



REQUEST FOR PROPOSAL (RFP):

Position: Research Consultant

Project: Equitable Access to Appellate Legal System for Survivors of Domestic Violence and Other Unrepresented Marginalized Litigants

Summary of Request:

Family Violence Appellate Project (“FVAP”) seeks to engage survivors of domestic violence and other stakeholders throughout the state of Washington to better understand the landscape of experiences of those who navigate the Washington appellate legal system. FVAP seeks proposals from vendors to conduct a study and analyze the qualitative data to build and develop a report that articulates the findings.

Organizational Introduction:

FVAP is a California and Washington state non-profit legal organization whose mission is to ensure the safety and well-being of survivors of domestic violence and other forms of intimate partner, family, and gender-based abuse by helping them obtain effective appellate representation. FVAP provides legal assistance to survivors of abuse at the appellate level through direct representation, collaborating with pro bono attorneys, advocating for survivors on important legal issues, and offering training and legal support for legal services providers and domestic violence, sexual assault, and human trafficking counselors.

By centering our work on the most marginalized survivors, including rural, immigrant, Native American, BIPOC, and LGBTQIA+ communities, FVAP works to transform the power of the civil legal system to support all survivors of abuse. A significant part of this work is ensuring survivors, especially those experiencing multiple oppressions, and the people who support them, have access to the legal information, resources and remedies they need to achieve justice.

Project Overview and Purpose:

The Need:

Domestic violence has devastating long-term consequences for young children and often serves as a barrier to their overall health and success. The trauma associated with families experiencing domestic violence also makes it more likely that the children will subsequently struggle with mental health and behavior disruptions, struggle in school and puts them at a higher risk for longer-term mental health and physical health issues and are more likely to engage and experience abuse themselves well into adulthood. When a legally incorrect decision is made at the trial court level—for example, denying a protection order or awarding custody to a parent with a history of domestic violence—these immediate harms can become intractable and

ongoing harms. But an appeal, which every litigant has a right to, can reverse those harms, and provide a potential for healing and safety.

The appeals process can cost tens of thousands of dollars, and FVAP's free civil legal services help defray some of those costs and make it possible for survivors of domestic violence to appeal. If FVAP is unable to directly represent a survivor, crucial legal information and technical assistance is provided to them to support their understanding of and access to the appellate court system.

FVAP firmly believes that accessible legal information about the appellate process, the rules of procedure, templates for appellate pleadings, should be provided to all litigants to ensure they can exercise their right to an appeal, and to decide if an appeal is the right recourse for them. Individuals with the means to hire an appellate counsel (costing on average \$30,000-\$50,000 not including the costs of an appeal) will have their rights explained to them and will be able to make informed decisions about whether or not to seek appellate relief. Even if appellate relief is unlikely to be successful, litigants with means will have the opportunity to try. But those who are unrepresented, low-income, from marginalized communities, etc., do not have the same access to the appellate courts. For them, this "right" to an appeal is essentially foreclosed. And without FVAP's project goals of assessing the gaps, sharing, and providing plain language appellate self-help resources, providing appellate technical assistance, and also providing free direct appellate representation where possible, they likely never will.

Currently, data collected by the court has not served to address or remedy the issues faced by those who find themselves entering the appellate legal system.

To accomplish far-reaching changes to the appellate legal system, we must design new, trauma-informed approaches in collaboration with the communities that are most impacted. FVAP, in partnership with unrepresented survivors, advocates, civil legal aid attorneys, and court personnel will perform this task for the Washington appellate courts on behalf of survivors in the state by collecting data to assess gaps in services, and collaboratively craft solutions in order to work towards our vision of ensuring equitable access to the appellate legal system.

Objectives, Goals, and Deliverables:

1. Participate in regular meetings with FVAP staff, members of the Equitable Access to Appellate Courts (EAAC) Workgroup, and Workgroup Liaison;
2. Collect Qualitative Interview Data through a Collaborative Study Design;
 - a. Conduct interviews with court staff and subject-matter experts for background information;
 - b. Develop interview protocol and tailor questions to engage those most impacted around survivor experiences with accessing or trying to access the appellate courts;
 - c. Lead in the facilitation of virtual survivor listening sessions;
 - d. Interview survivor volunteers, unrepresented appellants, court staff, and appellate attorneys, gathering comprehensive information on their experiences;

- e. Lead in logistics as they are related to soliciting participants for the listening session opportunities, facilitating and fielding participant questions, organizing the listening sessions, and facilitating relevant documentation for participants (e.g., confidentiality forms, etc.)
 - f. Aim to understand rights to counsel, perceptions about appeals, preferred cases for appeal, court deadlines' impact, clarity of appellate rules, costs associated with appeals, and the effectiveness of current legal representation.
3. Analyze the data collected to identify most prominent themes; and
 4. Develop a written report on the findings and recommendations around appellate courts experiences, potential gaps and strengths, and necessary and relevant reforms. The recommendations will be developed in collaboration and consultation with FVAP and the EAAC Workgroup.

Timeline of Project:

Discovery Phase

February: Prepare and post job descriptions seeking potential subcontractors to fill two positions: 1. Point of Contact - EAAC Workgroup Liaison and 2. Research Consultant.

March-April: Collaborate with partners to launch a volunteer request form aimed at survivors and other unrepresented litigants who sought to appeal adverse trial court decisions. Develop and revise interview protocol. Develop potential focus group protocols.

April - August: Conduct background interviews with attorneys and court staff; conduct interviews and/or focus groups with unrepresented litigants; collect data from the volunteers. These interviews will be conducted in a discussion format to ensure a comprehensive understanding of their experiences.

September - October: Analyze the collected data; produce Discovery Phase preliminary results.

November: Facilitate a meeting with collaborators to develop reasonable and realistic recommendations for further Research Phase plan. This collaborative approach will ensure that the recommendations are informed by multiple perspectives and expertise. Estimate funding amount required for the implementation of proposed Research Phase and other next steps; ensure agreement among all collaborators on the approach. This will involve assessing the feasibility and potential impact of the proposed changes.

December: A comprehensive report will be prepared, outlining the data collected, the recommendations for change, and the proposed implementation plan. FVAP and EAAC will present the Discovery Phase findings and proposal for Research Plan and funding request for continued study to the State Legislature. Report the findings to the Washington State Department of Commerce, our funder for this project.

Budget for Project:

Our maximum budget for this Research Consultant is \$60,000, and is set by the grant we received to implement this project. Payment will be made as milestones are met, as defined in “Timeline of Project”, and in “Elements of Proposal” and agreed upon by both parties. Proposals should be “total cost” bids.

Invoices should be timely upon completion of the milestone. Invoices will be reviewed by FVAP, and after approved, will be paid within thirty (30) days.

Elements of Proposal:

1. Introduction/executive summary, *including project understanding, recommendations and objectives.*
2. Scope of work, *including description of work to be performed and list of deliverables and services.*
3. Detailed timeline based on FVAP’s needs enumerated in this RFP, *with realistic milestone goal dates.*
4. Project budget estimates and cost projections, *including breakdown of costs and expenses.*
5. Information as to who would be working on this project, and whether anyone working on this project from your company would be a subcontractor, vendor, or other non-employee. If so, please identify those people and the roles each person will play. *Please attach a resume/CV for each person to work on this project.*
6. Consultant profile, *including information highlighting consultant’s diversity, minority ownership, or equity and inclusion efforts.*
7. Two to three references (with phone and email contact) for similar research, data collection, and/or report authorship projects you have completed or are currently working on. Of note, only subcontractors who have not been barred, suspended, or otherwise found ineligible to participate in federal grants will be considered.

Request for Additional Information: FVAP reserves a right to request further information from anyone submitting a proposal, and to decline to review any proposal when further information was sought but not produced within the stated timeframe.

Submission and Selection Process:

Timeline:

- RFP sent: Wednesday, January 31, 2024
- Responses due: Monday, February 19, 2024
- Finalists selected and references contacted: Friday, February 23, 2024

- Chosen contractor selected and contacted: Thursday, February 29, 2024
- Project kick-off: As soon as feasible after selection, and based on milestones.

Selection Process:

Responses will be accepted until 5 p.m. PST on Monday, February 19, 2024. Responses may be emailed to staff@fvaplaw.org or uploaded to a Google Drive folder with link emailed to staff@fvaplaw.org (and all permissions granted to allow FVAP staff to access and download the materials). Email submissions should note the subject line "WA Research Consultant."

All responses will be reviewed. If further information is requested, a request will be emailed with a deadline to respond. All complete responses, including any response to further requests, will be evaluated. Finalists will be selected by 5 p.m. PST on Thursday, February 29, 2024 by email. Finalists may be invited for a remote/virtual interview.

Contacts and Inquiries:

All communications, submissions, questions or other contacts should be addressed by email, noting the subject line "WA Equitable Access," to staff@fvaplaw.org.

Disclaimers:

- Cost of preparing proposal: FVAP will not pay any costs associated with preparing proposals submitted in response to this RFP.
- FVAP will, to the extent reasonable and possible, keep all proposals confidential.
- FVAP reserves the right to cancel, amend, delay or reissue this RFP at any time.
- FVAP reserves the right to eliminate from consideration or not move forward with any contractor or proposal to this RFP that is unable to contract with FVAP at the time responses are due or the project is set to begin.
- The release of this RFP does not obligate FVAP to enter a contract.
- FVAP reserves the right to request further information from any contractor that submits a proposal to this RFP.
- FVAP reserves the right to enter into more than one contract as a result of this RFP.
- The selection of a contractor pursuant to this RFP does not constitute an endorsement of the contractor's services. The contractor shall not make any reference to FVAP in any website, literature, communication, promotional material, brochure, or other without FVAP's express written consent.

- Non-endorsement: FVAP's selection of a contractor pursuant to this RFP or otherwise does not constitute an endorsement of the vendor or its services.
- The selected contractor or any vendor submitting a response may not reference FVAP in any publication, materials, or the like without FVAP's express written consent.

Ownership of Submissions, Final Product, IP:

- Product, deliverables, data, and other shall be owned by FVAP, its successors and assigns.
- All intellectual property rights shall be owned by FVAP, its successors and assigns.
- All proposals submitted in response to this RFP, or in response to requests for more information in support of such proposal, shall become property of FVAP and will not be returned.

The contractor chosen will be asked to sign a non-disclosure agreement affirming the confidentiality of FVAP's content and other aspects of the project.
