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309 W Washington Street Suite 501- Indianapolis, IN 46204

# Public Defender Commission



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## **REQUEST FOR PROPOSALS: AT-RISK YOUTH & FAMILIES**

### **OVERVIEW**

The Indiana Public Defender Commission (PDCOM) has received a state appropriation of \$2 million per year during the current biennium (7/1/21 – 6/30/23). PDCOM intends to spend significant portions of this money piloting programs or projects that study existing or potential Commission Standards and Guidelines in areas that intersect with At-Risk Youth & Families in the Children in Need of Services (CHINS), Termination of Parental Rights (TPR), and Juvenile Delinquency (JD) practice areas. A program may last for a variable period of time, but PDCOM funding should be expected to cease by 6/30/23. PDCOM is willing to partner with attorneys, law firms, service providers, legal aid societies, counties, public defender offices, or any other entity that can impact both public defense and at-risk youth & families in Indiana.

### **GOALS, OBJECTIVES & DELIVERABLES**

This Request for Proposal process was developed to accomplish the following goals: (1) to create long-term improvements in systems that serve Indiana at-risk youth and families involved with Indiana's family/child welfare system, the juvenile delinquency system, or both, and (2) to create system improvements that proactively prevent such involvements.

All proposals shall be designed to measure any changes in performance or client outcomes. They should study either existing Commission Standards and Guidelines, with priority on the following pre-approved topics, or the potential development of new Standards and Guidelines that would improve the quality of public defense in CHINS, TPR, and/or JD cases.

Specific areas the Commission has approved for review, and a brief example of a proposal in each area, are as follows.

- *Caseload Standards* i.e., hiring attorneys to study the impact of “open case” caseloads in CHINS cases versus the “number of appointments” caseloads that are currently used in Commission Standards.
- *Support Staff Levels* i.e., hiring additional investigative, social work, clerical, or paralegal support to assist public defenders in CHINS, TPR, and/or JD cases.
- *Variations in Compensation Structure* i.e., modifying a county public defender compensation plan in CHINS, TPR, and JD cases to a partial hourly system from a contractual system.
- *Variations in part-time/full-time public defender status* i.e., modifying part-time public defenders with a private practice to full-time, salaried public defenders
- *Partnering appellate public defenders with trial-level public defenders* i.e., hiring an appellate attorney to develop a legal case plan with CHINS, TPR, and/or JD public defenders including, but not limited to, sitting in on hearings, advising trial counsel regarding appropriate objections, and discussing potential appellate issues and strategies.

If the proposal focuses its study on a topic area different from a pre-approved topic listed above, it should identify which Commission Non-Capital Standards (available at: <https://www.in.gov/publicdefender/files/indigent-defense-non-cap.pdf>) and/or Guidelines (available at: <https://www.in.gov/publicdefender/files/pdc-standards-non-cap-updated-9-25-19.pdf>) the proposal is expected to impact.

Proposals that offer to inform potential new Standards and/or Guidelines by studying improvement in quality of representation, in lieu of focusing on existing Standards and Guidelines, will also be accepted. Such proposals are still limited to at-risk youth and families but could include topics such as:

- Implementing timekeeping.
- Structured, random file review and/or review of deputy public defender case activities.
- Developing and implementing a system that requires county public defenders to disclose and formally report specific case activities and case outcomes.
- Studying client satisfaction with their public representation.

PDCOM expects every proposal to include a detailed data component addressing the target outcomes or performance changes and how that data will be collected. If the proposal includes a change in the existing public defense system, PDCOM will favor proposals that bring the system partially into the new, proposed program and include data systems that will measure both the new and prior systems to measure changes in performance and/or outcomes. All data must be shared regularly with PDCOM and any necessary agreements for data sharing shall be executed. Ongoing funding after initial approval will be contingent upon cooperation with PDCOM.

If the program qualifies as a prevention program (such as preventing a family from becoming CHINS involved or a child placed into foster care), priority will be given to any prevention programs that collect and report data consistent with the guidelines provided by the Federal Title IV-E Prevention Clearinghouse. Prevention programs must target specific outcomes related to preventing foster care placements. Programs that meet the evidence standards the Clearinghouse requires can be eligible for federal reimbursement. For more information, see the Clearinghouse website here: <https://preventionservices.abtsites.com/>

## **APPLICATION COMPONENTS**

A successful application for funding will include, at a minimum:

- A program narrative discussing the project and how it would be implemented including:
  - What the program hopes to achieve.
  - How the program will be designed and implemented.
  - Why you, your specific agency, or your locality is the right choice for the program.
  - A description of challenges that will have to be overcome to implement the program successfully.
  - An indication as to whether the proposed program will study existing Standards and Guidelines or inform the development of a new Standard and/or Guideline (or both).
    - If the proposal addresses existing Standards and/or Guidelines, outline which Standards and/or Guidelines the program covers.
    - Or, if the proposed program informs a new Standard and/or Guideline, describe how a proposed new Standard and/or Guideline might be developed from this program.
  - An overall program timeline.
- A detailed budget including proposed timeline, amounts for each expenditure, expenditure type, and total cost.
- A budget narrative expressing how the program will maximize PDCOM dollars and describe every category of expense, including an explanation describing what entity is to receive funding and, if appropriate, at what intervals.

- A detailed data component as discussed above, including how to overcome challenges to collecting and reporting data in confidential case types.
- If the proposal would qualify as a prevention program, it should also seek to meet the standards and rigor required by the Title IV-E Clearinghouse and should include proposed data partners and a data collection plan outline that will meet these standards.

Please expect PDCOM to reach out to you to discuss possible modifications or proposal changes after your proposal is submitted.

### **PROPOSAL SUBMISSION & DEADLINE**

Proposals for funding will be considered as they are received. Proposals should be sent to both [information@pdcom.in.gov](mailto:information@pdcom.in.gov) and [derrick.mason@pdcom.in.gov](mailto:derrick.mason@pdcom.in.gov). Proposals received prior to September 1, 2021, will receive prioritized review and consideration. The Commission will continue to review submissions for funding after September 1, 2021, should funds remain available. Proposals will likely be approved at quarterly PDCOM meetings.