

Answers to Questions Raised by Interested Parties in the Request for Proposal for  
Legal Services for Parents in Child Welfare Matters in the Juvenile Section of the  
Family Division

1. Will the successful organization(s) be expected to represent parent, who are respondents or non-respondents in child welfare proceedings before the Court's Family Division – Juvenile Section, in those child welfare proceedings as well as the other legal proceedings described throughout the RFP, or solely in other legal proceedings (while the client is represented by other counsel in the 3<sup>rd</sup> Circuit)?

Answer: The successful organization will be expected to represent parents in other legal proceedings as specifically described in the RFP and not as respondents or non-respondents in child welfare proceedings before the Court's Family Division-Juvenile Section.

2. For fiscal years 2019 and 2020, how many child abuse or neglect cases were filed in the Third Judicial Circuit by the Child and Youth Services Division of the Department of Attorney General?

Answer: Child abuse and neglect cases are filed by the Michigan Department of Health and Human Services, after a review by an assistant attorney general. Data for FY 2020 is not yet available. The most updated complete data is summarized in the Third Judicial Circuit Court's 2017 Annual Report, the 2018 Annual Report and in the 2019 Annual Report. In the 2017 Annual Report, there were 1,040 child proactive new case filings. In the 2018 Annual Report, there were 921 new case filings. In the 2019 Annual Report there were 766 new case filings.

3. For child abuse or neglect cases resolved in fiscal years 2019 and 2020, what was the average case duration?

Answer: This information is not currently available.

4. For fiscal years 2019 and 2020, how many parents and/or respondents had a criminal case related to the child abuse or neglect proceeding? For those same fiscal years, how many parents and/or respondents had a separate, unrelated pending criminal matter concurrent to the child abuse or neglect proceeding?

Answer: This information is not collected by the Third Judicial Circuit Court

5. For fiscal years 2019 and 2020, how many children with an open child abuse or neglect proceeding also had an open juvenile delinquency proceeding?

Answer: 105

6. For fiscal years 2019 and 2020, what were the expenditures for providing parent and/or respondent representation in the proceedings contemplated in this RFP?

Answer: Information is not currently available.

7. For fiscal years 2021 and 2022, what are the projected expenditures for providing parent and/or respondent representation in the proceedings contemplated in this RFP?

Answer: Expenditures for the RFP are determined by the yearly grant award of Michigan Department of Health and Human Services to the Court. The Court will utilize the grant award for improving the quality representation of parents and children in child welfare proceedings. The specific budgeted amount for providing parent and/or respondent representation is to be determined based on total grant award.

8. Will start-up funds be available, and how long will the successful organizations have to complete their start-up process?

Answer: The Court will not provide "start-up" funds to the successful organization. The Court will pay monthly service vouchers submitted to the Court by the successful organization, pursuant to the contract.

9. What is the total projected case load for the successful organization(s)?

Answer: This is a pilot program and no existing service model exists upon which to offer projections.

10. What is the anticipated start date for the intake of cases?

Answer: The Court anticipates the start date for the intake of cases to be on or after March 17, 2021.

11. Assuming that the Third Judicial Circuit will remain closed to the public through December 28, 2020, is there an alternate plan for applicants to submit a hardcopy of the application?

Answer: The updated CPLR/QLR RFP, posted on December 8, 2020 requires electronic application submitted to [CPLR/QLRRFP@3rdcc.org](mailto:CPLR/QLRRFP@3rdcc.org) by the application deadline January 27, 2021.

12. How many families will be served during the first 12 months of the grant?

Answer: See answer to question # 9.

13. We anticipate hiring new staff to perform the work of the grant. May we use the experience of current staff, who may apply to work on the project, to describe “the experience of the specific attorneys working under this grant”?

Answer: The organization may choose as they deem appropriate.

14. Must applicants submit hard copies of their applications or are digital copies submitted by email sufficient?

Answer: See answer to question # 11 above.

15. Are applicants required to perform GAL services or represent juveniles under this grant?

Answer: No.

16. How much is the grant award for the first 12 month of the grant?

Answer: The final grant amount is determined by Michigan Department of Health and Human Services and is anticipated to be provided by March 2021.

17. What is required by “detailing the clients served” and the “other relevant data explaining the work performed”?

Answer: At a minimum, the organization should list the initials of each of the clients served and a brief description of the work performed.

18. Who is included in not having any familial relationship with any judge, referee, and Court administrator? All of the applicant’s staff or just officers and principals?

Answer: Officers and principal.

19. Please advise if the scope of legal services contained in the RFP are currently being offered to parents in the Juvenile Section of the Family Division.

Answer: The scope of legal services contained in the RFP are not being currently offered to parents in the Juvenile Section of the Family Division.

20. Please advise of the anticipated number of parents to be served by the chosen entity.

Answer: The Court does not have an anticipated number of parents to be served by the chosen entity.

21. Please advise how matters will be referred to the chosen entity.

Answer: Referrals will come directly from the Michigan Department of Health and Human Services for pre-adjudicated parents who are at risk of their children being removed. For post adjudicated parents with open child welfare cases, referrals will come from the Court to address specific obstacles enumerated in the RFP that may impede the return of their children.

22. How much will be a monetary award for a year for this contract?

Answer: To be determined.

23. How much will be a monetary award for a year for this contract?

Answer: To be determined.

24. How will it be paid? In equal monthly payments?

Answer: Yes

25. When the monthly billing should be done and where to be submitted?

Answer: To be determined.

26. Should we appear in the court for the clients or should we just prepare documents for them?

Answer: The organization will represent parents in matters regarding landlord-tenant issues, misdemeanor and ordinance violations in district courts, housing issues, immigration issues, assistance in obtaining public benefits, driver's license restoration, obtaining social security benefits, guardianships, divorce, resolution of domestic violence issues, substance abuse issues, assistance in providing supplemental parent support or other ancillary matters with respect to the parents involvement with the Court and the child welfare system.

27. Can we hire the attorneys for the specific cases as immigration cases? Can they send the bill to be covered?

Answer: Payment will be made to the contractor in 1/12 increments on a monthly basis of the total contract award.

28. Should we file the documents with the courts?

Answer: Electronic application is to be submitted to [CPLR/QLRRFP@3rdcc.org](mailto:CPLR/QLRRFP@3rdcc.org).

29. Can two offices of the attorneys, as us, get a contract?

Answer: Each application will be considered on its own merit.

30. Are the attorneys to be “on call” for their specific specialties, or hired only for each specific job?

Answer: Individual matters will be referred to the organization for resolution.

31. Can the work be limited, i.e. no property divorces, limited representation for contested hearings?

Answer: The Court will review the submitted applications and determine their ability to perform the requested services.

32. Will there be an income limit under which the clients must qualify? And if so, who will determine the financial qualification?

Answer: There is no income limit.

33. Can we have an Attorney-Client contract signed?

Answer: The organization may determine its specific business practice.

34. In cases of non-cooperation/non-contract, etc. will we be paid for time spent prior to withdrawing?

Answer: Payment will be made to the contractor in 1/12 increments on a monthly basis of the total contract award.

35. Will there be a limit as to how many clients may receive services within a give time period?

Answer: No.

36. If the Attorneys have represented a client in a child protective proceeding, may they still be able to handle the civil cases?

Answer: This requires a conflict of interest determination. This determination must be made on a case by case basis.

37. May we continue to handle our caseload in the Juvenile Court in the neglect and abuse proceedings and the delinquency proceedings?

Answer: There is no contractual bar to an organization carrying out representation of other clients in other matters. However, the organization will be assessed on its ability to carry out the responsibilities under the contract. Additionally the approved organization will perform the appropriate conflict of interest review.

38. If clients want to receive additional legal help, will that be prohibited, even if services are paid?

Answer: The proposed relationship under the RFP specifies the specific services that are required. The Court does not address additional services that do not conflict with proposed representation or otherwise constitute multiple payment for the same services.

39. Regarding court cost, how will that be paid, if not waived by the Court?

Answer: All compensation paid to the organization will be made to the contractor in 1/12 increments.

40. Regarding other expenses (i.e. service fees, immigration fees, etc.) how will that be paid?

Answer: All compensation paid to the organization will be made to the contractor in 1/12 increments on a monthly basis of the total contract award.

41. Will the attorneys still have access to Juvenile Court services, such as subpoena assistance and costs?

Answer: No. See answer to question # 40.

42. Is there a malpractice insurance requirement?

Answer: Yes.

43. Should we do the long-term custody cases or just prep documentation?

Answer: The contract requires the organization to seek resolution of the issue of custody.

44. Can we hire a person who is not an attorney, as the social worker?

Answer: The organization has the ability to choose its own business model and staff.

45. Where is an application for this contract online?

Answer: 3rdcc.org – New & Announcements – Request for Proposal for Legal Services for Parents in Child Welfare Matters.

46. Please advise if the scope of legal services contained in the RFP are currently being offered to parents in the Juvenile Section of the Family Division.

Answer: No.

47. Please advise if the anticipated number of parents to be served by the chosen entity.

Answer: This cannot be determined at this time.

48. Please advise how matters will be referred to the chosen entity.

Answer: Pre-adjudicative referrals will come from a pilot program from Michigan Department of Health and Human Services District Office. Post adjudicated referrals will come from referrals from the Court.

49. How will parents be referred for services/representation who are appearing:

a) at in person hearings

b) at remote hearings

c) who are “at risk” of having to appear in the Juvenile Section?

Answer: Parents will be provided a referral from Michigan Department of Health and Human Services for pre-adjudicated matters. For post adjudicated matters, the Court will provide a referral to parents.

50. Is there a defined maximum budget for this project?

Answer: No.

51. How many parents will the group be responsible for representing?

Answer: To be determined.

52. How will it be decided what parents will receive representation?

Answer: This is a pilot program with the Michigan Department of Health and Human Services (MDHHS). MDHHS will identify some parents who are at risk of children being removed before the filing of a petition and any adjudication, that have enumerated legal and/or social issues that, if resolved, would obviate the need for removal of children and the filing of a petition. In post adjudicated matters, the Court will identify those parents who may have their children returned to them if certain specific legal issues are resolved.

53. Will there be more than one group providing representation to the parents?

Answer: No.

54. Will the attorney group be assigned to a judge and referee team?

Answer: No.

55. Will court costs and fees be waived?

Answer: No, except for fee waiver as prescribed in MCR 2.002 that applies to qualifying individuals.

56. Will the group have to provide the juvenile court with updates?

Answer: Yes.

57. Will the group be required to be present at juvenile hearings?

Answer: No.

58. What does pre-adjudicative custody matter in a domestic relation case mean?

Answer: Representing a parent and filing for custody for a child(ren) who may be at risk of being removed from a home.

59. Will the attorney only provide representation in other courts located in Wayne County?

Answer: Organization will provide representation of parties to address specific issues in various courts. Representation may or may not be restricted to Wayne County.

60. What does representation of parents in domestic violence cases include?

Answer: This may include assisting a parent in obtaining a Personal Protection Order.

61. What would representation of parents in substance abuse cases include?

Answer: Organization may have a parent support partner or a social worker that may assist the parent in obtaining substance abuse services.

62. What would representation of a parent in public benefit cases include?

Answer: This may include assisting a parent in obtaining public benefits.

63. What would representation of parents and multidisciplinary support include?

Answer: This may include parent support personnel in assisting parents (e.g. parent support partner or paraprofessional).

64. What would representation of parents and immigration matters include?

Answer: Organization may represent a parent who may be at risk of deportation.

65. Will representation of parent's include appeals?

Answer: No.

66. Will attorneys be allowed to continue to receive assignments to represent parents in neglect matters from Wayne County Juvenile Court Assigned Counsel Services?

Answer: There is no contractual bar for the organization to do their legal work including representation in child welfare matters.

67. What fees and services are covered in custody and divorce matters, i.e. mediator and evaluation fees?

Answer: Organization will receive 1/12 of total contract award on a monthly basis. The organization may use their contract award as they wish to cover fees and services.

68. What is included in supplemental support services?

Answer: See answer to question 63.