

Exhibit A-4

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor’s Legislative Team at MileHighOrdinance@DenverGov.org by **3:00pm on Monday**. Contact the Mayor’s Legislative team with questions

Date of Request: 11/3/2022

Please mark one: Bill Request or Resolution Request

1. Type of Request:

- Contract/Grant Agreement Intergovernmental Agreement (IGA) Rezoning/Text Amendment
- Dedication/Vacation Appropriation/Supplemental DRMC Change
- Other:

2. Title: (Start with *approves, amends, dedicates*, etc., include name of company or contractor and indicate the type of request: grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.)

Amend current The Denver Foundation contract, extend term date and add additional funding for the Denver Immigrant Legal Services Fund.

3. Requesting Agency: Human Rights and Community Partnerships

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Atim Otii	Name: Atim Otii
Email: atim.otii@denvergov.org	Email: atim.otii@denvergov.org

5. General description or background of proposed request. Attach executive summary if more space needed:

On August 31, 2017, the Mayor signed Executive Order 142 that established a legal defense fund to provide access to legal representation for indigent individuals in Denver threatened with or in removal proceedings. In March 2018, The Denver Foundation and City of Denver entered into a partnership to create the Denver Immigrant Legal Services Fund (DILSF). Denver residents are eligible for direct representation legal services under the DILSF if they can show they are a resident of Denver and meet a threshold of 200% of the Federal Poverty Level.

The Denver Immigrant Legal Services Fund of the Denver Foundation provides grant funding to 501(c)(3) nonprofit organizations who provide immigration legal services to eligible Denver residents in the areas of direct representation, in removal defense or affirmative relief, and capacity building for direct representation.

Since the Fund’s inception in September 2018 the DILSF has served 1504 Denver residents and families to date. Currently 814 residents have received direct immigration legal representation during FY 21-22. The Fund anticipates that the continued funding of \$500K will continue to match previous numbers of residents represented and assist in expanding support to some of the 420 eligible Denver residents unable to be served due to organizational capacity.

Exhibit A-4

6. City Attorney assigned to this request (if applicable): Troy Bratton
7. City Council District: Citywide
8. ****For all contracts, fill out and submit accompanying Key Contract Terms worksheet****

Key Contract Terms

Type of Contract: Professional Services > \$500K

Vendor/Contractor Name: The Denver Foundation

Contract control number: HRCRS-202055438/ ATTNY-202265097-04

Location: 1009 Grant Street, Denver, Colorado, 80203

Is this a new contract? Yes No Is this an Amendment? Yes No If yes, how many?
4

Contract Term/Duration (for amended contracts, include existing term dates and amended dates):

HRCRS-202055438

Current Request Amount: \$200,000

Previous Total Amount: \$0

New Total If Executed: \$200,000

Term: 1/1/2020 – 12/31/2020

HRCRS-202157488

Current Request Amount: \$300,000.00

Previous Total Amount: \$200,000.00

New Total If Executed: \$500,000.00

Term: 1/1/2021 – 12/31/2021

Exhibit A-4

ATTNY-202261680

Current Request Amount: \$750,000.00

Previous Total Amount: \$700,000.00

New Total If Executed: \$1,450,000.00

Term: 1/1/2022 – 12/31/2022

Contract Amount (indicate existing amount, amended amount and new contract total):

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
\$1,450,000	\$500,000	\$1,950,000

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
1/1/2020-12/31/2022	12 months	12/31/2023

Scope of work:

The Denver Foundation – Denver Immigrant Legal Services Fund

SCOPE OF SERVICES

Term: 9/1/2020 – 12/31/2023

Current Request Amount: \$500,000

Previous Total Amount: \$1,450,000

New Total Upon Execution: \$1,950,000

The Denver Immigrant Legal Services Fund (the “Fund”) of the Denver Foundation (the “Foundation”) will provide grant funding to 501(c)(3) nonprofit organizations. All grants awarded from the Fund must satisfy the criteria described below.

A. Scope of Legal Services: Subject to the requirements set forth in Section B below, the Scope of Legal Services will include the following two primary areas in order of priority:

1. Direct Legal Representation: Direct legal representation included:

- a. Removal defense for persons in the Aurora detention facility and/or subject to removal proceedings in the Aurora or Denver Immigration Courts, including bond hearings, detained removal, non-detained removal, transfer of venue proceedings for transfer to Denver Immigration Court, collateral proceedings incident to removal defense, and any costs associated with defense; and
- b. Legal screening, consultation, and representation regarding potential forms of affirmative relief, including but not limited to DACA or DREAM Act-related relief, Special Immigrant Juvenile Status (SIJS), asylum, U visas and T visas, Violence

Exhibit A-4

Against Women Act (VAWA), naturalization, and individuals eligible or facing the loss of Temporary Protected Status or other discretionary status.

2. Building Capacity for Direct Legal Representation: Resources and strategies to expand: the pool of pro bono immigration attorneys providing direct legal representation under A.2.a and A.1.b, including but not limited to hiring trained immigration lawyers to serve as trainers, mentors, and pro bono coordinators; the pool of “low-bono” immigration attorneys providing direct representation under A.2.a and A.2.b; and the use of law school clinics and law students providing direct legal representation under A.2.a and A.2.b.
3. Limited Legal Fellowship program - In response to current unmet needs in both removal defense and affirmative representation funding is provided for one qualified, community-focused immigration attorney fellow and one dedicated paralegal for this fellow for 2022, and renewable in 2023 only. Funds can be utilized for existing staff or new recruitment that meet this funding eligibility. Funding for this legal fellowship may include a request for funding to assist in the course of their representation, including legal resources and/or scholarships to help with paying filing and other representation related application

Exhibit A-4

fees. Funding requested to be utilized for legal resources, scholarships for legal fees or other application fees must be proportionate to the cases proposed to be represented. For example, 10 cases = \$500 per case for interpretation, filing fees, etc. Note: Any current DILSF grantee may also apply for funding to assist clients with legal resources and/or scholarships to help for paying filing and other representation related application fees in the course of their currently funded representation.

B. Eligibility Requirements: Populations to be Served: Grants from the Fund to 501(c)(3) nonprofit organizations may be used by those organizations to provide legal support only to individuals who meet all of the below eligibility requirements:

1. **Immigration Status:** Individuals subject to actual or potential immigration removal proceedings; have been arrested or detained by immigration officials; and/or have a final order of removal. “Subject to potential immigration removal proceedings” is broadly interpreted to include immigrants who are not in active removal proceedings but could be removed based on their immigration status (including but not limited to DACA or DREAM Act-related relief, Special Immigrant Juvenile Status (SIJS), asylum, U visas, and T visas, Violence Against Women Act (VAWA), naturalization, and individuals eligible or facing the loss of Temporary Protected Status or other discretionary status).
2. **Residency:** Individuals who are current residents of the City and County of Denver. “Resident” means: an individual living in the State of Colorado not temporarily and is present in the City and County of Denver, as set forth in Section 29-83 of the Denver Revised Municipal Code.
3. **Income Limitation:** Individuals with a maximum household income of 200% of the Federal Poverty Level.
4. **Prioritization of Viable Cases:** All non-profit organizations receiving Fund grants from the Foundation shall:
 - a. Be responsible for screening individual applicants to ensure the applicants meet the eligibility requirements described in this Section B; and
 - b. Only provide services to persons who present with viable claims for affirmative relief or defenses from removal.

C. **Reporting:** The Foundation shall require that each recipient of a grant from the Fund verify that all individuals receiving legal services funded with the proceeds of a Fund grant satisfy the eligibility requirements in Section B above. The Foundation shall include in the annual report data as agreed to with the Advisory Committee, including:

1. Total eligible Denver residents with a breakdown of how many were assisted, how many were not served due to program capacity, how many were released on bond, how many won their cases, how many residents still have cases pending, how many residents lost their case and were deported.
2. How many residents received the following in removal defense legal services: A legal orientation, representation in a bond hearing, master and/or final hearing (quantify each by detained vs non-detained hearings)
3. How many residents received the following in affirmative relief legal services: number of cases and types submitted; number of cases pending; number of cases approved
4. Describe any success in the following areas of impact for your clients such as economic, public safety, health, education, and civic engagement.

D. **Budget:**

2020 Services: \$200,000

2021 Services: \$500,000.00 Removal defense for detained individuals/All other legal services described in Section A above

2022 Services: \$500,000.00 Removal defense for detained individuals/All other legal services described in Section A above

2022 Limited Legal Fellowship Program: \$250,000 for legal fellowship, paralegal, legal resources and filing fees for All other legal services described in Section A. 1. Above

2023 Services: \$500,000.00 Removal defense for detained individuals/All other legal services described in Section A above
\$1,950,000.00 Total

**Was this contractor selected by competitive process? Yes, HRCRS-201840369-00 was done through competitive process.
If not, why not?**

Has this contractor provided these services to the City before? Yes No

Source of funds: General Fund

Is this contract subject to: W/MBE DBE SBE XO101 ACDBE N/A

WBE/MBE/DBE commitments (construction, design, Airport concession contracts): n/a

Who are the subcontractors to this contract? n/a

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____