

18180

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Diane G. Balistreri
Coordinator, Office for Women

DATE: April 7, 2011

SUBJECT: Authority to enter into an agreement with My Sisters' Place, Inc. to provide legal services in Yonkers to women victims of domestic violence for an amount not-to-exceed \$91,270 for the period January 1, 2011 to December 31, 2011

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 My Sisters' Place, Inc. ("My Sisters' Place") to provide legal services in Yonkers to women victims of domestic violence.

The proposed Agreement will have a term of one year beginning January 1, 2011 and ending December 31, 2011, for an amount not-to-exceed Ninety-One Thousand Two Hundred Seventy Dollars (\$91,270), to be paid quarterly pursuant to an approved budget, of which

- the County's share will be \$37,421, 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;
- New York State's share will be \$32,857, which is the State 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; and
- the Federal government's share will be \$20,992, which is the Federal 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.

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

The proposed Agreement will serve a public purpose by enhancing the safety and independence of abused women. If abused women 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. If they are helped to become independent and self-sufficient they are not as likely to be dependent on public assistance.

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

The goals and objectives of the proposed Agreement (as more fully described in Schedule A) are for My Sisters' Place to provide legal assistance to 125 unduplicated victims in at least 350 cases. During the previous contract term, My Sisters' Place provided legal assistance to 141 unduplicated victims in 486 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 My Sisters' Place's performance by means of site visits, as well as their monthly statistics and quarterly narratives. The effectiveness of the legal program will be determined by benefits received as a result of closed cases. Such benefits include: obtaining or maintaining custody of children; obtaining or preserving the right to visitation; obtaining a divorce, separation or annulment; obtaining an Order of Protection; and obtaining, preserving or increasing child support. The following are a few examples of benefits received as a result of 526 closed cases in 2010:

- 16 clients obtained or maintained custody of their children
- 7 clients obtained or preserved the right to visitation
- 11 clients obtained an Order of Protection
- 5 clients obtained, preserved, or increased child support
- 392 clients obtained advice and counsel on a family matter

Authority to exempt these legal services from the requirements of the Westchester County Procurement Policy pursuant to Section 3(a)(xxi) thereof has been granted by your Board in accordance with a separate resolution of the same date hereof.

Accordingly, I recommend approval of the attached proposed Resolution.

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 My Sisters' Place, Inc., for the period January 1, 2011 to December 31, 2011, for provision of legal services in Yonkers to women victims of domestic violence; and be it further

RESOLVED, that in consideration for services to be rendered, My Sisters' Place, Inc. shall be paid an amount not-to-exceed Ninety-One Thousand Two Hundred Seventy Dollars (\$91,270), to be paid quarterly pursuant to an approved budget, of which:

- the County's share will be \$37,421, 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,
- New York State's share will be \$32,857, which is the State 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, and
- the Federal government's share will be \$20,992, which is the Federal 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; 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.

Account to be charged/credited:

FUND	DEPT	Major Program, Program & Phase, Or Unit	Object/ Sub-Object	Trust Account	Dollars	
263	11	111L	4380	T111	\$91,270	

Budget Funding Year(s) 2011

(must match resolution)

Start Date: 1/1/2011

End Date: 12/31/2011

\$91,270

(must match resolution)

Funding Source:

Tax Dollars \$37,421

State Aid \$32,857

Federal Aid \$20,992

Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 4-21-2011 - JOMARY VIEIRA, SECRETARY

Schedule A
LEGAL CENTER

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, including 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.

Goals and Objectives

The MSP staff attorney will provide legal services (which may include direct representation, advice and counsel, brief services, information and/or referrals) to at least 125 victims of domestic violence in at least 350 cases 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.

Performance Measurement

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

Cases Opened:

Cases Closed:

New Clients:

Family Law Staff Attorney
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:

APPROVED BOARD OF ACQUISITION CONTRACT # 210011 - JOMARY VIEIRA, SECRETARY