

RESOLUTION NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION APPROVING A SECOND AMENDMENT TO THE AGREEMENT WITH LEGAL AID SOCIETY OF SAN MATEO COUNTY TO CONTINUE TO PROVIDE REMOVAL DEFENSE LEGAL SERVICES SUPPORTING IMMIGRANT RESIDENTS OF SAN MATEO COUNTY EXTENDING THE TERM THROUGH JUNE 30, 2022, AND INCREASING THE AMOUNT PAYABLE UNDER THE AGREEMENT BY \$795,340 TO AN AMOUNT NOT TO EXCEED \$2,253,463

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, the Migration Policy Institute estimates that about 56,000 of San Mateo County immigrant residents are unauthorized residents and about sixty percent of them have lived in the United States for more than ten years; and

WHEREAS, orders from the federal executive branch in recent years have expanded enforcement priorities for Immigration and Customs Enforcement, which has led to a dramatic increase in the arrests of immigrants; and

WHEREAS, numerous authorities, including, for example, the American Immigration Council, in its September 2016 Special Report, *Access to Counsel in Immigration Court*, have concluded that immigrants with counsel in immigration court fare better, on average, at every stage of court proceedings; and

WHEREAS, these better results in cases in which immigrants are represented by counsel include a higher incidence of being released from custody when the

immigrant is in custody; and a higher rate of applying for and obtaining relief to which the immigrant is entitled; and

WHEREAS, this Board's view is that the welfare of the community is best served when immigrants with linkages to San Mateo County who find themselves in removal proceedings are able to apply for and pursue relief from removal to which they may be entitled, and this Board believes that it is appropriate to increase the ability of such immigrants who otherwise lack financial means to access such assistance from counsel; and

WHEREAS, the County contracted with the Legal Aid Society of San Mateo County and subcontracted non-profit legal services agencies to provide legal representation of immigrants living in San Mateo County in removal actions; urgent legal assistance to individuals referred by the San Mateo County Rapid Response Hotline; and coordination of the San Mateo County Rapid Response Network, and this Board has authorized an amendment to the agreement with the Legal Aid Society such that the agreement, as amended, is presently for the term of September 1, 2019 through June 30, 2021 and for an amount not to exceed \$1,458,123; and

WHEREAS, initial funding for removal defense work began in September 2018 under a separate agreement, the Legal Aid Society, working in coordination with partner subcontractor agencies, has represented 187 individuals in removal proceedings with successful outcomes on 12 cases they have represented thus far; and

WHEREAS, individuals represented span the whole County and of those represented, sixty four percent are eighteen years of age or younger and roughly sixty

six percent of individuals sought asylum while almost twenty three percent filed for Special Immigrant Juvenile Status; and

WHEREAS, in conjunction with legal service representation, the Rapid Response Network has also fielded more than 750 calls, participated in more than 80 events, and outreached to more than 15,000 people; and

WHEREAS, given the success of the program and due to the current political and economic climate, there is a continuing need for the services described above and the Legal Aid Society and its partner agencies remain uniquely suited to provide these services to County residents; and

WHEREAS, the Legal Aid Society of San Mateo County and its sub-contracted partner agencies have familiarity with the legal needs of San Mateo County residents, long experience working with these populations, and the ability to continue providing these services without interruption; and

WHEREAS, now more than ever, some of our most vulnerable community members continue to need access to low/no cost immigration legal services; and

WHEREAS, this Board has been presented with a second amendment to the agreement for consideration, under which the term of the agreement under which Legal Aid Society and its subcontracted partner agencies will continue to provide immigration removal legal defense for at least one hundred and fifty immigrants who reside in San Mateo County and could not otherwise afford such legal services, will be extended

through June 30, 2022 and the maximum amount payable under the agreement will be increased by \$795,340, for a revised amount not to exceed \$2,253,463; and

WHEREAS, the Board has considered this second amendment to the agreement as to form and content, and desires to enter into it.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the requirement of a request for proposals is waived and the President of the Board of Supervisors be and is hereby authorized and directed to execute said agreement for and on behalf of the County of San Mateo, and the Clerk of this Board shall attest the President's signature thereto.

BE IT FURTHER RESOLVED that the County Manager or the County Manager's designee is authorized to execute contract amendments which modify the County's maximum fiscal obligation by no more than \$25,000 (in aggregate), and/or modify the contract term and/or services so long as the modified term or services is/are within the current or revised fiscal provisions.

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