

## Questions and Answers

### RFP: Regional Immigration Assistance Centers

Date Posted: October 14, 2014

- (1) **Question:** May a county contract with more than one existing immigration provider in a particular region? The upstate regions are large in area and having more than one provider would help facilitate the provision of services to all the indigent legal service providers in the area.

**Answer:** Yes, the purpose of the RFP is to “support the development of a network of Regional Immigration Assistance Centers,” with “[e]ach Center . . . expected to serve the providers within each county in its designated region,” and, critically, “that services provided by Centers be available to every indigent legal service provider within their region” (see pages 1, 2 and 5 of the RFP). A county may subcontract with one or more providers within a designated region in order to accomplish these objectives.

- (2) **Question:** If the answer to number 1 is yes, will it be required that the county in which each immigration provider is located be a formal partner in the grant?

**Answer:** No, counties may not submit joint proposals. However, proposals that “encourage collaboration among providers, other legal service providers, community-based organizations” and other entities, such as counties, are encouraged (see page 6 of the RFP).

- (3) **Question:** In some cases, providing accurate legal advice about the immigration consequences of a conviction will require determining what the actual status of the defendant is (i.e. U.S citizen by acquisition or derivation). May funds appropriated under this grant be used by immigration providers to both determine what the defendant’s status is and to file any necessary applications with USCIS to establish that status?

**Answer:** Yes, funding may be used to assist providers of Indigent Legal Services to determine the defendant’s immigration status so long as these costs are “reasonable and necessary” and “consistent with the proposal action plan” (see pages 14 and 15 of the RFP).

- (4) **Question:** Under data collection (page 13 of the RFP), it is required that each funded program report on the use of a computerized data management system maintained by each indigent legal services providers which tracks client immigration status and advice provided, and on the current status of data collection capabilities. How will funded programs perform those obligations without violating the attorney-client privilege of the clients of the providers?

**Answer:** The RFP requests that the Centers work with the providers in their designated region to determine whether each identified provider has access to the use of a computerized case management system to track the immigration status of their clients. All other data relating to how providers track the immigration status of their clients is requested in quantitative form only (i.e., the number and percentage of noncitizen clients served by each provider, the number of clients, by county, served by the Center, the number of referrals received, etc.) (see pages 13 and 14 of the RFP).