

Questions and Answers

RFP: 4th Family Defense (Child Welfare) Quality Improvement & Caseload Reduction Grant

Date Posted: September 12, 2024

- 1) **Question:** The bottom of page 1 under Timelines for This Request for Proposals, the RFP lists the tentative contract start date as January 2024. We're already 7.5 months past that. Based on informational virtual meetings about the RFP throughout this summer, I thought that the start date was supposed to be January 2025. When is the start date?

Answer: The tentative contract start date is January 2025, as reflected in the RFP published in the NYS Contract Reporter and hosted on the ILS website. A copy of the RFP incorrectly stating a tentative contract start date of January 2024 was inadvertently shared with eligible counties via email on August 21, 2024. Later that same day, ILS issued an email to the same list of eligible counties with the correct RFP listing the tentative contract start date of January 2025.

- 2) **Question:** How are potential Family Court Respondents made aware of Family Court assigned counsel availability for FCA §1024 removals that occur after hours?

Answer: In most counties, there currently is no mechanism or program to inform parents (or other legally responsible adults) who are the subject of a Child Protective Services (CPS) investigation of their right to assigned counsel if they cannot afford to retain counsel. Counties submitting RFP proposals that seek to represent parents during the CPS investigation should consider including information on how they will endeavor to ensure that parents are notified of the right to assigned counsel. See Section I, page 15 of the RFP.

- 3) **Question:** Are cases that begin as Article 10 still covered under the Family Defense Grant if the case later becomes a Termination of Parental Rights or Kingap?

Answer: Mandated representation provided to parents (or persons legally responsible) in child welfare cases is eligible for funding under this grant. As stated in footnote 2, page 2 of the RFP, this includes abuse and/or neglect proceedings pursuant to Article 10 of the Family Court Act, as well as foster care placement, termination of parental rights, surrender, destitute minor, and permanency planning proceedings.

- 4) **Question:** Can a current Assistant Public Defender who handles Article 10 cases have their salary supplemented by the Family Defense Grant?

Answer: A proposal to use this grant funding to supplement the salary of current staff will be scored in accordance with the criteria set forth in Section V of the RFP. Please note that, as set forth in Section VII of the RFP, this grant funding must supplement county funding and cannot be used to supplant county funding,