Long Beach Justice Fund - Request for Proposals

Overview/ Background

Across the country, immigrant communities are justifiably living in fear as the Administration’s recent Executive Orders and policy changes drive a dramatic increase in arrests and deportations. Local leaders have a duty to keep their communities safe, and communities are safest when residents trust that institutions and officials serve them and know they will be treated fairly. The constitutional guarantee of due process, which applies to everyone residing in the United States regardless of their immigration status, cannot be safeguarded when an immigrant faces the threat of deportation (removal) without the help of an attorney. Providing fair representation in deportation proceedings is the single most effective way to ensure that an individual’s right to due process is protected and that families are not needlessly separated without receiving basic protections.

The City of Long Beach is committed to protecting the rights of its immigrant and refugee residents, who are a vital part of its families and communities. To that end, Long Beach has committed $250,000 of one-time public funds to establish a legal defense fund. This funding will be available for a two-year pilot program to provide legal representation to immigrants facing the threat of deportation, as specified below.

In furtherance of this commitment, Long Beach is in the process of applying to be a member of the SAFE (Safety and Fairness for Everyone) Network – a diverse group of local jurisdictions from around the country committed to due process and to providing legal representation to immigrants facing removal. As a member of this network, the selected legal services provider will become potentially eligible for increased funding (up to $100,000 additional funds) from the Vera Institute of Justice to augment the legal representation funded by the City of Long Beach. This funding will be made available for representation for removal defense provided under the universal representation model, with a priority for serving those who are detained. The decision of whether a legal service provider (LSP) will receive this additional funding will be made independently by Vera.

Interested LSPs should base their proposals on the $250,000 that has been allocated by the City of Long Beach and indicate in their proposal how the organization would utilize the $100,000 in additional funds from Vera.

Request for Proposal Timeline

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>February 18, 2019</td>
<td>RFP distributed to legal service providers (LSP)</td>
</tr>
<tr>
<td>February 22, 2019</td>
<td>Vera will hold a pre-proposal conference call to answer questions related to RFP.</td>
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<tr>
<td></td>
<td>Dial-in Number: (605) 475-4904</td>
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<tr>
<td></td>
<td>Access Code: 614188</td>
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<tr>
<td>February 26, 2019</td>
<td>LSPs may submit written questions via email to <a href="mailto:SAFEcities@vera.org">SAFEcities@vera.org</a> by this deadline.</td>
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<tr>
<td>March 5, 2019</td>
<td>Answers to questions regarding the RFP will be circulated no fewer than three days before the proposal deadline to all who have requested notification of any amendments made</td>
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<tr>
<td>March 8, 2019</td>
<td>Due Date: Applicants must submit proposals via email</td>
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<tr>
<td>March 18, 2019</td>
<td>Long Beach will notify grantee selected of funding decision</td>
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### Scope of Work and Program Requirements

The Vera Institute of Justice is soliciting proposals from nonprofit legal services providers (LSPs) on behalf of the City of Long Beach to provide direct legal representation to indigent immigrants facing removal and venued at the Los Angeles Immigration Court. Half of the funds will go towards representation of individuals who are detained at area detention facilities (James Musick Facility, Theo Lacy Facility, Adelanto ICE Processing Center, or others). To be eligible for representation under the $250,000 in City funds, an individual must at the time of the initiation of representation:

1. Earn 200% or less of federal poverty guidelines,
2. Be unrepresented by counsel,
3. Be a resident or employed in Long Beach, or if detained have been a resident or employed in Long Beach immediately prior to detention by ICE; and
4. Be in removal proceedings or detained and in removal proceedings.

Representation under this program will be provided under the universal representation model—that is, representation is offered to as many clients as the funding allows who meet the requirements specified above, without conducting a preliminary assessment of the merits of the case. The LSP will propose a plan for intaking clients and offering representation under this model. If the client obtains a change of venue outside of the Los Angeles Immigration Court, she or he will be required to seek other counsel. Withdrawal from representation is permitted in this circumstance, and when required for legal or ethical reasons.

The LSP will provide representation at all stages of immigration court proceedings, including master calendar hearings, bond proceedings, competency hearings, merits hearings, state courts for SIJ predicate orders as applicable, USCIS applications and proceedings related to being granted relief from removal, and BIA appeals (hereafter referred to as “the scope of representation”). Additional representation services for post-conviction relief, federal habeas corpus, or post-BIA appeals are not mandated by this contract, but are encouraged when merited by the issues involved. Representation initiated under this funding must be continued through the disposition of the case, including those cases that will be completed after the contract period.

### Legal Service Provider Requirements

Proposals may be submitted by individual nonprofit LSP or by a collaborative of LSPs. Eligible applicants must meet the following minimum qualifications:

- Be a nonprofit organization with a 501(c)3 status, or have a fiscal sponsor with a 501(c)3 status,
- Demonstrate a strong record of providing high-quality legal representation to detained immigrants and/or immigrants facing removal,
- Have licensed attorneys with immigration law expertise on staff or under contract who will directly provide the services described in this RFP,
• Demonstrate that all professionals (attorneys, BIA-accredited representatives, social workers, etc.) involved in providing services under the contract have the appropriate professional licenses and are in good standing professionally,

• Demonstrate the ability to consult with and represent clients in area detention facilities,

• Where applicable, the selected LSP should anticipate collaborating with the LSPs conducting Know Your Rights presentations at the James Musick and Theo Lacy Detention facilities and with the Legal Orientation Program in the Adelanto ICE Processing Center for referrals for eligible individuals,

• Demonstrate ability to integrate services into the Long Beach community as evidenced by collaboration with local organizations and the ability to provide direct access for local residents,

• Be able to begin providing legal services described herein no later than June 1, 2019,

• Collaborate with relevant stakeholders (DHS, EOIR, detention facility staff) to ensure that representation can be initiated consistent with the program’s requirements,

• Commit to a Universal Model of Representation,

• Collect and share data with Vera regarding all removal defense representation funded under this grant using a secure web-based database created by Vera. Data reporting will be expected through the disposition of each case initiated under the contract, even those cases that are completed after the contract ends. The information gathered will be key for developing evidence regarding the impact of representation across the United States on a variety of measures and could be used to inform future efforts to secure funding for new and existing representation programs. Vera will collect data such as a) number of clients receiving legal representation, b) relief identified, c) applications for relief, voluntary departure, or other immigration court actions taken, d) economic ties to the community, e) family ties to the community, f) number of cases, including averages and other metrics, for attorneys representing clients,

• Participate in Vera-organized conference calls, convening, or trainings to share best practices for removal defense and increasing representation for immigrants facing removal.

**Evaluation Criteria**

The following criteria will be used to evaluate proposals:

• **Demonstrated quantity and quality of successful relevant experience – 40%**
  
  o Expertise in immigration law, including experience in removal defense, detention work, and a broad variety of case types.
  
  o Experience in training and supervising attorneys representing individuals in removal proceedings.
  
  o Prior experience in program development and management, including data collection and reporting.
  
  o Past performance under prior contracts/grants for related project services.
  
  o A demonstrated track record of productive collaboration with government agencies.
  
  o A demonstrated track record of collaborating with community-based organizations and others that provide services to detained immigrants, including psychological, occupational, language, educational, health and housing services.

• **Demonstrated level of organizational capability – 20%**
  
  o The capacity to complete cases after the contract end date.
o Staff language capacity in English and Spanish or Khmer (it is strongly recommended that all staff having regular contact with clients be fluent, at a minimum, in both English and Spanish or Khmer), and an articulated plan to work with individuals speaking other languages.

- **Quality of proposed approach – 40%**
  - The ability to collaborate with local organizations, clarity and thoroughness of plan to provide eligible Long Beach residents or workers with access to services, that includes working with local community partners and the City of Long Beach.
  - The viability of the proposed representation plan, including ability to initiate services promptly after contract award and the proposed number of cases that the applicant organization proposes to represent for the $250,000 City funds.
  - The quality and cost-effectiveness of the proposed plan, including creative uses of interdisciplinary legal teams.

The Vera Institute of Justice is conducting this RFP process on behalf of the City of Long Beach. All proposals received by the **March 8, 2019 deadline** will be reviewed and scored by a team of experts in legal services, program management and immigration law at the Vera Institute as well as a representative of the City of Long Beach.

**Program Operation Plan**

1. **Describe, generally, your organization’s qualifications as outlined in the Evaluation Criteria above.** In particular, please detail your organization’s experience representing immigrants in removal proceedings for the last three years. List in the table below the number of Section 240 detained and non-detained removal cases for which your organization undertook representation in each of 2016, 2017, and 2018 years and the court locations where those cases were pending at the inception of representation.

<table>
<thead>
<tr>
<th>Year</th>
<th>Detained</th>
<th>Non-detained</th>
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<tbody>
<tr>
<td></td>
<td>Number (by court location[s])</td>
<td>Number (by court location[s])</td>
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<td>Number (by court location[s])</td>
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<td>Number (by court location[s])</td>
<td>Number (by court location[s])</td>
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2. **Describe your plan for intaking clients.** Be specific as to how you will come into contact with clients for the first time and how the case will be selected for representation. If the intake plan is different for detained versus released clients, describe each separately. Organizations should propose options consistent with the principle of universal representation of those eligible under this contract.

3. **Describe your proposed program model for representing detained immigrants.** Please specify how you plan to serve eligible clients and what, if any, prior relationships you have with area detention centers that will help facilitate your program. Describe how your organization will provide competent and effective representation for the entire scope of the
case, including for cases that may be pending beyond the current grant year. Estimate how many people you plan to serve through your proposed program model. Please identify estimated case costs, metrics, and expected outcomes.

4. Please use the table below to estimate the number of hours spent, by position, on each type of case.

<table>
<thead>
<tr>
<th></th>
<th>Supervising Attorney</th>
<th>Senior Staff Attorney</th>
<th>Staff Attorney</th>
<th>Legal Assistant</th>
<th>Total Number of Hours</th>
</tr>
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<tbody>
<tr>
<td>LPR cancellation</td>
<td># hours</td>
<td># hours</td>
<td># hours</td>
<td># hours</td>
<td>Sum of hours</td>
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<tr>
<td>Non-LPR cancellation</td>
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<tr>
<td>Persecution (all I-589)</td>
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<td>Voluntary departure only</td>
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<tr>
<td>No relief application</td>
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5. What is your staffing plan for each type (i.e., by application type) of case, by position, including all relevant members of the legal team? Provide resumes of key staff who will be involved in the project and specify their roles. Please attach the CVs and bar numbers of the attorneys who will lead the contracted work, and document American Immigration Lawyers Association (AILA) membership or other evidence of immigration law experience.

6. Describe your organization’s plan for complying with data reporting requirements. Specifically address your organization’s capabilities to continue to report on all cases represented by your organization under this grant through the ultimate dispositions of those cases, some of which will inevitably continue long after the end date of the subcontract.

7. Provide a Budget Narrative to accompany your Budget Worksheet (templates attached). Narratives should describe each line item in the budget. In other words, you should list every staff person included in the Personnel section of the Budget Worksheet and briefly describe their duties. For the Other than Personnel Expenses (OTPE) line items, please briefly describe each item and what is included in your calculation so that it is clear what is being covered by subcontract funds.

8. Please attach your organization’s operating budget.

9. Share additional information as you see fit, including any additional funding available to
your organization to support the proposed services.

Proposal Format

The application should not exceed a total of 12 pages.

- Please use single spacing and a minimum 11-point font.
- Organize your application in the order of questions in the Program Operation Plan section.
- A separate Cover Sheet is attached and must be submitted along with the proposal.
- Please do not include a cover letter, brochures, or letters of support.

Submitting the Proposal

Proposals must be received by email by **5:00 PM PST on March 8, 2019**. No Faxed or mailed applications will be accepted. Proposals must be submitted in a single PDF with the exception of the Budget Worksheet which should be attached as an excel document. Submit via email to SAFEcities@vera.org.
Long Beach/SAFE Network Proposal Cover Sheet

- Organization Name:
- Street Address:
- City:
- State:
- Zip Code:
- Primary Contact Name:
- Primary Contact Title:
- Primary Contact Telephone Number:
- Primary Contact Fax Number:
- Primary Contact Email: