

# PRINCE GEORGE’S COUNTY, MARYLAND

## IMMIGRATION SERVICES AND LANGUAGE ACCESS INITIATIVE

### SAFE CITIES NETWORK

## Request for Proposals

### Overview/ Background

Across the country, immigrant communities are justifiably living in fear as the Administration’s recent Executive Orders and policy changes drive a dramatic increase in arrests and deportations. Local leaders have a duty to keep their communities safe, and communities are safest when residents trust that institutions and officials serve them and know they will be treated fairly. The constitutional guarantee of due process, which applies to everyone residing in the United States regardless of their immigration status, cannot be safeguarded when an immigrant faces the threat of deportation (removal) without the help of an attorney. Providing fair representation in deportation proceedings is the single most effective way to ensure that an individual’s right to due process is protected and that families are not needlessly separated without receiving basic protections.

Prince George’s County is committed to protecting the rights of its immigrant and refugee residents, who are a vital part of its families and communities. To that end, Prince George’s County has committed \$100,000 of one-time public funds to establish an immigrant legal defense fund as part of the Immigration Services and Language Access Initiative (“ISLA”), an innovative public-private partnership and collaboration among the County Council, Prince George’s County government agencies, the Prince George’s County Human Relations Commission, legal offices, and non-profit organizations to work to ensure that immigrant residents of Prince George’s County do not face immigration court or the threat of deportation alone. This funding will be available for a one-year program to provide legal representation to immigrants facing the threat of deportation, as specified below.

In furtherance of this commitment, Prince George’s County also applied for and was selected to be a member of the SAFE (Safety and Fairness for Everyone) Cities Network – a diverse group of local jurisdictions from around the country committed to due process and to providing legal representation to immigrants facing removal. As a member of this network, the selected legal services provider (LSP) will become potentially eligible for increased funding (up to \$100,000 additional funds) from the Vera Institute of Justice to augment the legal representation funded by Prince George’s County. This funding will be made available for representation for removal defense provided under the universal representation model, with a priority for serving those who are detained. The decision of whether an LSP will receive this additional funding will be made independently by Vera and Vera will enter into a separate contract directly with the LSP.

Interested LSPs should base their proposals on the \$100,000 that has been allocated by Prince George’s County and indicate in their proposal how the organization would utilize the \$100,000 in additional funds from Vera.

### Request for Proposal Timeline

<b>September 1, 2017</b>	RFP distributed to legal service providers (LSP)
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<b>September 6, 2017, at 3pm EDT.</b>	Vera and representatives from Prince George’s County will hold a pre-proposal conference call to answer questions related to RFP. Please email <a href="mailto:SAFECities@vera.org">SAFECities@vera.org</a> by COB on Tuesday September 5, 2017, to register for the call and receive the call-in information
<b>September 8, 2017, 5pm EDT.</b>	LSPs may submit written questions via email to both <a href="mailto:mlyles@co.pg.md.us">mlyles@co.pg.md.us</a> and <a href="mailto:SAFECities@vera.org">SAFECities@vera.org</a> by this deadline
<b>September 11, 2017</b>	Answers to questions regarding the RFP will be circulated no fewer than five days before the proposal deadline to all who have requested notification of any amendments made
<b>September 18, 2017</b>	Due Date: Applicants must submit proposals via email by noon/12:00pm EDT.
<b>September 25, 2017</b>	Prince George’s County completes RFP selection of LSP(s)
<b>Week of September 25, 2017</b>	Prince George’s County conducts contract negotiation/execution process with selected LSP(s)
<b>September 30, 2017</b>	Prince George’s County announces contract awardee(s)
<b>October 23, 2017</b>	Selected LSP launches services under contract

## Scope of Work and Program Requirements

Prince George’s County is soliciting proposals from nonprofit LSPs to provide immigration legal services to residents of Prince George’s County. There will be two components of legal services under this project – approximately 75% of the funded time will be dedicated to providing direct legal representation to detained indigent immigrants facing removal, while up to 25% of the funded time may be dedicated to other immigration services, such as Know-Your-Rights presentations (KYRs). The two service components are discussed in more detail below.

### a. Detained Removal Defense

Proposals should prioritize serving individuals who are detained at area detention facilities (Howard County Detention Center, Frederick County Detention Center, Worcester County Detention Center, or others). To be eligible for representation under the \$100,000 in County funds, an individual must:

1. Have a household income at or below 200% of federal poverty guidelines,
2. Be unrepresented by counsel,
3. Be a resident of Prince George’s County prior to detention by ICE; and
4. Be subject to removal proceedings.

If an LSP has additional capacity after prioritizing representation for Prince George’s County residents, an LSP may represent other detained immigrants facing removal with the use of the additional \$100,000 from Vera, if awarded.

Representation under this program will be provided under the universal representation model--that is, representation is offered to as many clients as the funding allows who meet the requirements specified above, without conducting a preliminary assessment of the merits of the case. The LSP will propose a plan for intaking clients and offering representation under this model. If a client is released while the case is pending, the LSP will re-screen for financial eligibility. If the client is no longer financially eligible for services, or if she or he obtains a change of venue outside of the Baltimore Immigration Court (unless venue is changed to the Arlington Immigration Court), the client will be required to seek other counsel.

Withdrawal from representation is permitted in either of these circumstances, and when required for legal or ethical reasons.

The LSP will provide representation at all stages of immigration court proceedings, including master calendar hearings, bond proceedings, competency hearings, merits hearings, state courts for SIJ predicate orders as applicable, USCIS applications and proceedings related to being granted relief from removal, and BIA appeals (hereafter referred to as “the scope of representation”). Additional representation services for post-conviction relief, federal habeas corpus, or post-BIA appeals are not mandated by this contract, but are encouraged when merited by the issues involved. Representation initiated under this funding must be continued through the disposition of the case, including those cases that will be completed after the contract period.

#### **b. Immigrant Support Services**

The LSP should coordinate and administer additional immigrant support services to residents of Prince George’s County. While this may include an array of services, LSPs should provide the following services at a minimum within the contract year: 1) quarterly KYRs to educate the community about their rights and legal options, 2) a citizenship drive utilizing internal expertise and/or trained volunteer attorneys, and 3) an annual convening of local LSPs serving immigrant community to share best practices and build service capacity within Prince George’s County. To the extent that LSPs are already providing such services with other funding sources, they may dedicate less than 25% of funded time to such services and, consequently, more time to removal defense.

### **Legal Service Provider Requirements**

Proposals may be submitted by an individual nonprofit LSP or by a collaborative of LSPs. To build local capacity, partnerships with an LSP based in Prince George’s County are encouraged. Eligible applicants must meet the following minimum qualifications:

- Be a nonprofit organization with a 501(c)(3) status, or have a fiscal sponsor with a 501(c)(3) status,
- Demonstrate a strong record of providing high-quality legal representation to detained immigrants and/or immigrants facing removal,
- Have licensed attorneys with immigration law expertise on staff or under contract who will directly provide the services described in this RFP,
- Demonstrate that all professionals (attorneys, BIA-accredited representatives, social workers, etc.) involved in providing services under the contract have the appropriate professional licenses and are in good standing professionally,
- Demonstrate the ability to consult with and represent clients in area detention facilities,
- Where applicable, the selected LSP should anticipate collaborating with the Legal Orientation Program in the Howard County Detention Center, Frederick County Detention Center, and Worcester County Detention Center for referrals for eligible individuals,
- Be able to begin providing the legal services described herein no later than October 23, 2017,
- Collaborate with relevant stakeholders (DHS, EOIR, detention facility staff) to ensure that representation can be initiated consistent with the program’s requirements,
- Commit to a Universal Model of Representation,

- Collect and share data with Vera regarding *all* removal defense representation funded under this grant using a secure web-based database created by Vera. Data reporting will be expected through the disposition of each case initiated under the contract, even those cases that are completed after the contract ends. The information gathered will be key for developing evidence regarding the impact of representation across the United States on a variety of measures and could be used to inform future efforts to secure funding for new and existing representation programs. Vera will collect data such as a) number of clients receiving legal representation, b) relief identified, c) applications for relief, voluntary departure, or other immigration court actions taken, d) economic ties to the community, e) family ties to the community, f) number of cases, including averages and other metrics, for attorneys representing clients,
- Participate in Vera-organized conference calls, convenings, or trainings to share best practices for removal defense and increasing representation for immigrants facing removal.

## Evaluation Criteria

The following criteria will be used to evaluate proposals:

- **Demonstrated quantity and quality of successful relevant experience – 30%**
  - Expertise in immigration law, including experience in removal defense, detention work, and a broad variety of case types.
  - Experience in training and supervising attorneys representing individuals in removal proceedings.
  - Prior experience in program development and management, including data collection and reporting.
  - Past performance under prior contracts/grants for related project services.
  - A demonstrated track record of productive collaboration with government agencies.
  - A demonstrated track record of collaborating with community-based organizations and others that provide services to detained immigrants, including psychological, occupational, and language services.
- **Demonstrated level of organizational capability – 15%**
  - The capacity to complete cases after the contract end date.
  - Staff language capacity in English and Spanish (it is strongly recommended that all staff having regular contact with clients be fluent, at a minimum, in both English and Spanish), and an articulated plan to work with individuals speaking other languages.
- **Quality of proposed approach – 25%**
  - The viability of the proposed representation plan, including ability to initiate services promptly after contract award and the proposed number of cases that the applicant organization proposes to represent for the \$100,000 of County and \$100,000 of Vera funds.
  - The quality and cost-effectiveness of the proposed plan, including creative uses of interdisciplinary legal teams.
- **Demonstrated presence in and/or ability to build capacity in Prince George’s County – 30%**
  - Headquarters or site located in Prince George’s County

- Collaboration and partnership with a Prince George’s County-based organization, as demonstrated through a Memorandum of Understanding (MOU) or subcontract, is encouraged.

All proposals received by the **September 18, 2017 deadline** will be reviewed and scored by a panel of representatives from Prince George’s County and the Vera Institute.

Applicants may be contacted concerning the substance of their proposals. The County reserves the right to negotiate any aspect of the proposed program model, including creating partnerships by combining aspects of different proposals to achieve the programmatic goals and ensure a timely launch of the program.

### Program Operation Plan

- 1) Describe, generally, your organization’s qualifications as outlined in the Evaluation Criteria above. In particular, please detail your organization’s experience representing immigrants in removal proceedings for the last three years. List in the table below the number of Section 240 detained and non-detained removal cases for which your organization undertook representation in each of 2015, 2016, and the first six months of 2017 and the court locations where those cases were pending at the inception of representation.**

Year	Detained	Non-detained
2015	Number (by court location[s])	Number (by court location[s])
2016	Number (by court location[s])	Number (by court location[s])
January-June 2017	Number (by court location[s])	Number (by court location[s])

- 2) Describe your plan for intaking clients. Be specific as to how you will come into contact with clients for the first time. Organizations should propose options consistent with the principle of universal representation of those eligible under this contract.
- 3) Describe your proposed program model for representing detained immigrants. Please specify how you plan to serve eligible clients and what, if any, prior relationships you have with area detention centers that will help facilitate your program. Describe how your organization will provide competent and effective representation for the entire scope of the case, including for cases that may be pending beyond the current grant year. Estimate how many people you plan to serve through your proposed program model. Please identify estimated case costs, metrics, and expected outcomes.
- 4) Identify how many clients you anticipate representing under this program. For the purposes of this question, provide the number of clients that you could represent if awarded both grants - \$200,000. The chart and instructions below may be helpful in estimating the number of cases you anticipate being able to accept and complete with the available funds. You can add types of cases to the chart based upon your experience of the mix of cases in your jurisdiction. Please factor in different case lengths and account for the life time of the case in the budget.

	Supervising Attorney	Senior Staff Attorney	Staff Attorney	Legal Assistant	Total Number of Hours
LPR cancellation	# hours	# hours	# hours	# hours	Sum of hours
Non-LPR cancellation					
Persecution (all I-589)					
Voluntary departure only					
Motion to Terminate or Administratively Close					
No relief application					

- 5) What is your staffing plan for each type (i.e., by application type) of case, by position, including all relevant members of the legal team? Provide resumes of key staff who will be involved in the project and specify their roles. Please attach the CVs and bar numbers of the attorneys who will lead the contracted work, and document American Immigration Lawyers Association (AILA) membership or other evidence of immigration law experience.
- 6) Please identify what type of immigrant support services, described in subsection (b) above, that your organization will provide under the contract. If your organization is already

providing these services, please detail your current services. If not, please explain how you will provide the specific services enumerated above (ie, quarterly KYRs, a citizenship drive, and annual convening of local LSPs). Please estimate how many people you anticipate serving through these services.

- 7) Describe your organization's plan for complying with data reporting requirements. Specifically address your organization's capabilities to continue to report on all cases represented by your organization under this grant through the ultimate dispositions of those cases, some of which will inevitably continue long after the end date of the subcontract.
- 8) Provide a Budget Narrative to accompany your Budget Worksheet (templates attached). Narratives should describe each line item in the budget. In other words, you should list every staff person included in the Personnel section of the Budget Worksheet and briefly describe their duties. For the Other than Personnel Expenses (OTPE) line items, please briefly describe each item and what is included in your calculation so that it is clear what is being covered by subcontract funds.
- 9) Please attach your organization's operating budget.
- 10) Share additional information as you see fit, including any additional funding available to your organization to support the proposed services.

## Proposal Format

The application should not exceed a total of 12 pages.

- Please use single spacing and a minimum 11-point font.
- Organize your application in the order of questions in the Program Operation Plan section.
- The following documents, attached herein, must be submitted with proposals:
  - Coversheet
  - Budget Worksheet and Narrative
  - Prince George's County Bidder's Package
- Please do not include a cover letter, brochures, or letters of support.

## Submitting the Proposal

Proposals must be received by email by **Noon (12:00 PM (EDT)) on September 18, 2017**. No faxed or mailed applications will be accepted. Proposals must be submitted in a single PDF with the exception of the Budget Worksheet and Bidder's Package, which should be attached to the email. Submit via email to [mlyles@co.pg.md.us](mailto:mlyles@co.pg.md.us) and [SAFECities@vera.org](mailto:SAFECities@vera.org).

## Prince George's County Proposal Cover Sheet

- Organization Name:
- Street Address:
- City:
- State:
- Zip Code:
- Primary Contact Name:
- Primary Contact Title:
- Primary Contact Telephone Number:
- Primary Contact Fax Number:
- Primary Contact Email: