

Request for Proposals

RFP#	OWR-RFP-1543-03
Title	ECO Immigration Court Speciality Clinic
Summary	ECO Immigration Court Speciality Clinic serves as a support for ECO participants in removal proceedings and, simultaneously, guiding and developing law students in immigration advocacy and court work through dedicated externships, internships, and similar field placements. The clinic works closely with the Oregon law schools.
Date Posted	January 12, 2023
Date Opens	January 13, 2023
Date Closes	February 3, 2023 5.01pm pt
More Info	Visit: https://equitycorps.org/rfps Email: info@equitycorps.org



SUMMARY – Equity Corps of Oregon is an effort to facilitate universal representation so that every eligible Oregonian can defend against an unjust or unfair deportation, or civic exclusion, on account of immigration status. The selected Awardee may receive a contract to provide limited scope legal services through an ECO Specialty Clinic designed to (a) support participants through legal accompaniment, Friend of Court services, limited-scope appearances, and full-scope appearances; and, (b) mentor & teach law students through externships, internships, and field placements in collaboration with the Oregon law schools. This is a new initiative of ECO.

PART 1. OVERVIEW

The ongoing, massive buildup of immigration policing, anti-immigrant sentiment, and the weaponization of our immigration court system has fueled an unprecedented deportation and detention crisis that is devastating immigrant families and immigrant communities of color in Oregon. It threatens to undermine the safety of our community and Oregon’s collective prosperity. Equity Corps of Oregon’s objective is to provide universal representation, which protects our communities by making sure that no individual has to face the risk of deportation alone. Equity Corps ultimately aims to end unjust and unfair deportations by providing access to an attorney and support services for every eligible Oregonian at risk of removal on account of immigration status.

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PART 2. BACKGROUND

The Equity Corps program launched in October 2018 with funding from the City of Portland and Multnomah County. In June 2019, the State of Oregon provided \$2 million in funding to expand the Equity Corps pilot. The funding covered services from October 1, 2019 to June 30, 2021. The City of Portland provided additional support for services for eligible individuals with \$250,000 in funding from September 1, 2020 to

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August 31, 2021. In June 2021, the State of Oregon provided \$2 million in funding for the period of July 1, 2021 to June 30, 2023. The City of Portland provided \$2 million in funding through December 1, 2024.

The Immigration Court in Portland, Oregon, like nearly every non-detained immigration court in the nation, is plagued with years-long backlogs. Cases coming forward for an initial hearing may not be set for a final trial or final hearing for four years or more. In order to efficiently and effectively steward resources for the maximum number of individuals in the community impacted by the deportation system, ECO provides coverage for full-scope removal defense to individuals who have dispositive events in their deportation cases generally within ECO's biennium funding cycle. This ECO Speciality Clinic bridges the gap created by the years-long backlogged Immigration Court system by providing services to ECO participants at the master calendar stage and other preliminary hearing stages and for ancillary proceedings through Friend of Court, accompaniment, limited-scope and full-scope services. There are not enough lawyers practicing and providing immigration legal services, particularly removal defense services, in Oregon. This ECO Speciality Clinic provides practical learning experiences for law students as a component in the ECO system for developing and retaining new talent in Oregon to support the immigrant and refugee communities.

PART 3. DESCRIPTION – SCOPE OF WORK

On March 23, 2022, the State of Oregon enacted a permanent fund called the Universal Representation Fund. See Senate Bill 1543 (2022 Regular Session), Oregon Laws 2022, Chapter 88. The legislation allocates \$10.5 million in funding to Oregon Worker Relief for the purposes of providing universal representation, in addition to \$4.5 million provided to the Oregon State Bar for similar purposes. Oregon Worker Relief will contract with up to 1 Awardee to provide a ECO Immigration Court Speciality Clinic. Assuming compliance with the contract, the Awardee will be paid on properly presented periodic invoices under the terms described below, in order to minimally achieve the following deliverables:

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A. ECO Speciality Clinic & Law Student Participation

During the period of the project, the Awardee will provide, at a minimum, 500 hours of clinical practice in a culturally-responsive manner to serve ECO participants using a law student participatory model. We anticipate the actual number of hours of service will be approximately in the range of 750 to 1100 hours.

Service Languages. All staff who interact with the public and ECO participants should be conversant in English and Spanish and able to effectively engage in communications about complex legal and factual situations. Language skills in addition to English and Spanish will be noted and accorded additional weight in the selection process.

Technology Systems. The Awardee must use a centralized case management system-to include calendaring, docketing, guides, forms, and other relevant systems-which will be provided by the ECO Clearinghouse without cost to the Awardee. The Awardee must participate in ongoing training regarding the use of the centralized case management system, as well as routine case planning and cohort management conferences. The Awardee must use computer systems that are compatible with Google Workspace and Office 365.

Limited-Scope Legal Representation means the application of legal principles to facts to help clients resolve legal problems; it creates an attorney-client relationship during the scope of the work. The following are, at a minimum, the limited-scope of services that the Awardee must be capable of providing at the moment the contract is signed: interviewing, advising, and counseling individuals on the requirements of and preparing the necessary forms, including entering notices of appearance, on immigration benefits under INA § 201 (immediate relative petitions), § 203 (preference relative petitions), § 204 (other petitions & applications including fiancée, § 207 (asylee relative petitions), § 208 (applications for asylum), § 209 (asylee & refugee adjustment), U-nonimmigrant status, T-nonimmigrant status, DACA benefits, employment authorization, Special Immigrant Juvenile status); § 216A (petition for removal of conditions), § 221 (immigrant visa consular processing), § 240 (pro se motions & limited-appearance filings in immigration court), § 240A



(applications for cancellation of removal), § 240B (voluntary departure), § 244 (Temporary Protected Status), § 245 (applications for adjustment of status), § 249 (registry), § 265 (address changes), and other matters including Questions Presented, FOIA requests, Friend of the Court proceedings before the immigration court system and records requests. See Appendix for additional information.

Full-scope representation means the provision of legal assistance and representation reasonably required by the circumstances of each individual case and in compliance with the Ethical Rules for individuals in removal or removal-related proceedings (such as expedited removal, credible fear, reasonable fear) that apply to a case until there is an immigration judge disposition that dismisses, terminates, or administratively closes the case. It applies to all forms of relief, whether filed with the court or a different adjudicative body such as USCIS. When consistent with the client's desires and appropriate to the particular case, defensive representation will include representation at all stages of immigration court proceedings, including, but not limited to, master calendar hearings, bond proceedings, competency hearings, merits hearings, state court proceedings for Special Immigrant Juvenile predicate orders as applicable, USCIS applications and proceedings that would provide relief from removal, including the filing of a notice of appeal to the BIA, if appropriate under the circumstances. Additional representation services for post-conviction relief, federal habeas corpus, BIA appeals or post-BIA appeals are permitted under most engagements. We anticipate that most cases taken under these engagements will require trial representation. Attorneys must abide by the Ethical Rules; and without limitation, attorneys must meet their client duties of competence, diligence, communication, loyalty, and the safeguarding of property. Engaged attorneys agree to avoid permissive withdrawal in all cases and agree to comply with their duties upon withdrawal from the representation as stated in RPC 1.16 and 8 C.F.R. § 1003.17(b). Individuals shall not be charged fees for the provision of legal services within the meaning of the engagement. Engaged attorneys must abide by their clients' objectives, which may necessarily involve the protection and preservation of clients' rights to fair and appropriate adjudication of the issues presented. This includes the attorney's duty to secure the time necessary (through continuance if appropriate) to fully prepare for and defend the rights of



their clients and duty to abide by their client's decisions concerning the objectives of representation.

Culturally-responsive means a service that is respectful of, and relevant to, the beliefs, practices, cultures and linguistic needs of diverse consumer or client populations and communities whose members identify as having particular cultural or linguistic affiliations by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language or languages spoken at home, and that has the capacity to respond to the issues of diverse communities and require knowledge and capacity at systemic, organizational, professional and individual levels of intervention.

Law student participation means offering law students placements that satisfy the ABA Standards on Field Placements and comply with the particular requirements of participating law schools (Lewis & Clark, University of Oregon, and Willamette University) through externships and internships. Participating law students may be eligible for course credit through a participating institution and are eligible for compensation for their work.

Accompaniment Services means attending a master calendar docket, observing the proceedings, taking notes on the proceedings and outcomes for ECO participants, completing data entry, and making appropriate referrals for additional follow up or services.

Friend of Court Services means preparing for and with ECO participants to attend a master docket and appears as Friend of Court for ECO participants on the docket under the EOIR Friend of Court procedure. Generally, matters are referred and assigned at least 60 days in advance, where timing permits, and the assignment triggers the general responsibility to prepare necessary filings (applications for relief, limited scope motions, E33s, and similar papers), it may also include post-hearing follow-up for additional filings (limited scope FOIA, 1765s, limited scope affirmative applications for relief). In certain limited situations, an appearance as representative may be appropriate if such appearance permits the termination or final disposition of the removal matter. For full-scope appearances that do not result in a final



disposition, generally a substitution of counsel is anticipated under this contract, provided the substitution is permissible under ethical and court rules.

B. Deliverables

The Awardee will provide a clinical practice that will primarily include Friend of Court services, law student engagement, affirmative representation, and related limited and full scope work to achieve effective and positive outcomes in ECO participant immigration cases. To achieve the objectives of the initiative, additional hours may be authorized. The Awardee will collaborate with Innovation Law Lab, which operates as the Clearinghouse for ECO, and Oregon’s law schools to create field placement opportunities for law students. All field placements must comply with the ABA Standards & Rules of Procedure for Approval of Law Schools, Standard 304 relating to Field Placements. The Awardee must use the ECO Platform software to manage the project. The proper use of the system will satisfy all reporting obligations, except for invoicing for services. The Awardee must have technology systems compatible with Office 365, Google Workspace, Adobe Creative Suite.

Funding Summary

Funding Mechanism:	Contract
Anticipated Total Available Funding:	\$300,000
Anticipated Number of Awards:	1 – Immigration Court Student Speciality Clinic (Removal Defense)
Anticipated Funding Amount per Award:	\$300/hour or .25 proportional fraction of an hour for licensed attorney time; invoiced no less frequently than monthly for services rendered.
Project Period:	12 months subject to available funding



	and satisfactory performance. The contract may be canceled at any time for unsatisfactory performance.
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Administration of Award

The award period is intended to be for twelve months beginning when the contract agreement is proposed to be effective. The Awardee may be required to comply with additional terms and conditions as required by or imposed by the State of Oregon or other authorities.

Schedule

RFP Released	January 12, 2023
Information Session (optional)	January 24, 2023, 3pm
Applications Due	February 3, 2023, 5.01 pt
Signed Contract	February 10, 2023
Payment	Awardee is required to invoice at least once per month or as agreed for services rendered. Payment generally made within 14-days of invoice verification.
Report	Invoices and proper use of the shared case management system shall serve to satisfy reporting requirements

Funding is not available for the following, at a minimum:

- Any activity that violates local, State, or Federal laws;
- Any activity that violates the terms or conditions of the State of Oregon's contract;



- Payment for services not directly related to the proposed activities or for any case or matter not referred through the Equity Corps clearinghouse; or,
- Lobbying activities.

PART 4. ELIGIBILITY

In order to serve as an Awardee, the applicant must:

- A member in good standing with the Oregon State Bar; membership in the Oregon State Bar is required. Additional bar memberships will be positively weighted.
- At least 2 years teaching experience at an ABA-accredited law school in a tenured, associate, clinical, or adjunct capacity. Additional years of experience will be positively weighted.
- Substantial and sustained experience practicing immigration law. Applicants with more than 10 years of experience practicing in immigration court are strongly encouraged to apply and will be given preference in the application process.
- Experience in federal litigation related to immigration in the U.S. federal courts.
- Capable at the time of contracting to appear in immigration court, the Board of Immigration Appeals, the U.S. District Court of Oregon, and the U.S. Court of Appeals for the Ninth Circuit, the Oregon Circuit Courts and Oregon appellate courts.
- Experience working with and supervising law students.
- Demonstrate strong case management skills.
- Be capable of delivering culturally-responsive services;
- Be fluent in English and Spanish.
- Have strong internal managerial structures, reporting capabilities, and financial controls;
- Commit to a Universal Representation model of service.
- Demonstrate that all professionals involved in the providing of services under the subcontract have the appropriate professional licenses and are in good standing professionally;



- Demonstrate that all paraprofessionals are adequately and appropriately supervised.

Legal Services Best Practices

The Awardee must, within the scope of the work, provide legal services reasonably required by the circumstances of each individual case and in compliance with the Oregon Rules of Professional Conduct and, without limitation, the Awardee will meet their client duties of competence, diligence, communication, loyalty, and the safeguarding of property. The Awardee will apply best practices at all times in the delivery of legal services including the initiation and conclusion of legal services. The Awardee will be provided written protocols, templates, checklists, and guides in support of the provision of limited scope legal services at no cost to the Awardee.

Evaluation Method

Applications will be reviewed in three stages. First, applications will be reviewed for technical sufficiency and completeness. If an application has responses to all of the questions and all of the required materials are provided, the application will be referred to an advisory committee for review and recommendation. The advisory committee will score applications according to the eligibility requirements and the proposal. The advisory committee will make recommendations for an award and refer the recommendation to the Oregon Worker Relief Executive Committee for adjudication. The decision of the OWR EC is final.

How to apply

Interested parties are encouraged to attend the information session. To register for the informational session, which is optional, email info@equitycorps.org. All applications must be submitted online through the Equity Corp website. If you require a reasonable accommodation in the process, you may email the ECO Clearinghouse or call.

