

SUPREME COURT OF LOUISIANA

RFP LASC 2014-004
REQUEST FOR PROPOSALS FOR
COURT IMPROVEMENT PROGRAM
JUDICIAL FELLOW

I. PURPOSE

The Supreme Court of Louisiana (the “Court”) invites qualified individuals to submit proposals for providing services as a judicial fellow for the Louisiana Court Improvement Program.

II. SUBMISSION OF PROPOSALS

One (1) original and four (4) paper copies of each proposal must be **received**, either by hand delivery or by certified mail, no later than **4:00 p.m. (CST) on Monday, August 25, 2014**, at the following address:

Attn: Ms. Kären Hallstrom,
Deputy Judicial Administrator
The Supreme Court of Louisiana
1555 Poydras St., Suite 1550
New Orleans, Louisiana 70112

Any proposals which are received after this deadline will not be considered. All envelopes containing a proposal must bear the name of the entity making the proposal, and must have the following clearly written or typed on the face of the envelope: “Proposal for Court Improvement Program Judicial Fellow.” No faxed or emailed submissions will be accepted.

All questions relative to this request for proposals (“RFP”) should be directed to Kären Hallstrom, Deputy Judicial Administrator, Division of Children and Families. Ms. Hallstrom may be reached via telephone at (504) 599-0770 or via e-mail at khallstrom@lasc.org. As set out in more detail below, all questions should be submitted by **4 p.m. (CST), on Monday, August 18, 2014**. The preferred method of receiving questions is via e-mail. Any oral explanations or instructions shall not be binding. All communications regarding the RFP shall be directed to Ms. Hallstrom.

The Court specifically reserves the right to reject, in full or in part, all proposals submitted, and/or to cancel this RFP, when such action is in the Court’s best interests. Any contract which may be awarded shall be based upon the proposal which is most advantageous to the Court, costs and other factors considered. All contracts are subject to the availability of funds.

III. TIMETABLE FOR PROPOSALS

Issue date of RFP	Wednesday, July 30, 2014
Deadline for receipt of questions	Monday, August 18, 2014
Deadline for receipt of proposals	Monday, August 25, 2014

IV. BACKGROUND

The Supreme Court of Louisiana is the highest court in the State, and thus is eligible to receive from the federal DHHS Administration for Children & Families three Court Improvement Program (CIP) grants: a basic grant, a grant for data collection and analysis, and a grant for training. The Court must apply for these grants every 5 years and must make an annual request for funding including a strategic plan, detailed budget and letter of support from the Louisiana Department of Children & Family Services (DCFS).

The grant awards are subject to program standards and administrative requirements, including Part B of Title IV of the Social Security Act, Title 45 of the Code of Federal Regulations, and circulars from the Office of Management and Budget. Federal funds awarded must be matched by non-federal sources at 25% of total expenditures. The Court must comply with the requirements included in the CIP Program Instruction ACYF-CB-PI-12-02 in order to receive federal CIP funds.

Submission of an annual program report is required for each grant, assessing the effectiveness of the activities supported with grant funds and in conformance with the CIP Program Instruction.

Financial reports must be submitted on an Online Data Collection system. An interim fiscal report of CIP expenditures and required match is due at the end of the first year of each grant period, and a final fiscal report is required at the end of the second year.

The Court currently has federal CIP grant approval for all three grants (basic, training and data) for federal fiscal years (FFY) 2012-2016 in two-year overlapping grant periods: FFY 2013-2015 and FFY 2014-2016.

The federal program instruction for these grants requires meaningful and ongoing collaboration, including working with DCFS to meet grant requirements and creating a multi-disciplinary statewide task force to guide CIP activities. Accordingly, the statewide Louisiana Child Advocacy Resource Effort (CARE) committee developed, implements and manages the CIP strategic plan and monitors progress toward outcomes to meet the requirements of the program instruction.

Subcommittees and workgroups are assigned to specific initiatives, such as disproportionate minority representation, continuous quality improvement, training and education, research and evaluation, and LGBTQ efforts. The CARE committee conducts quarterly meetings, and additional meetings of the committee, executive committee and working groups are held as frequently as needed. An annual independent evaluation of CIP is conducted consistent with the federal requirement for Continuous Quality Improvement (CQI).

Activities in the CIP strategic plan are primarily carried out through contracts for services. The CARE committee identifies the scope of services needed and vendor qualifications, and makes recommendations to the Court for contracts. Major CIP activities included in the current strategic plan are as follows:

Foster Collaboration

- Support interdisciplinary education and training
- CIP Judicial Fellow to address systemic issues with bench
- Support DCFS in collaborative approaches to improve safety, permanency and well-being outcomes for children in accordance with federal CIP program instructions

Improve Legal Representation for All Parties

- Promote and support high quality legal representation to parents, children, DAs and DCFS, both in and out of court, through targeted training
- Provide specialized training to judges hearing CINC cases

Address the Needs of Special Populations

- Research issues that lead to disproportionate minority representation and disparate treatment of children of color and develop responsive training
- Promote best practices in serving older youth
- Promote best practices in serving and working with LGBTQ youth in state care
- Improve the understanding and handling of cases involving human trafficking

Ensure High Quality Legal Processes in All Court Hearings

- Use of CIP Judicial Fellow to address needs in local courts
- Expand the use of IJJIS in the courtroom
- Work with foster parents to ensure their voices are heard in court
- Ensure that children's voices are heard in CINC proceeding in accordance with law

Respond to Title IV-E, CFSR, & the Program Improvement Plan

- Focus on safety through family engagement
- Increase the number of children who have permanency and stability in their living situations
- Collaborate with DCFS in its goal to improve case decision making, assessments, and permanency plans for older youth

The work of the Judicial Fellow is an integral piece of the CIP strategic plan developed by the CARE committee in accordance with federal Children's Bureau requirements to facilitate improved court practice and to support judicial commitment to leadership in child welfare cases.

V. SCOPE OF WORK

Proposer must be prepared to serve as Judicial Fellow for the Louisiana Court Improvement Program in furtherance of the goals and objectives of the Strategic Plan of the Court Improvement Program, including but not limited to the following tasks:

- Serve as a direct CIP linkage to local judges and courts
- Serve as a CIP linkage to state and local judicial education programs
- Be available as a mentor for new judges assuming CINC jurisdiction
- Help to energize interest in, coordinate and facilitate local stakeholder meetings
- Serve as a liaison from CIP to the federal CFSR and Title IV-E review processes
- Serve as a liaison from local practice to the CIP in the way of recommendations for improved technical support to courts
- Serve as a CIP liaison to the Louisiana CASA Association and to local CASA programs in support of expansion into un-served or under-served areas
- Support the use of mediation, family group decision-making and other alternative dispute resolution mechanisms designed to improve permanency outcomes for foster children
- Provide technical support to courts having Title IV-E compliance problems
- Provide advice, counsel and support for the overall improvement of legal representation and due process rights for all parties in CINC cases
- Provide advice, counsel and support to help ensure foster parents' rights to notice and an opportunity to be heard in court
- Make recommendations for changes in law as needed to better serve foster children
- Attend CIP CARE Committee meetings and report on findings and activities in the field, along with recommendations for court and CIP initiatives designed to improve the safety, permanency and well-being of children in foster care
- Communicate regularly with the Administrator regarding systemic and ad hoc problems affecting the efficient and effective adjudication of and processing of all matters relating to CINC cases, including termination of parental rights and adoptions flowing from them
- Provide to the Administrator regular quarterly reports and ad hoc reports when advisable and appropriate.

Proposer must be willing and able to travel frequently statewide to perform these services.

VI. CONTENTS OF THE PROPOSAL

One (1) original and four (4) paper copies of each proposal must be provided.

Your proposal should address each of the areas outlined below and provide the information requested. Your response should include the following:

A. Cost

The information regarding Cost should include:

1. Your hourly rate and/or proposed flat monthly rate;
2. Your expectations, if any, regarding expense reimbursement, including travel expenses and office/equipment expenses.

B. Qualifications

The information regarding Qualifications should include, but is not limited to the following:

1. Proposer's Experience

The proposal must set forth a description of the proposer's experience with regard to the essential functions outlined in Section V, Scope of Work. Qualifications should include:

- Retired or sitting Louisiana judge in good standing
- Judicial experience in child in need of care proceedings
- Training experience, preferably with judges, judicial administrators, attorneys, child welfare practitioners and Court Appointed Special Advocates
- Knowledge of federal and state child welfare law, including the provisions of the Louisiana Children's Code relative to child protection
- Knowledge of current literature, principles, practices, best practices and outcome measures related to child welfare and juvenile court systems
- Knowledge and understanding of the Indian Child Welfare Act preferred
- Knowledge and experience working collaboratively with DCFS, especially Title IV-E compliance reviews

2. Proposer's References

Provide at least two references. The Proposer's References shall include, but are not limited to, the following:

- Client name
- Client address
- Contact name
- Telephone number
- Email address
- Letters of reference (if available)

Please note that the Court may or may not elect to contact references provided.

VII. EVALUATION CRITERIA

The Court will evaluate all proposals and, if a proposer is to be selected, select a proposer on the basis of the following criteria:

A. Cost (25 percent)

B. Qualifications (75 percent)

VIII. CONTRACT AWARD

The Court reserves the right to enter into a contract without further discussion of the proposal based on the content of the proposals submitted. Ordinarily, nonresponsive proposals will be rejected outright. Nevertheless, the Court may elect to conduct discussions, including the possibility of limited proposal revisions, but only for those proposals reasonably susceptible of being selected for award. If improper revisions are submitted, the Court may elect to consider only your unrevised initial proposal. The Court may also elect to conduct negotiations, beginning with the highest ranked proposer, or seek best and final offers. If negotiations are conducted, the Court may elect to disregard the negotiations and accept your original proposal.

IX. TERM OF INITIAL AGREEMENT

Any contract to be awarded is expected to commence as soon as possible following selection of proposer and any contract negotiations and to continue for the remainder of the current CIP grant award period ending September 30, 2016.

X. PUBLIC NATURE OF PROPOSAL AND PROSPECTIVE CONTRACT

All proposals submitted in response to this request for proposals, and any contract which might ultimately be agreed upon, will be open to public inspection by any interested person, firm or corporation.

It should be noted and understood that all proposals, contracts and other documents presented in connection with this RFP become the property of the Court.

XI. SUBMISSION OF CONFIDENTIAL INFORMATION AND REDACTION OF PROPOSALS

Trade secrets or other proprietary information submitted by a proposer as part of its RFP may not be subject to public disclosure, provided the proposer specifies the relevant law supporting its request for confidentiality. However, the proposer must invoke the protections of this section prior to or upon submission of its proposal, must identify the specific data or other materials to be protected, and must state the reasons why protection is necessary. Any aspect of the proposal which addresses the price of providing the requested services will not be considered confidential under any circumstance. Any proposal marked as confidential or proprietary in its entirety may be rejected without further consideration or recourse.

The proposer must clearly designate the part of the proposal that contains a trade secret and/or privileged or confidential proprietary information as “confidential” in order to claim protection, if any, from disclosure. The proposer shall mark the cover sheet of the proposal with the following legend, specifying the specific section(s) of the proposal sought to be restricted in accordance with the conditions of this legend:

“The data contained in pages _____ of the proposal have been submitted in confidence and contain trade secrets and/or privileged or confidential information and such data shall only be disclosed for evaluation purposes, provided that if a contract is awarded to this proposer as a result of or in connection with the submission of this proposal, the Supreme Court shall have the right to use or disclose the data therein to the extent provided in the contract.”

Further, to protect such data, each page containing such data shall be specifically identified and marked “CONFIDENTIAL.” All markings must be conspicuous; use color, bold, underlining, or some other method in order to distinguish the mark from the other text. You are required to mark the original copy of your offer to identify any information that is exempt from public disclosure. **In addition, you must submit one complete copy of your offer from which you have removed any information that you marked as exempt, i.e., a redacted copy.** The information redacted should mirror in every detail the information marked as exempt from public disclosure. The redacted copy should:

- a. Reflect the same pagination as the original, and
- b. Show the empty space from which information was redacted

Proposers must be prepared to defend the reasons why the material should be held confidential. If a competing proposer or any other person seeks review or copies of another proposer's confidential data, the Court will notify the owner of the asserted data of the request. If the owner of the asserted data does not want the information disclosed, it must agree to indemnify and hold the Court harmless against all actions or court proceedings that may ensue (including attorney's fees), which seek to order the Court to disclose the information. If the owner of the asserted data refuses to indemnify and hold the Court harmless, the Court may disclose the information.

XII. COURT DISCRETION

The Court specifically reserves the right to reject, in full or in part, all proposals submitted, and/or to cancel this request for proposals, when such action is in the Court's best interests. Any contract which may be awarded shall be based upon the proposal which is most advantageous to the Court and its employees, costs and other factors considered. All contracts are subject to the availability of funds.

XIII. CHANGES, ADDENDA, WITHDRAWALS

The Court reserves the right to change the calendar of events or issue addenda to the RFP at any time. The Court also reserves the right to cancel or reissue the RFP.

If the proposer needs to submit changes or addenda, such shall be submitted in writing, signed by an authorized representative of the proposer, and cross-referenced clearly to the relevant proposal section. **All such changes must be received prior to the deadline for proposal submission.**

XIV. COST OF PREPARING PROPOSALS

The Court is not liable for any costs incurred by proposers prior to issuance of or entering into a contract. Costs associated with developing the proposal, preparing the proposal, and any other expenses incurred by the proposer in responding to the RFP are entirely the responsibility of the proposer, and shall not be reimbursed in any manner by the Court.

XV. AUDIT OF RECORDS

The State Legislative Auditor or other auditors so designated by the Court shall have the option to audit all accounts directly pertaining to the resulting contract for a period of three (3) years after project acceptance or as required by applicable State or Federal law. Records shall be made available during normal working hours for this purpose.

XVI. RECORDS RETENTION

The successful proposer shall maintain all records relating to any contract which is agreed upon for a period of at least three (3) years after acceptance by the Court.

XVII. CHOICE OF LAW

The resulting contract shall be governed by Louisiana law.

XVIII. NO MANDATORY ARBITRATION

The resulting contract shall not contain any provision mandating that the parties submit to arbitration.

XIX. FIXED PRICING REQUIRED

Any pricing provided by proposer shall include all costs for performing the work associated with that price. Except as otherwise provided in this RFP, proposer's price shall be fixed for the duration of any resulting contract. This clause does not prohibit proposer from offering lower pricing after award.

XX. NON-INDEMNIFICATION

Any term or condition is void to the extent it requires the Court to indemnify anyone.

XXI. PUBLICITY

Contractor shall not publish any comments or quotes by Court employees, or include the Court in either news releases or a published list of customers, without the prior written approval of the Court.

XXII. TERMINATION DUE TO UNAVAILABILITY OF FUNDS

Payment and performance obligations under the resulting contract shall be subject to the availability and appropriation of funds therefor. When funds are not appropriated or otherwise made available to support continuation of performance, the contract shall be canceled.