

## REQUEST FOR LETTERS OF INTENT TO IMPLEMENT LEGAL ORIENTATION PROGRAMS FOR DETAINED INDIVIDUALS WHO ARE OR MAY BE PLACED IN IMMIGRATION REMOVAL PROCEEDINGS BEFORE THE EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

The Vera Institute of Justice contracts with the Department of Justice (DOJ), Executive Office for Immigration Review (EOIR), to coordinate and oversee EOIR's Legal Orientation Program (LOP) for immigrant detainees. The LOP currently operates in 14 detention facilities nationwide.

In FY 2008, Congress appropriated \$3.76 million for the Legal Orientation Program, a significant increase from previous years. These increased funds will be used to continue programs at existing sites and to expand to additional sites. Vera invites nonprofit legal organizations to submit letters of intent (as described below) to work with Vera to implement LOPs in new sites.

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### About the LOP

Since 2003, Congress has funded EOIR to administer Legal Orientation Programs. EOIR modeled the LOP on an earlier project created in Florence, Arizona, that relied on independent nonprofit legal advocates to advise individuals of their rights while detained by the legacy Immigration and Naturalization Service (INS) at the Florence Service Processing Center.

The goal of the LOP is to educate detained individuals in removal (deportation) proceedings so they can make more informed decisions, thus increasing efficiencies in the immigration court and detention processes. The LOP provides detained individuals with basic information on forms of relief from removal, how to accelerate repatriation through the removal process, how to represent themselves pro se, and how to obtain legal representation. The LOP is designed to provide this information to detained individuals prior to the first hearing in their removal proceedings before the immigration court. The LOP is offered nationally by nonprofit legal service providers who subcontract with Vera and work collaboratively with Vera, local immigration courts, detention facilities, and Immigration and Customs Enforcement (ICE).

The LOP involves four levels of service:

- **Group orientations** are presentations by attorneys or paralegals that offer a broad overview of the immigration court process and basic information on relief from removal or ways to expedite the removal process.
- **Individual orientations** are one-on-one meetings following the group orientation. In these meetings, detainees ask LOP attorneys and paralegals more detailed questions about process, specific defenses, or forms of relief from removal.
- **Self-help workshops** are small workshops led by LOP staff for detainees who will be representing their cases pro se. In these workshops, individuals can prepare and practice with other individuals who will be pursuing similar defenses or applications for relief from removal.
- **Pro bono referrals** are made for some indigent detainees unable to proceed pro se or whose cases could benefit from the assistance of legal representation.

LOP is currently operating (or, in some cases, has operated) in the following locations (Facility Name and Location: Subcontractor):

- **Aurora Detention Facility** (GEO), Aurora, CO: Rocky Mountain Immigrant Advocacy Network (RMIAN)
- **Buffalo Federal Detention Center**, Buffalo, NY: Erie County Bar Association Volunteer Lawyers Project (VLP)

- **El Paso Service Processing Center and Otero County Prison**, El Paso, TX: Diocesan Migrant & Refugee Services (DMRS)
- **Eloy Detention Center (CCA)**, Eloy, AZ: Florence Immigrant and Refugee Rights Project (FIRRP)
- **Houston Service Processing Center (CCA)**, Houston, TX: University of Houston Immigration Law Clinic
- **Laredo Processing Center (CCA)**, Laredo, TX: Lutheran Immigration and Refugee Services (LIRS) and Bernardo Kohler Center (BKC)<sup>^</sup>
- **Middlesex County Correctional Facility and Hudson County Correctional Facility**, Newark, NJ: Legal Services of New Jersey (LSNJ)
- **Mira Loma Detention Facility**, Lancaster, CA: Catholic Legal Immigration Network (CLINIC)
- **Northwest Detention Center (Corrections Services Corporation)**, Tacoma, WA: Northwest Immigrant Rights Project (NWIRP)
- **Otay Mesa Detention Facility (CCA)**, San Diego, CA: ABA Immigration Justice Project (IJP) of San Diego
- **Pearsall Immigrant Detention Center (GEO)**, Pearsall, TX: Political Asylum Project of Austin (PAPA)
- **Port Isabel Service Processing Center**, Los Fresnos, TX: ABA South Texas Pro Bono Asylum Representation Project (ProBAR)
- **San Pedro Service Processing Center**, San Pedro, CA: Legal Aid Foundation of Los Angeles (LAFLA)<sup>^</sup>
- **York County Prison**, York, PA: Pennsylvania Immigration Resource Center (PIRC)

In the current expansion, Vera is interested in implementing LOPs in sites not currently covered. We are also particularly interested in programs that propose innovative ways of: working with immigrant detainees with mental health issues; developing models to reach more remote detained locations; and serving individuals with criminal convictions who are not held in ICE custody (i.e., individuals with “ICE holds” or part of the “Institutional Hearing Program”). Finally, Vera is particularly interested in proposals that cover more than one detention facility or demonstrate the potential for regional expansion in future years.

## Subcontract Requirements

In conjunction with Vera, selected subcontractors will be required to perform the following tasks:

- **Group orientations:** Subcontractors will conduct a set number of group orientations per week<sup>^^</sup> for all detainees, regardless of representation status, who are or may be in immigration removal proceedings, prior to their Master Calendar Hearing at the identified detention center(s).
- **Individual orientations:** Subcontractors will conduct individual orientations when requested by unrepresented individuals within a reasonable time period after the group orientation.
- **Self-help workshops:** Subcontractors will provide a set number of self-help workshops per month.
- **Pro bono plan:** Subcontractors will develop and implement pro bono plans to promote and facilitate pro bono representation for detained individuals.

All services shall be performed by on-site presenters, who must either be licensed attorneys; BIA Accredited Representatives; or legal assistants, paralegals, law students, law school graduates, or other trained volunteers working under the direct supervision of such licensed attorneys or Accredited Representatives.

**\*\*Subcontract funds may not be used to provide legal representation.\*\***

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<sup>^</sup> Services in Laredo ended in September 2007. Services at the San Pedro Service Processing Center ended in November, 2007 when the facility was temporarily closed.

<sup>^^</sup> There may be less frequent group orientations in programs that serve individuals with criminal convictions who are not held in ICE custody.

In addition to completing the tasks outlined above, subcontractors will cooperate with Vera's efforts to manage the program by, among other things, alerting Vera to problems that may jeopardize local program operations and by participating in regular conference calls and periodic training conferences organized by Vera. Subcontractors will also provide Vera with data for (i) evaluating the performance of the LOP, (ii) evaluating subcontractors' effectiveness, and (iii) drafting monthly reports for submission to EOIR.

## Criteria for Site and Subcontractor Selection

The following criteria will be used to evaluate detention facility *sites* at which additional LOPs are proposed:

- Geographic and programmatic diversity of selected sites.
- Suitability for testing innovative ways of: working with immigrant detainees with mental health issues; developing models to reach remote detained locations; and reaching individuals with criminal convictions who are not held in ICE custody.
- Size and demographic makeup of population, representation rate, and access to basic legal services for detained immigrants in EOIR removal proceedings.

The following criteria will be used to evaluate *local subcontractors* that will carry out LOPs at proposed sites:

- Legal expertise in immigration issues and experience in working with the target groups of immigrant detainees.
- Ability to work collaboratively with governmental agencies and other nonprofit agencies.
- Experience in recruiting, training, and supervising *pro bono* attorneys to represent individuals in removal proceedings.
- Ability to work collaboratively with local community-based organizations and others that provide services to detained immigrants, including psychological, occupational, and language services.
- Past performance under prior contracts/ grants for related project services.
- Ability to handle a number or all of the detention facilities in an immigration court's jurisdiction or large geographical region.
- Availability of other programmatic funding for essential legal services for immigrant detainees not covered under the LOP, such as legal representation.

Preference will be given to sites where there is a substantial need for LOPs. However, considerations such as the capacity of the applying organization to meet the program objectives and other factors listed above will be balanced with need.

## Application Process

### STEP 1: Letters of Intent

Interested nonprofit organizations are invited to submit letters of intent—*not to exceed four pages*—that briefly describe:

- the detention facilities covered;
- how the detention site(s) meets the criteria for selection listed above;
- how the applicant organization meets the criteria for selection listed above.

**Letters of intent shall be submitted via email to Rose Holandez (rholandez@vera.org) no later than April 21, 2008, 5:00 p.m. EDT.**

### STEP 2: Full Proposals

Vera will notify those organizations who are invited to move forward on the application process after reviewing letters of intent. Full proposals will be accepted *by invitation only* and will require a detailed program operation plan, a budget, and letters of support from local stakeholders. Full proposals will be due in early summer 2008, with subcontract tasks expected to begin by early fall 2008.

Vera will host a conference call for those invited to move on to step 2 in order to further explain the proposal process and program.

### **Additional Information**

Vera welcomes proposals from organizations that propose to partner with other nonprofit organizations, including bar associations and community-based organizations. However, please indicate one organization as the primary subcontracting organization.

Please contact Rose Holandez ([rholandez@vera.org](mailto:rholandez@vera.org)) or Stacey Strongarone ([sstrongarone@vera.org](mailto:sstrongarone@vera.org)) with questions or concerns.