate court operations, hiring additional court staff or attorneys to increase speed of case resolution, and other expenses to expedite case resolution are eligible uses.

- III. In our constitutional system of government; the role of the judiciary is essential for protecting individual rights, upholding the rule of law, interpreting the Constitution, and ensuring equal justice for all. The pending request submitted by the Arkansas Supreme Court on November 2, 2021, would allow the judiciary to implement new technology in every courtroom across the state.

Most courts transitioned quickly to a remote working environment, including offering telephone and videoconferencing platforms; however, many courthouses were closed for in-person proceedings, including bench and jury trials. This resulted in a large backlog of cases. An updated case management system will help identify where the greatest backlogs exist and allow us to focus additional resources to assist those courts to expedite case resolution. Courts have an obligation to use resources wisely and to work efficiently but must do so in a way that does not compromise access to justice or procedural fairness. Improved technology facilitates efficient court operations. The existing case backlog caused by the COVID-19 Pandemic will be addressed by providing case information in an accessible way, by tailoring the involvement of judges, court staff, attorneys and litigants based on individual case needs, and by standardizing the process of case management in a way that ensures case progression and resolution.

Additional components of the new case management system will include an ability for defendants to pay fees, court cost, and fines through an online portal. The e-Filing component streamlines the process of filing documents in a case and reduces the number of individuals who must go to the courthouse in-person, thus mitigating the potential for another pandemic and decreasing the impact of subsequent waves of the current pandemic.

AMERICAN RESCUE PLAN ACT OF 2021 PROGRAM APPROPRIATION  
AND PERSONNEL AUTHORIZATION REQUEST  
SECTION 37 OF ACT 199 OF 2022

C.5

Agency: DFA Disbursing Officer Business Area Code: 0620

Program Title: ARPA Domestic Violence Plan

Granting Organization: US Treasury CFDA #: 21.027

Effective Date of Authorization: Beginning: 7/1/2022 Ending: 6/30/2023

Purpose of Grant / Reason for addition or change (include attachments as necessary to provide thorough information):

DFA-Disbursing Officer presented a Domestic Violence Plan to the ARPA Steering Committee on 12/1/2022. The plan covered 1) a proposal to restore VOCA recipients to the level of disbursements made in 2019 and 2020 by using a proportional calculation and 2) a revised funding proposal for the Women & Children First Family Peace Center.

The Steering Committee approved \$8,400,000 in total funding for VOCA recipients, \$4,200,000 to be disbursed in both FY23 and FY24. This request covers FY23 only. DFA-Office of Accounting has reviewed the disbursement of VOCA related grant funds for grant years 2019-2021 as identified by DFA-Office of Intergovernmental Services and has determined a decline of funding occurred between 2020 and 2021 of \$4,206,399. The VOCA Fix signed into law by President Biden on July 22, 2021, will sustain the Crime Victims Fund, but additional time will be needed to determine the full extent to which VOCA funding will be restored.

The Steering Committee also approved a new funding plan in the amount of \$5,700,000 for the Women & Children First (WCF) Family Peace Center, resulting in a reduction of \$3,897,000 from the original request. The WCF-Family Peace Center will be a multi-purpose community facility that will enable health monitoring, education, and work for a disproportionately impacted community - victims of domestic violence. The proposed WCF-Family Peace Center will be a new shelter facility offering a wide range of critical services needed by individuals and families seeking to end abusive situations and heal and rebuild their lives. It will include other agencies, public and private, which will co-locate on-site complementary services and programs, creating a one-stop-shop for participants seeking aid and assistance.

The full DFA-Domestic Violence Plan is attached.

American Rescue Plan Act Program Funding

Func. Area: ADMN Fund Code: FRP6215 Direct Funding: \_\_\_\_\_

Funds Center: NEW Internal Order/WBS Element: A.0620.ARPWCFCONSTR-E Steering Comm. Approved: X

A.0620.ARPDOMVIOL-E Continuation: \_\_\_\_\_

	Program Funding Amount
Regular Salaries	
Extra Help	
Personal Services Matching	
Operating Expenses	
Conference & Travel Expenses	
Professional Fees	
Capital Outlay	
Data Processing	
Grants and Aid (CI: 04)	9,900,000
Other:	
Other:	
Total	\$ 9,900,000

Anticipated Duration of Federal Funds: 12/31/2026

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**DFA IGS State Technology Planning** **Date**

Items requested for information technology must be in compliance with Technology Plans as submitted to DFA IGS State Technology Planning.

\* unclassified positions only

**Positions to be established: (list each position separately)**

Org Unit	Pers Area	Pers SubArea	Cost Center	Position Number	Cmnt Item	Position Title	Class Code	Grade	Line Item Maximum *

State funds will not be used to replace federal funds when such funds expire, unless appropriated by the General Assembly and authorized by the Governor.

Approved by: [Signature] Date: \_\_\_\_\_

Cabinet Secretary/Agency Director

Robert Brech 12/2/22

Office of Budget Date: 12/2/2022

Office of Personnel Mgmt Date: \_\_\_\_\_



**Domestic Violence Prevention Plan - Alternate**

Total Amount to be Funded - \$ 4,200,000

**Women & Children First Reduction of Request**

Total Amount to be Funded - \$ 5,700,000

***Total Amount to be Funded - \$ 9,900,000***

DFA – Office of Accounting (DFA-OA) has reviewed the disbursement of VOCA related grant funds during the 2020 through 2022 federal fiscal years. During the grant years 2019 – 2021, as identified by the Department of Finance and Administration – Office of Intergovernmental Services, a decline in funding occurred between the 2020 and 2021 year of \$4,206,399.

On July 22, 2021, President Biden signed the VOCA Fix to Sustain the Crime Victims Fund Act of 2021 (VOCA Fix). The VOCA Fix became effective immediately and the provisions of the Act include:

- Requiring monetary penalties from federal deferred prosecution and non-prosecution agreements to go into the Crime Victims Fund,
- Providing the Attorney General with the authority to provide no-cost extensions to all VOCA award recipients,
- Allowing state VOCA Administrators to waive, or requires them to waive, subgrantee match requirements,
- Increasing the federal grant calculation for funding to victim compensation programs to 75 percent of state-funded payouts,
- Instructed the Office of Victims of Crime not to deduct restitution payments recovered by state victim compensation funds when calculating victim compensation awards, and
- Clarifying that state programs may waive the requirement to promote victim cooperation with law enforcement in order for victims to receive compensation.

With the passage of the VOCA Fix, additional time will be needed to determine the full extent to which VOCA funding will be restored.

DFA is proposing to use ARPA funds to restore VOCA recipients to a level of disbursements which were made in 2019 and 2020. To accomplish this, DFA asks that ARPA funds be approved in the amount of \$8.4 million to be disbursed over the next two years in proportion with the entity's funding compared to total VOCA funding.

**Women & Children First Reduction of Request**

The Women & Children First application began under the Capital Project Fund (CPF) as a capital project request. The original application was for \$9.5 million as developed by Nabholz Construction in 2020. A requirement of the Capital Projects Fund is the applicant of the project, such as Women & Children First, must be able to demonstrate sustainability of operations for a period of 5 years. Given their current operating cost, the cost in non-grant dollars of \$1.5 million, or \$7.5 million for a 5 year period post-completion, would have been required. Women & Children First sought pledges and donations to meet this requirement in excess of their current needs of operation. In addition, Women & Children First sought a matching grant from the Windgate Foundation of \$4 million in February 2022. In the original application, the Department

Page 1 of 2



of Finance and Administration (DFA) understood this matching grant was to be used for operating costs, not construction, to meet the sustainability requirements of the CPF grant.

Subsequent to the initial application, DFA, due to the problem with the U.S. Treasury review of CPF applications, transferred the Women & Children First application from CPF to ARPA which eliminated the sustainability requirement.

The Board of Directors for Women & Children First had elected to fund \$1 million in construction costs from available cash on hand. Additionally, the Arkansas Attorney General has donated \$500,000 with no restrictions on its use.

The ARPA Steering Committee had previously approved \$1.7 million for furniture, fixtures, and equipment to furnish the new Women & Children First building upon completion of construction. During the conversation between membership of the Arkansas Legislative Council – Performance Evaluation and Expenditure Review subcommittee and Ms. Browne, multiple questions were asked with incomplete or partial answers given, resulting in confusion between Ms. Browne and membership. Many of the questions focused on available funds and the use of funds currently on hand, pledged, or future grant funds. DFA has had additional discussions with Ms. Browne and reviewed additional documentation to determine the following:

<b>Current Estimated Construction-Related Cost</b>	<b>\$11.2 million</b>
Women & Children First Board - Capital Campaign Fund Contributions	\$1.0 million
Attorney General Leslie Rutledge - Donation	\$0.5 million
Windgate Matching Grant *	<u>\$4.0 million</u>
Total Funding Available	<u>\$ 5.5 million</u>
Revised Women & Children First ARPA Request	<u>\$ 5.7 million</u>

\* The \$5.7 million of ARPA funding will be the match that will trigger the release of the \$4 million from the Windgate grant.

***DFA would ask that the above calculation be reviewed and approved to reduce the original requested amount from \$9.5 million to \$5.7 million.***