

18665

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Diane G. Balistreri
Coordinator, Office for Women

DATE: April 21, 2011

SUBJECT: Authority to exempt from 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, to provide a Family Court Domestic Violence Legal Practicum in the Family Courts in White Plains and Yonkers, pursuant to Section 3(a)(xxi)

Authority is hereby requested from your Honorable Board to exempt from 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 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 beginning January 1, 2011 and ending December 31, 2011 for an amount not-to-exceed Three Hundred Fifty-Seven Thousand Five Hundred Twenty-One Dollars (\$357,521) to be paid quarterly pursuant to an approved budget.

The proposed agreement will serve a public purpose 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.

The goals and objectives of the proposed agreement are for Pace to serve approximately 1025 victims of domestic violence, prepare 625 petitions and make 325 court appearances during the proposed contract term. During the previous contract term, Pace served 1084 victims, prepared 698 petitions and made 372 court appearances.

The goals and objectives of the proposed agreement will be tracked and monitored by the Office for Women, which will be responsible for monitoring Pace's performance by means of site visits, as well as their monthly statistics and quarterly narratives. The effectiveness of the program will be determined by outcomes of closed cases and benefits received by 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 2010, 162 voluntary surveys reported that:

- 99% of clients who filed for an Order of Protection obtained the Order;
- 94% of clients who filed for custody of their child(ren) obtained temporary custody;
- 93% of clients who filed for child support obtained referral to the Support Magistrate;
- 100% of clients were informed about other services available; and
- 94% of clients feel safer after receiving an Order of Protection.

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." Your Honorable Board is urged to find that it is in the best interests 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 vital 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 clients, obtaining Orders of Protection in over 95% of the cases in which they filed petitions for them.
- The program provides representation in approximately 350 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.

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

