

25415

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Diane G. Balistreri
Coordinator, Office for Women

DATE: March 8, 2012

SUBJECT: Authority to enter into an agreement with Legal Services of the Hudson Valley to provide comprehensive civil legal services for victims of domestic violence for an amount not-to-exceed \$2,683,783 for the period January 1, 2012 to December 31, 2014

The attached Resolution, if approved by your Honorable Board, would authorize the County of Westchester (the "County") to enter into an agreement (the "Agreement") with Legal Services of the Hudson Valley ("LSHV") to provide comprehensive civil legal services for victims of domestic violence, for the period January 1, 2012 to December 31, 2014, for an amount not-to-exceed Two Million Six Hundred Eighty-Three Thousand Seven Hundred Eighty-Three Dollars (\$2,683,783) to be paid quarterly pursuant to an approved budget, of which

- \$868,285 will be funded in 2012. Of this not-to-exceed amount, the County's share will be \$374,125: \$30,726 through the budget of the Office for Women, and \$343,399 which is the County's share of the Federal/State/County domestic violence money administered by the Office for Women under an Interdepartmental Cooperative Plan with the Department of Social Services ("IDCP"); New York State's share will be \$251,268, which is the State share of the IDCP; and the Federal government's share will be \$242,892, which is the Federal share of the IDCP.
- \$894,334 will be funded in 2013. Of this not-to-exceed amount, the County's share will be \$385,350: \$31,648 through the budget of the Office for Women, and \$353,702 which is the County's share of the IDCP; New York State's share will be \$258,805, which is the State share of the IDCP; and the Federal government's share will be \$250,179, which is the Federal share of the IDCP.
- \$921,164 will be funded in 2014. Of this not-to-exceed amount, the County's share will be \$396,910: \$32,598 through the budget of the Office for Women, and \$364,312 which is the County's share of the IDCP; New York State's share will be \$266,570, which is the

State share of the IDCP; and the Federal government's share will be \$257,684, which is the Federal share of the IDCP.

The proposed Agreement is the result of a Request for Proposals ("RFP") which was sent out on August 22, 2011 with a September 23, 2011 deadline to 36 organizations throughout Westchester and the surrounding area and was made available on the County's Web site where it could be accessed by additional organizations including minority- and women-owned businesses. As a result, LSHV was the only agency to submit a proposal.

LSHV (then called Westchester Putnam Legal Services) began providing such services under contract to the County in 1999. Clients for this program are referred by the Family Court Legal Centers in White Plains and Yonkers and by self-referral directly to LSHV. LSHV has developed over the course of previous contracts a seamless working relationship with the courts and with the Family Court Legal Centers, such that no eligible client who asks for it has been refused service.

LSHV will subcontract with Pace University, acting by and through the Women's Justice Center of the Pace University School of Law ("Pace") to provide additional civil legal services for immigrant and non-immigrant victims through the Family Court Domestic Violence Legal Practicum in the Family Courts in White Plains and Yonkers.

LSHV will also subcontract with My Sisters' Place, Inc. ("My Sisters' Place") through its legal program to provide additional civil legal services in Yonkers to women victims. The legal program, which began providing services in 1997, serves women for representation in domestic violence, support, custody and visitation litigation, enabling those women to leave their abusive partners and survive independently.

The proposed Agreement will serve a public purpose by enhancing the safety and independence of victims of domestic abuse. If victims are empowered to learn how to develop and maintain their own safety they are not as likely to return to dependence on their abusers, thereby reducing public safety costs and medical costs. By supplying legal representation in family court for victims who cannot afford representation, LSHV assists in securing safety for victims and their children, and helps them avoid dependency on public assistance.

The goals and objectives of the proposed Agreement (as more fully described in Schedule A) are for LSHV, Pace and My Sisters' Place to collectively provide on an annual basis:

- civil legal services to approximately 1,400 unduplicated victims; and
- assistance in at least 2,000 cases.

The goals and objectives of the proposed Agreement will be tracked and monitored by the Office for Women, which will be responsible for monitoring LSHV's performance by means of site visits, as well as their quarterly statistics and narratives.

The effectiveness of the civil legal services will be determined by the outcomes of court related cases. Some of the outcomes of family law matters may include whether or not the victim obtained or maintained custody of child(ren); obtained or preserved right to visitation;

obtained a divorce, separation or annulment; obtained assigned divorce counsel; obtained guardianship or adoption for dependent child; obtained an Order of Protection; obtained, preserved or increased child support; obtained, preserved or increased spousal support; obtained advice and counsel on a family matter; obtained non-litigation advocacy services on a family matter; or obtained referral on a family matter.

Accordingly, I recommend approval of the attached proposed Resolution.

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/12/2012 - JOMAR VIEIRA, SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester is hereby authorized to enter into an agreement (the "Agreement") with Legal Services of the Hudson Valley for the period January 1, 2012 to December 31, 2014 for provision of comprehensive civil legal services for victims of domestic violence, as more fully described in Schedule A, which is attached hereto and made a part hereof; and be it further

RESOLVED, that Legal Services of the Hudson Valley will subcontract with Pace University, acting by and through the Women's Justice Center of the Pace University School of Law, to provide additional civil legal services for immigrant and non-immigrant victims through the Family Court Domestic Violence Legal Practicum in the Family Courts in White Plains and Yonkers; and be it further

RESOLVED, that Legal Services of the Hudson Valley will subcontract with My Sisters' Place, Inc. through its legal program to provide additional civil legal services in Yonkers to women victims; and be it further

RESOLVED, that in consideration for services to be rendered, Legal Services of the Hudson Valley shall be paid an amount not-to-exceed Two Million Six Hundred Eighty-Three Thousand Seven Hundred Eighty-Three Dollars (\$2,683,783), to be paid quarterly pursuant to an approved budget, of which

- \$868,285 will be funded in 2012. Of this not-to-exceed amount, the County's share will be \$374,125: \$30,726 through the budget of the Office for Women, and \$343,399 which is the County's share of the Federal/State/County domestic violence money administered by the Office for Women under an Interdepartmental Cooperative Plan with the Department of Social Services ("IDCP"); New York State's share will be \$251,268, which is the State share of the IDCP; and the Federal government's share will be \$242,892, which is the Federal share of the IDCP;
- \$894,334 will be funded in 2013. Of this not-to-exceed amount, the County's share will be \$385,350: \$31,648 through the budget of the Office for Women, and \$353,702 which is the County's share of the IDCP; New York State's share will be \$258,805, which is the State share of the IDCP; and the Federal government's share will be \$250,179, which is the Federal share of the IDCP;
- \$921,164 will be funded in 2014. Of this not-to-exceed amount, the County's share will be \$396,910: \$32,598 through the budget of the Office for Women, and \$364,312 which is the County's share of the IDCP; New York State's share will be \$266,570, which is the State share of the IDCP; and the Federal government's share will be \$257,684, which is the Federal share of the IDCP; 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 duly authorized designee be and hereby is authorized and empowered to execute any and all documents and take any actions necessary to effectuate the purposes hereof.

<u>2012</u>	<u>2013</u>	<u>2014</u>
\$428,434 LSHV	\$441,287 LSHV	\$454,525 LSHV
319,645 Pace FCLP	329,234 Pace FCLP	339,111 Pace FCLP
<u>89,480</u> My Sisters' Place	<u>92,165</u> My Sisters' Place	<u>94,930</u> My Sisters' Place
\$837,559 Trust funds	\$ 862,686 Trust funds	\$888,566 Trust funds
\$15,363 Pace Immigrant W	\$15,824 Pace Immigrant WP	\$16,299 Pace Immigrant WP
<u>15,363</u> Pace Immigrant Yks	<u>15,824</u> Pace Immigrant Yks	<u>16,299</u> Pace Immigrant Yks
\$30,726 Office for Women funds	\$31,648 Office for Women funds	\$32,598 Office for Women funds

Account to be charged/credited:

FUND	DEPT	Major Program, Program & Phase, Or Unit	Object/ Sub-Object	Trust Account	Dollars	Funding Year
263	11	111M	4380	T111	\$837,559	2012
101	11	0900	4380	N/A	\$30,726	2012
263	11	111N	4380	T111	\$862,686	2013
101	11	0900	4380	N/A	\$31,648	2013
263	11	111O	4380	T111	\$888,566	2014
101	11	0900	4380	N/A	\$32,598	2014

Budget Funding Year(s) 2012-2014 **Start Date:** 1/1/2012 **End Date:** 12/31/2014
 (must match resolution)

Funding Source:

	Tax Dollars	<u>\$1,156,385</u>
<u>\$2,683,783</u>	State Aid	<u>\$776,643</u>
(must match resolution)	Federal Aid	<u>\$750,755</u>
	Other	_____

Schedule A

2012-2014 Westchester County Civil Legal Services for Victims of Domestic Violence

Annual performance goals are as follows:

Total number of cases: 2,000

Total number of unduplicated (new) clients: 1,400

Legal Services of the Hudson Valley (“LSHV”) as lead partner, and Pace Women’s Justice Center (“PWJC”) and My Sisters’ Place (“MSP”) as sub grantees, will continue for the 13th year, to provide the following life-saving legal services to victims of domestic violence. The services provided under this collaborative initiative enable domestic violence survivors to evaluate legal options, leave violent relationships, and build safe independent lives for themselves and their children.

All three partners currently collaborate in the Family Court Legal Program (“FCLP”) and will continue to provide the full range of services offered under the program. Domestic violence victims arrive at the courthouse sites in crisis, overwhelmed and afraid; for many it is their first experience with the court system. At FCLP, clients, after an extensive interview, receive a thorough legal analysis concerning the domestic violence. Additionally, clients are thoroughly screened for other social service and legal needs. For clients who chose to proceed with an order of protection and related cases, a trained staff or pro bono PWJC attorney drafts the petition(s) and represents the client in the *ex parte* legal proceeding. PWJC will provide legal services for 925 clients for a total of 1,340 cases under this initiative. After securing the emergency orders, family offense cases and related custody disputes are referred by PWJC to LSHV for extended representation.

For cases that are not settled on the initial return date, a LSHV domestic violence paralegal will obtain the information from PWJC. A LSHV bi-lingual domestic violence paralegal makes immediate contact with the client. LSHV does its own legal assessment with the domestic violence survivor to determine the appropriate action needed. Determinations must be made as to the matters that need to be handled which arise from the abuse as well ancillary legal issues such as housing, employment and immigration. LSHV will handle 300 unduplicated clients for a total of 420 cases.

Overflow Yonkers cases and cases in which MSP’s unique non-residential and residential services are needed will be referred by LSHV to MSP, including child support proceedings that are handled in Yonkers Criminal and Family Courts. MSP will handle 150 unduplicated clients for a total of 210 cases.