

11962

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Camille Failla Murphy
Director, Office for Women

DATE: June 24, 2010

SUBJECT: Resolution to exempt from the application of the procedural requirements of the Westchester County Procurement Policy an agreement with Legal Services of the Hudson Valley ("LSHV") whereby LSHV will supply comprehensive civil legal representation to victims of domestic violence who meet LSHV's income guidelines, for a term of one year commencing January 1, 2010 and terminating December 31, 2010 in an amount not-to-exceed Four Hundred Thirty-Seven Thousand Eighty-Two Dollars (\$437,082) to be paid quarterly pursuant to an approved workplan and budget

Enclosed is a resolution which would exempt from the application of the procedural requirements of the Westchester County Procurement Policy an agreement with Legal Services of the Hudson Valley ("LSHV") whereby LSHV would supply comprehensive civil legal representation to victims of domestic violence who meet LSHV's income guidelines. 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 Four Hundred Thirty-Seven Thousand Eighty-Two Dollars (\$437,082) to be paid quarterly pursuant to an approved workplan and budget.

The 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 the 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.

Legal Services of the Hudson Valley (then called Westchester Putnam Legal Services) began providing such services under contract to the County in 1999. In August 1999 when the Family Court Legal Center opened in the Family Court in White Plains, the County contracted with LSHV to provide such services specifically for referrals from that Center.

The funding was instituted by the County Executive (then Andy Spano) and Hon. Joan O. Cooney, then Supervising Judge of the Family Courts of the 9th Judicial District. Judge Cooney felt very strongly that victims needed specialized legal services from attorneys who were trained to properly deal with victims and their families, and was instrumental in ensuring that LSHV received funding to provide the civil legal help. Over the years, the Office for Women has not received any complaints from judges regarding the LSHV attorneys. Moreover, in 2001 the

County recognized the value of this service by contracting with LSHV to provide the same service to the Family Court Legal Center newly opened in the Yonkers Family Court.

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. By supplying legal representation in Family Court for domestic violence victims who cannot afford representation, the LSHV program assists in securing safety for these women and their children, and helps them avoid dependency on public assistance. In 2009, LSHV served approximately 200 unduplicated victims of domestic violence while providing advice and counsel to an additional 140 victims. LSHV expects to serve at least 155 unduplicated victims of domestic violence while providing advice and counsel to an additional 50-125 victims during the proposed contract term.

The effectiveness of this program 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. The following are a few examples of benefits received as a result of 443 closed cases in 2009:

- 93 clients obtained an Order of Protection
- 79 clients obtained or maintained custody of their children
- 134 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.

A resolution seeking your Honorable Board's approval of this agreement is before your Honorable Board.

Under the Westchester County Procurement Policy Section 3(a) xxi, your Honorable Board may determine "by resolution passed prior to commencing procurement, that compliance with the Procurement Policy would not be in the best interests of the County." LSHV began providing these services in 1967, and has since assisted more than 130,000 clients with nearly 11,000 handled annually. As LSHV has successfully provided these desperately needed services for the County under previous contracts since 1999, I ask that your Honorable Board make the determination that it is in the best interests of the County to exempt from the application of the procedural requirements of the Westchester County Procurement Policy the proposed agreement with Legal Services of the Hudson Valley.

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 pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy, it is in the best interests of the County to exempt from the application of the procedural requirements of the Westchester County Procurement Policy an agreement with Legal Services of the Hudson Valley (“LSHV”) whereby LSHV will provide comprehensive civil legal services to victims of domestic violence who fit within its guidelines; and be it hereby

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.

APPROVED BOARD OF ACQUISITION & CONTRACT - 7-8-2010 - JOMARY VINTA, SECRETARY