

**11484**

**TO:** Board of Acquisition and Contract

**FROM:** Camille Failla Murphy  
Director, Office for Women

**DATE:** June 22, 2010

**SUBJECT:** Authority to enter into an agreement with My Sisters' Place, Inc. whereby My Sisters' Place, Inc. will provide legal services in Yonkers for women victims of domestic violence through its non-residential domestic violence program, as well as accept referrals from Legal Services of the Hudson Valley, for a term of one year commencing January 1, 2010 and terminating December 31, 2010 in an amount not-to-exceed Ninety Thousand Two Hundred Sixty-Three Dollars (\$90,263) to be paid quarterly for services rendered pursuant to the workplan and budget appended to the Resolution as Schedules A and B

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Please be advised that Section 459-c of the New York Social Services Law directs social services districts, such as the County, to offer and provide non-residential services to victims of domestic violence, whether eligible or ineligible for public assistance. Non-residential services programs must have the ability to provide the following services:

- 1.) Information and Referral services
- 2.) Advocacy
- 3.) Counseling
- 4.) Community education and outreach activities
- 5.) Hotline services

To meet these requirements, the attached resolution seeks to authorize the County to enter into an agreement (the "Agreement") with My Sisters' Place, Inc., ("My Sisters' Place") whereby My Sisters' Place, will provide legal services in Yonkers to women victims of domestic violence through its non-residential domestic violence program, as well as accept referrals from Legal Services of the Hudson Valley.

The proposed Agreement will have a term of one year commencing January 1, 2010 and terminating December 31, 2010 in an amount not-to-exceed Ninety Thousand Two Hundred Sixty-Three Dollars (\$90,263). The County's share will not exceed Thirty-Six Thousand One

Hundred Five Dollars (\$36,105), the New York State share shall be Thirty-Five Thousand Two Hundred Three Dollars (\$35,203), and the Federal share shall be Eighteen Thousand Nine Hundred Fifty-Five Dollars (\$18,955). This amount will be paid quarterly for services rendered, pursuant to the workplan and budget attached as Schedules A and B.

My Sisters' Place began providing such services under contract to the County in 1999 and since then has successfully provided this assistance. The program serves women for representation in domestic violence, support, custody and visitation litigation, enabling these women to leave their abusive partners and survive independently. In addition, women are assisted with advice and brief counsel.

The proposed Agreement will promote public health, safety and general welfare by enhancing the safety and independence of abused women. If abused women are helped to be safe they are not as likely to return to dependence on their abusers, thereby reducing public safety costs and medical costs. If they are helped to empower themselves to be independent and self-sufficient they are not as likely to be dependent on public assistance. The effectiveness of this program will be determined by benefits received as a result of closed cases. Such benefits include: obtaining or maintaining custody of child(ren); obtaining or preserving right to visitation; obtaining a divorce, separation or annulment; obtaining an Order of Protection; and obtaining, preserving or increasing child support.

In 2009, My Sisters' Place provided legal assistance to over 80 victims of domestic violence. They expect to provide assistance to 100 victims from approximately 300 case consultations during the proposed contract term. The following are a few examples of benefits received as a result of 78 closed cases in 2009:

- 32 clients obtained or maintained custody of their children
- 4 clients obtained an order of protection
- 4 clients obtained, preserved, or increased child support
- 11 clients obtained advice and counsel on a family matter

If this resolution were not approved, the safety and security of domestic violence victims would be compromised. Without having the option of obtaining an order of protection or knowing their rights through advice and brief counsel, the probability of continued and escalating abuse is substantially increased. This may consequently endanger their lives and the lives of their children.

Payments will be made to My Sisters' Place on a quarterly basis for services rendered, in accordance with the attached Schedules A and B. The Westchester County Office for Women will be responsible for monitoring My Sisters' Place's performance under this Agreement by means of site visits, as well as their monthly statistics and quarterly narratives.

A Resolution exempting this procurement from the application of the procedural requirements of the Westchester County Procurement Policy is also before your Honorable Board and should be passed prior to consideration of this Resolution.

I recommend approval of the attached proposed Resolution.

# RESOLUTION

Upon a communication from the Director of the Office for Women, be it hereby

**RESOLVED**, that the County of Westchester is hereby authorized to enter into an agreement with My Sisters' Place, Inc. whereby My Sisters' Place, Inc. will provide legal services for women victims of domestic violence through its non-residential domestic violence program, as well as accept referrals from Legal Services of the Hudson Valley, in order to help them obtain Orders of Protection, custody of their children, child support, and other benefits regarding family law matters. This contract will be for a term of one year commencing January 1, 2010 and terminating December 31, 2010 in an amount not-to-exceed Ninety Thousand Two Hundred Sixty-Three Dollars (\$90,263). The County's share will not exceed Thirty-Six Thousand One Hundred Five Dollars (\$36,105), the New York State share shall be Thirty-Five Thousand Two Hundred Three Dollars (\$35,203), and the Federal share shall be Eighteen Thousand Nine Hundred Fifty-Five Dollars (\$18,955); and be it further

**RESOLVED**, that payments shall be made to My Sisters' Place, Inc. on a quarterly basis, for services rendered, pursuant to the workplan and budget appended to the Resolution as Schedules A and B; and be it further

**RESOLVED**, that this Agreement is subject to County appropriations; and be it further

**RESOLVED**, that this Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

**RESOLVED**, that the County Executive or his authorized designee is hereby authorized to execute all instruments and take all actions reasonably necessary to implement this Resolution.

Account to be charged/credited:

Fund	Dept.	Major Program, Program & Phase, Or Unit	Object/ Sub-Object	Trust Account	Dollars
263	11	111K	4380	T111	\$90,263

**Budget Funding Year(s)** 2010  
(must match resolution)

**Start Date:** 1/1/2010

**End Date:** 12/31/2010

\$90,263

(must match resolution)

**Funding Source:** Tax Dollars \$36,105

State Aid \$35,203

Federal Aid \$18,955

## **Schedule "A"**

**01/01/2010-12/31/2010**

### **My Sisters' Place, Inc. Legal Center – Yonkers**

For over 30 years, My Sisters Place has worked to meet the needs of a vulnerable population: victims of domestic violence, who are largely low-income, marginalized, and who are often actively fleeing their batterers. Our clients simultaneously must struggle with incredible challenges to their daily lives – securing safe and affordable housing, addressing medical issues, acquiring financial security, seeing to the needs of their children as well as engaging with the court system.

Since its founding in 1997 the Legal Center of My Sisters' Place has a demonstrated capacity to deliver high quality legal services, free of charge, to eligible clients throughout Westchester County. The Legal Center has a total of nine full-time and part-time attorneys, which includes a General Counsel with considerable state and federal court expertise and an attorney with specialized experience in handling appeals, as well as four non-attorney bi-lingual legal advocates.

A MSP staff attorney will provide legal intake services, legal advice/brief services and direct representation for residents of Yonkers. The intake process allows us to assess the nature of the client's legal issues; to provide immediate legal advice and brief services as well as referrals, such as counseling, emergency shelters, and other service providers where appropriate; and to determine whether to accept a case for direct representation. Legal advice and brief services often includes an assessment of the caller's potential legal remedies, suggestions for collecting and preserving evidence, and directions on how to file various court papers without an attorney. In the last two years, the Legal Center has expanded its direct representation services by making a greater number of substantive written motions as well as taking on appellate cases, where appropriate. While this legal work tends to be time consuming, it is often the most effective way to vindicate the rights of vulnerable clients, especially where the abusers are engaging in repeated and frivolous legal proceedings as a means of continuing their harassment.

Non Residential funding from the Westchester County Office for Women will support one full-time attorney, and a portion of a translator and supervision.

#### **1. Goals and Objectives**

The MSP staff attorney will provide legal services (including direct representation, advice and counsel, brief services, information and referrals) to at least 100 victims of domestic violence from at least 300 case consultations in the contract year. The attorney will provide assistance to victims of domestic violence in the Yonkers Integrated Domestic Violence Court and the Yonkers Family Court in matters including family offenses, custody, visitation, paternity, child support and spousal support.

## 1. Public Purpose

The Proposed agreement will promote the public health, safety and general welfare by enhancing the safety and independence of abused women. If abused women are helped to be safe, they are not as likely to return to dependence on their abusers, thereby reducing public safety costs and medical costs. Domestic violence victims also come with multiple legal problems, aside from orders of protection, such as child support and custody. This grant offers them assistance to all legal issues.

## 2. Performance Measurement

The proposed agreement will measure outcomes of closed cases according to the range of possibilities for family law matters listed below.

**Cases Opened:**

**Cases Closed:**

**New Clients:**

<b>Family Law Staff Attorney</b>
Obtained or maintained custody of children
Obtained or preserved right to visitation
Obtained a divorce, separation or annulment
Obtained assistance in negotiating a separation agreement
Established paternity for child
Obtained protection from domestic violence
Obtained, preserved, or increased child support
Obtained downward modification of child support
Obtained, preserved, or increased spousal support
Obtained downward modification of spousal support
Obtained advice & counsel on a Family matter
Obtained non-litigation advocacy services on a Family matter
Obtained referral on a Family matter
Obtained benefit – none of the above – <i>specify</i> :
Client withdrew or benefit unknown:

**Schedule B**  
**My Sisters' Place, Inc**  
**YonkersLegal Services**  
**Budget 1/01/10 to 12/31/2010**

<b>Expenses</b>		<b>Amount</b>
Supervision .13 FTE	\$	7,500.00
Staff Attorney .92 FTE	\$	46,459.00
Translator .20 FTE	\$	7,500.00
<b>Sub Total</b>	<b>\$</b>	<b>61,459.00</b>
Fringe Benefits	\$	12,291.00
<b>Total Personal Services</b>	<b>\$</b>	<b>73,750.00</b>
<b>OTPS</b>		
Materials & Supplies	\$	775.00
Telephone	\$	1,200.00
Equipment Rental	\$	950.00
Westlaw	\$	900.00
Travel	\$	300.00
Business Insurance& Malpractice	\$	2,407.00
Office Rent/Utilities	\$	9,981.00
<b>Total OTPS</b>	<b>\$</b>	<b>16,513.00</b>
<b>Total Expenses</b>	<b>\$</b>	<b>90,263.00</b>

APPROVED BOARD C.