

12798

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Camille Failla Murphy
Director, Office for Women

DATE: July 9, 2010

SUBJECT: Resolution to exempt from the application of the procedural requirements of the Westchester County Procurement Policy two (2) separate agreements with Pace University, through the Women's Justice Center's Family Court Legal Practicum, for the provision of legal services to immigrant women who are victims of domestic violence 1) in White Plains Family Court through the White Plains Family Court Legal Center; and 2) in Yonkers Family Court through the Yonkers Family Court Legal Center.

Enclosed is a resolution which would exempt from the application of the procedural requirements of the Westchester County Procurement Policy two (2) separate agreements for Fifteen Thousand Three Hundred Sixty-Three Dollars (\$15,363) each with Pace University, through the Women's Justice Center's Family Court Legal Practicum, for the provision of legal services to immigrant women who are victims of domestic violence, 1) in White Plains Family Court through the White Plains Family Court Legal Center; and 2) in Yonkers Family Court through the Yonkers Family Court Legal Center. The proposed agreement will have a term of one year commencing January 1, 2010 and terminating December 31, 2010.

The Family Court Legal Centers successfully provided service to Spanish speaking clients in the two courts under two six-month contracts in 2003, and did so again for calendar years 2004–2009. Between the two court sites, the program provided legal representation in Family Offense, Custody and Visitation, and Child Support matters, to many clients in the two courts.

The proposed agreements will promote the public health, safety and general welfare by enhancing the safety and independence of abused women, possibly preventing dependence on abusers, thereby reducing public safety 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 many cases, immigrant domestic violence victims face extra pressure from abusers due to language

difficulties and threats concerning their immigration status or threats to kidnap their children back to their countries of origin. In 2009, Pace served approximately 245 immigrant victims of domestic violence in the White Plains Family Court and 140 victims in the Yonkers Family Court. Due to reduced funding and the consequent reduction in hours of staff attorneys, Pace expects to serve approximately 215 victims in the White Plains Family Court and 120 victims in the Yonkers Family Court during the proposed contract term, as well as providing advice and counsel.

The effectiveness of these programs will be determined by exit surveys distributed to clients. Outcomes of cases may include whether or not the victim obtained or maintained custody of their child(ren); obtained an Order of Protection; or obtained, preserved or increased child support. In addition, clients will report if they were informed about other services available, and those who obtained an order of protection will state whether or not they feel safer with the Order.

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." Without this service, having the option of obtaining an Order of Protection or knowing their rights through advice and brief counsel, the safety and security of immigrant domestic violence victims may be compromised. Therefore, the probability of continued and escalating abuse is substantially increased. This may consequently endanger their lives and the lives of their children. As Pace Family Court Legal Centers have demonstrated experience in providing these desperately needed services, 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 agreements with Pace University.

This program is unique in its ability to do this work. Pace has developed excellent working relationships with the courts and with its partner agencies. It has facilitated the work of the courts, while at the same time provided safety to immigrant women who are victims of domestic violence and is able to render 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 legal services to immigrant women who are victims of domestic violence in White Plains and Yonkers Family Courts through the Family Court Legal Centers.

I recommend approval of the attached proposed Resolution.

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 in the best interests of the County to exempt from the application of the procedural requirements of the Westchester County Procurement Policy two (2) separate agreements for a term of one year commencing January 1, 2010 and terminating December 31, 2010 for Fifteen Thousand Three Hundred Sixty-Three Dollars (\$15,363) each with Pace University whereby Pace University, through the Women's Justice Center's Family Court Legal Practicum, will provide legal services to immigrant women who are victims of domestic violence, 1) in White Plains Family Court through the White Plains Family Court Legal Center; and 2) in Yonkers Family Court through the Yonkers Family Court Legal Center; 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.

APPROVED BOARD OF ACQUISITION & CONTRACT - 7-22-2010 - SOMER VETRA/SECURE/PAW