Santa Ana
Deportation Defense Fund
Request for Proposals
Due: December 9 at 11:59 PM PST

Overview/Background

Across the country, immigrant communities are justifiably living in fear as the Administration’s recent policy changes have driven 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 Santa Ana is committed to protecting the rights of our immigrant and refugee residents, who are a vital part of our families and communities. To that end, the City of Santa Ana has committed $200,000 of one-time public funds to its legal defense fund, of which $180,000 will be available for disbursement through this Request for Proposals for one year starting on February 1st.¹ This funding will be available for a program to provide legal representation to detained immigrants facing the threat of deportation, as specified below.

In furtherance of this commitment, the City of Santa Ana has been granted membership in the Vera Institute of Justice’s Safety and Fairness for Everyone (SAFE) Network – a diverse group of local jurisdictions from around the country committed to due process and to providing legal representation to immigrants facing removal. 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.

Interested legal service providers (LSP) should base their proposals on $180,000 of funding for one year.

Request for Proposal Timeline

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<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>November 18</td>
<td>RFP distributed to legal service providers (LSP).</td>
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<tr>
<td>November 25</td>
<td>Vera will hold a pre-proposal conference call to answer questions related to RFP. To register for this call, please email <a href="mailto:SAFE@vera.org">SAFE@vera.org</a> and we will send you the call-in information.</td>
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<tr>
<td>December 2</td>
<td>LSPs may submit written questions via email to <a href="mailto:SAFE@vera.org">SAFE@vera.org</a> by this deadline.</td>
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<tr>
<td>December 4</td>
<td>Answers to questions regarding the RFP will be circulated.</td>
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¹ To maintain funding for cases that commenced during previous years’ funding from the City of Santa Ana, $20,000 of the $200,000 has already been allocated. Applicants should plan on a budget of $180,000.
Due Date: Applicants must submit proposals via email to **SAFE@vera.org** by **11:59 PM PST.**

## Scope of Work and Program Requirements

The Vera Institute of Justice is soliciting proposals from nonprofit LSPs on behalf of the City of Santa Ana to provide direct legal representation to indigent detained immigrants facing removal, who are residents of Santa Ana or were prior to detention, and are facing removal proceedings. The funds will be prioritized toward Santa Ana residents who are in immigration detention. To be eligible for representation under the $180,000 in funds, an individual must at the time of the initiation of representation:

1. Earn 200 percent or less of federal poverty guidelines,
2. Be unrepresented by counsel; and
3. Be a resident of Santa Ana immediately prior to detention by ICE (priority will be given to residents who are detained).

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.

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/private firms. 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, or be a collaborative of nonprofit LSPs and private firms,
- 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, 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,
• Be able to begin providing legal services described herein in a timely manner,
• 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; and
• Commit to community engagement and to building power in communities impacted by immigration enforcement.

Evaluation Criteria
The following criteria will be used to evaluate proposals:

• Demonstrated quantity and quality of successful relevant experience – 40 percent
  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 percent
  o The capacity to complete cases after the contract end date.
  o Staff language capacity in English and Spanish and an articulated plan to work with individuals speaking other languages.
• Quality of proposed approach – 40 percent
  o 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.
  o The quality and cost-effectiveness of the proposed plan, including creative uses of interdisciplinary legal teams.
  o The capacity of your program to work with impacted community members, clients, and families to inform and participate in advocacy for the program’s growth and sustainability.

The Vera Institute of Justice is conducting this RFP process on behalf of the City of Santa Ana. All proposals received by the deadline will be reviewed and scored by a team of experts in legal services, program management and immigration law at the Vera Institute, and by representatives of the City of Santa Ana.

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 2017, 2018, and 2019 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>2017</td>
<td>Number (by court location[s])</td>
<td>Number (by court location[s])</td>
</tr>
<tr>
<td>2018</td>
<td>Number (by court location[s])</td>
<td>Number (by court location[s])</td>
</tr>
<tr>
<td>2019</td>
<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 (e.g., detention center legal orientation program (LOP), detention hotline, community referrals) and how the case will be selected for representation. Which detention facility(ies) will you serve? Please describe what, if any, prior relationships you have with area detention centers that will help facilitate your program. Organizations should propose a plan for intaking and offering representations to people that is consistent with the principle of universal representation of those eligible under this contract. Please describe how your program will incorporate community referrals into your intake plan.

3) Describe your proposed program model for representing detained immigrants. Please specify how you plan to serve eligible clients and how your organization will provide competent and effective representation for the entire scope of the case, including for clients who are released from detention and whose cases may be pending beyond the current grant year. Please also describe how you will address the needs of clients beyond the scope of their legal cases, including social services, housing, education, healthcare, and other needs and/or how you plan to address these needs when the program is at full scale. Finally, please describe how you will conduct
intakes and work with clients who speak a language for which you do not have in-house capacity.

4) **What is your staffing plan for your program?** Please describe the positions you plan to fill and the responsibilities each will have in the program. 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.

5) **How many detained removal defense clients do you anticipate representing with the total public funding described above and Vera’s catalyst funding?** Please respond based on client served, rather than case (i.e. if you represent someone on bond and merits, that is one client represented, not two cases). Please describe how your program plans to pace the initiation of representation for this number of clients to manage staff capacity.

6) **What is start date for providing immigrant legal representation in your jurisdiction? Please describe your program implementation timeline.** Please indicate if you have already hired staff to work under this funding. Indicate if you have already started providing legal services. If you have not hired staff, please indicate your expected timeline to staff up and start accepting clients under this funding. Please describe how your program will collaborate and engage with key community stakeholders to educate the community about the program.

7) **Please describe how your organization plans to grow and sustain your publicly funded program over the next two years.** Please include information about the organizations, coalitions, and/or public figures in your jurisdiction who are supportive of the universal representation program and who are critical to building public support for the program. Please also include information regarding how you will engage clients, family members, and immigrant community members in your efforts to raise awareness and grow your program and how impacted communities will become aware of your work.

8) **Vera has created a secure online database and will be collecting data on the legal services performed by the LSPs for the purposes of program management and reporting.** Please indicate your willingness and plan to cooperate with Vera’s data collection efforts. Please indicate which staff will be inputting data on to the database and how often this will be done. Also indicate which staff will be finalizing the submission of the data to Vera. 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.

9) **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. Budget’s should be prepared based on a one-time payment for the cases listed in Question 5.

10) Please attach your organization’s operating budget for the current fiscal year.

11) What support or technical assistance from Vera would be most helpful to your program? Please include any additional relevant details. The menu of services includes legal training for LSPs, assistance with stakeholder relationships, research and data reporting, and strategic communications support.

12) 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.
Please do not include a cover letter (use the cover sheet on the following page), brochures, or letters of support.

Submitting the Proposal

Proposals must be received by email at SAFE@vera.org by 11:59PM PST on December 9, 2019.
This Request for Proposals may be updated at any time. To be on Vera’s distribution list for relevant updates (including answers to questions asked), please email SAFE@vera.org with the subject line “Santa Ana Updates Requested.”
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: