MLSP Background

As part of the Department of Human Services' (DHS) ongoing efforts to improve legal representation services throughout the State of Maryland pursuant to the terms of this RFP in two Functional Areas: Functional Area I - Children in Child in Need of Assistance, Termination of Parental Rights and other related proceedings (CINA/TPR); and Functional Area II – Indigent Adults involved in Adult Protective Services and Adult Public Guardianship Review Board Proceedings (APS/APGRB) with federal requirements and state policy priorities, the Scope of Work (SOW) have been revised. These updates are designed to streamline contract requirements, support new initiatives, and reinforce compliance.

Key modifications to the SOW include:

**Summary of Key Changes in the Maryland Legal Service Program Scope of Work:**

This document outlines several significant modifications to the Minimum Qualifications, potential contract numbers, caseload requirements, continuity of representation procedures, and billable hearing types within the Maryland Legal Service Program's Scope of Work.

**Detailed Breakdown of Changes:**

* **Minimum Qualifications Section:** The required Maryland-specific experience for attorneys working on Child in Need of Assistance (CINA) cases has been reduced from two years to one year. Similarly, the general requirement of three years of Maryland-specific experience has been revised down to two years. This adjustment aims to broaden the pool of qualified applicants while still ensuring adequate familiarity with Maryland's legal framework.
* **Potential Number of Contracts in Functional APS Area II:** For Baltimore County within Functional Adult Protective Services (APS) Area II, the anticipated number of contracts has been increased from three to four. This adjustment suggests an anticipated increase in the need for legal services within this specific area and jurisdiction.
* **Potential Number of Contracts in Functional CINA Area I:** The projected number of contracts for Child in Need of Assistance (CINA) cases within Functional Area I has been revised. For four specific jurisdictions within this area, the potential number of contracts has increased from two to three. For the remaining nineteen jurisdictions within CINA Area I, the potential number of contracts remains at two. This differentiated increase likely reflects varying caseload demands across the different jurisdictions within the functional area.
* **CINA General Requirements Section - Attorney/Client Ratio:** An initial proposed change to the caseload requirement in the CINA general requirements section suggested altering the Attorney/Client ratio from 1:100 to 1:150. However, following further discussion and consideration, this proposed change was reversed, and the Attorney/Client ratio remains at 1:100. This decision underscores a commitment to maintaining a manageable caseload for attorneys representing children in need of assistance to ensure effective legal representation.
* **Contract Terms:** The term of the petition contracts has been increased from two base years with three-one year renewal options to three base years with two-one year renewal option
* **Role of Counsel:** Updated language - 1) Role of Counsel **–** Counsel all clients with commitment and dedication to the interests of the client and with zeal in advocacy upon the client's behalf, taking into consideration the client's cognitive and developmental abilities, including discussing the legal consequences of any proposed course of conduct.
* **Continuity of Representation Section:** A new requirement has been added to the Continuity of Representation section, stipulating that the contracting attorney or organization must actively attempt to identify and obtain conflict counsel when necessary. This addition emphasizes the importance of ensuring uninterrupted legal representation for clients, even in situations where a conflict of interest may arise with the primary assigned counsel.
* **Addition of Guardian of Property as a Billable Hearing Type:** The list of billable hearing types has been expanded to include "Guardian of Property" hearings. This addition acknowledges the legal work involved in these specific types of hearings and ensures that contractors can appropriately bill for their time and services rendered in such cases. This expansion likely reflects an increasing volume or recognition of the importance of Guardian of Property cases within the program's scope.
* **Duration of Proposal**: Proposal duration has been revised to 180 days following the proposal due date and time.