

6805

TO: Board of Acquisition and Contract

FROM: Camille Failla Murphy
Director, Office for Women

DATE: May 25, 2010

SUBJECT: Resolution to exempt from the application of the procedural requirements of the Westchester County Procurement Policy an agreement with Pace University, acting by and through the Women's Justice Center of the Pace University School of Law for the provision of a Family Court Domestic Violence Legal Practicum in the Family Courts in White Plains and Yonkers, for an amount not-to-exceed Three Hundred Twenty-Nine Thousand Seven Hundred Ninety-Five Dollars (\$329,795) for a term of one year commencing January 1, 2010 and terminating December 31, 2010.

Authority is requested from your Honorable Board to exempt from the application of the procedural requirements of the Westchester County Procurement Policy an agreement with Pace University, acting by and through the Women's Justice Center of the Pace University School of Law ("Pace"), for the provision of a Family Court Domestic Violence Legal Practicum in the Family Courts in White Plains and Yonkers (a.k.a. "Family Court Legal Program"). Pace will provide trained and supervised law students to assist battered women in the preparation of legal papers relating to Orders of Protection, child support and child custody.

The proposed agreement will have a term of one year commencing January 1, 2010 and terminating December 31, 2010, for an amount not-to-exceed Three Hundred Twenty-Nine Thousand Seven Hundred Ninety-Five Dollars (\$329,795), of which the County's share will not exceed One Hundred Thirty-One Thousand Nine Hundred Eighteen Dollars (\$131,918), the New York State share shall be One Hundred Twenty-Eight Thousand Six Hundred Twenty Dollars (\$128,620), and the Federal share shall be Sixty-Nine Thousand Two Hundred Fifty-Seven Dollars (\$69,257), to be paid quarterly pursuant to an approved workplan and budget. A separate resolution seeking your Honorable Board's approval of the proposed agreement has been submitted along with this Resolution.

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. If they are enabled to be independent and self-sufficient they are not as likely to be dependent on public assistance. In 2009, Pace served nearly 600 victims of domestic violence, handling approximately 250 legal cases and providing more than 350 women with advice and counsel. Due to reduced funding and the consequent reduction in hours of staff attorneys, Pace expects to serve approximately 510 victims, handling over 200 legal cases and providing nearly 300 women with advice and counsel during the proposed contract term.

The effectiveness of this program will be determined by the outcomes of closed cases and benefits received by the clients. 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 an order of protection; or obtained, preserved or increased child support. For example, in 2009, 137 voluntary surveys reported that:

- 100% of clients who filed for an Order of Protection obtained the Order
- 97% of clients who filed for custody of their child(ren) obtained temporary custody
- 100% of clients who filed for child support obtained referral to the Support Magistrate
- 100% of clients were informed about other services available
- 93% of clients feel safer after receiving an Order of Protection

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.

Pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy, where this Honorable Board determines, by resolution passed prior to the commencement of such procurement, that compliance with the Westchester County Procurement Policy would not be in the best interests of the County, the requirements of the policy may be waived. Your Honorable Board is urged to find that it is in the best interest of the County to exempt this agency for the following reasons:

- Pace founded and pioneered this national model cutting-edge program
- The program has successfully provided desperately needed domestic violence court services since 1999. In that time it has developed excellent working relationships with the judges and court personnel with whom it has worked, and with its cooperating agencies
- By preparing clear and well-written petitions, the program has materially facilitated the work of the Family Courts
- Annually, the Family Court Legal Program provides service for approximately 1,000 unduplicated clients, obtaining Orders of Protection in over 95% of the cases for which they filed petitions.

- The program provides representation in over 360 court appearances a year for women who would otherwise have had no representation versus abusers who usually do have representation
- The program did this at extremely low cost, in that supervised students undertake the representation

Because this program is unique in its ability to do this work; because Pace has developed excellent working relationships with the courts and with its partner agencies; because it has facilitated the work of the courts, while at the same time providing safety to abused women; and because it is able to provide very high quality service at low cost, it is proposed that the best interests of the County would be served by exempting from the application of the procedural requirements of the Westchester County Procurement Policy the agreement with Pace for the provision of a Family Court Domestic Violence Legal Practicum in the Family Courts in White Plains and Yonkers (a.k.a. "Family Court Legal Program").

I recommend approval of the attached proposed Resolution.

APPROVED BOARD OF ACQUISITION & CONTRACT - 6-17-2010 - JOMARY VIEIRA, SECRETARY

RESOLUTION

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

RESOLVED, that pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy, it is determined that application of the procedural requirements contained therein, including the necessity of soliciting proposals, is neither cost effective nor expedient and accordingly not in the best interests of the County, in connection with the procurement of the agreement with Pace University, acting by and through the Women's Justice Center of the Pace University School of Law, for the provision of a Family Court Domestic Violence Legal Practicum in the Family Courts in White Plains and Yonkers, (a.k.a. "Family Court Legal Program").

APPROVED BOARD OF ACQUISITION & CONTRACT - 6-17-2010 - JOMARY VIEIRA, SECRETARY