

**Request for Proposals: Legal Services Program -
Detention and Deportation Defense Initiative
Questions & Answers**

Q	Bidder Question	DHS Answer	Section	Pg.
1.	Are the Disclosure of Investment Activities in Iran, Certification of Non-Involvement in Prohibited Activities in Russia or Belarus, Ownership Disclosure, and Disclosure of Investigations and Other Actions Involving Bidder forms up to date for use by applicants for this program? I noticed that some of those documents are dated to 2021, so I just wanted to verify whether these are the most current versions of these forms available. For reference, the relevant forms are found here: https://www.nj.gov/treasury/purchase/forms.shtml	All of the Required forms are found at: https://www.nj.gov/treasury/purchase/forms.shtml	Required Attachments	20
2.	For option B (Removal Defense Capacity Expansion Providers), does the applicant need to already have a full-time attorney with two years of experience on staff, or can some of the funds be used to hire one?	Option B is intended for organizations that already have immigration legal services experience and on-staff immigration attorneys with at least two years of experience providing immigration legal services or legal representation. While applicants may use the funding to expand their removal defense capacity, including recruiting and hiring additional qualified attorneys and/or DOJ-accredited representatives, applicants must demonstrate their existing immigration legal services experience and ability to represent clients before immigration judges or the Board of Immigration Appeals in order to be eligible.	Who Can Apply?; Required Proposal Content	6, 7, 16

3.	What level of existing removal-defense experience does ONA expect from an Option B applicant? Would ONA consider a capacity-building model that combines existing immigration legal-services staff and DOJ Fully Accredited Representatives with the recruitment of an experienced removal-defense attorney?	Option B applicants do not need to have prior removal-defense experience. They must demonstrate on-staff immigration attorneys with at least two years of experience providing immigration legal services and a desire to expand their capacity to represent individuals in immigration detention and removal proceedings. The bidder must also be able to represent clients before immigration judges or the Board of Immigration Appeals. Applicants may propose to expand their removal-defense capacity through recruitment and hiring of experienced removal-defense staff.	Option B – Capacity Expansion Providers	7
4.	Does the Option B requirement for on-staff immigration attorneys with at least two years of experience mean that every attorney providing grant-funded representation must individually meet this requirement, or may less-experienced attorneys and DOJ Fully Accredited Representatives provide representation under the supervision of qualifying experienced attorneys? We would appreciate confirmation as to whether matters handled by DOJ Fully Accredited Representatives, within the scope of their accreditation and under the required attorney supervision, may be counted toward the provider's Option B caseload.	Option B applicants must have on-staff immigration attorneys with at least two years of experience providing immigration legal services or legal representation, to demonstrate their experience in immigration legal services. Applicant is to submit their proposal for expanding capacity and identify whether they are using existing staff or new staff. The RFP also permits services to be provided or supervised by licensed attorneys and DOJ-accredited representatives with appropriate credentials.	Who Can Apply? – All Applicants; Option B; Organizational Capacity	6–7, 17
5.	Can ONA provide guidance on the approximate funding available for Option B and the anticipated number or range of Option B awards?	Option B awards may be up to \$1 million per award. ONA anticipates making awards totaling up to \$12 million across all three funding options. There is no anticipated number or range of awards for Option B.	Purpose and Intent	3
6.	Is the \$2,000–\$3,500 cost-per-matter range a general benchmark? If a provider does not reach its proposed caseload because of insufficient referrals, client eligibility, or greater-	The \$2,000–\$3,500 per-matter range is a general guideline, not a guaranteed payment per matter. Grant funds are provided through quarterly reimbursement of	Caseload Expectations	10

	than-anticipated case complexity, how will performance be evaluated, and could this result in a reduction or recoupment of funding or other contractual consequences?	actual allowable expenditures, based on required financial and programmatic reporting. Applicants proposing caseloads outside the \$2,000–\$3,500 range should provide a justification demonstrating how the proposed level of service will be achieved.		
7.	For Option B capacity-expansion providers that must recruit, hire, and train removal-defense staff, does ONA anticipate a reasonable start-up or ramp-up period before full caseload expectations apply? If so, how will performance during the initial months be evaluated?	Caseload expectations and staffing will be addressed as part of the proposal and final contract negotiation, with consideration given to the provider’s proposed staffing, capacity, and implementation plan. Option B providers will also participate in required technical assistance, training, and workshops established by ONA and the DDDI Coordinating Entity.	Option B – Capacity Expansion Providers; Caseload Expectations; Review of Proposals	7, 10–11, 23
8.	May an Option B provider identify and accept eligible clients through its own community outreach, existing client base, detention contacts, courts, or partner organizations and count those matters toward its DDDI caseload, or must reportable matters originate through the DDDI Coordinating Entity?	Providers must coordinate with statewide intake, referral, case tracking, data collection, and reporting processes established by ONA or the DDDI Coordinating Entity. DDDI providers may refer clients that are identified through other services or efforts not funded through this program, and work with Coordinating Entity for appropriate intake and referral process.	Coordination and Capacity-Building Requirements	11
9.	Given the universal-representation requirement and the provision allowing providers to accept referrals consistent with their scope, expertise, staffing, and capacity, under what circumstances may an Option B provider decline or return a referral? For example, would conflicts of interest, lack of capacity, client ineligibility, inability to locate the client, client refusal, or a matter outside the provider’s approved expertise be permissible reasons?	Providers can accept referrals appropriate to their organizational expertise and capacity based on guidance and programmatic policy as set by ONA and the Coordinating Entity.	Who can apply?	5
10.	How should providers handle cases that remain pending beyond the contract year? How should these matters be counted in subsequent grant years, and what responsibility does the provider	A distinct legal matter is defined as a distinct legal representation or legal proceeding and may be counted for the following	Caseload Expectations	10

	have to continue representation if funding is not renewed or renewal funding is delayed?	fiscal year if additional matters are filed in the new fiscal year if the case remains open. In the case of the grant coming to an end, providers will need to make appropriate plans to protect their client's interests. Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payment of fee or expense that has not been earned or incurred. The lawyer may retain papers relating to the client to the extent permitted by other law.		
11.	May grant funds support increased FTE and compensation for existing staff and the use of contract attorneys or private law firms to supplement capacity? Additionally, what flexibility will providers have to reallocate funds among approved budget categories if staffing, referral volume, or case complexity differs from projections?	Grant funds may support allowable personnel and program costs, including costs associated with providing legal services. The RFP requires the bidder and subgrantee to have licensed attorneys with immigration law expertise on staff who directly provide or supervise DDDI services. Subgrants and subcontracts are permitted under Options A and B, subject to ONA approval. Budget modifications and reallocation of funds are subject to ONA approval.	Program Infrastructure / Costs; Partnerships, Subgrants, and Subcontracts; Budget	12, 14, 18–19
12.	What mandatory technical assistance, training, mentorship, meetings, reporting requirements, and performance measures should Option B providers anticipate? What client-level information must be reported to the	Participate in required technical assistance (TA) hours and workshops as directed by ONA and provided by ONA's designated technical assistance provider. Providers must collect and report	Options A and B – Legal Service Providers Coordination and Capacity-	9, 11-13

	DDDI Coordinating Entity, and what safeguards will apply to attorney-client privilege, confidentiality, and personally identifiable information?	programmatic and aggregate, non-identifying client data.	Building Requirements; Data and Fiscal Reporting	
13.	For caseload and performance purposes under Option B, what specifically constitutes a reportable “legal matter,” and at what point may a matter be counted toward the provider’s caseload? For example, does a comprehensive legal assessment, limited-scope representation, or formal acceptance of a client for removal-defense representation constitute a reportable matter?	For purposes of the RFP, a distinct legal matter is defined as a distinct legal representation or legal proceeding. A single client may have more than one matter during the contract period. Examples include bond proceedings, removal proceedings, appeals, motions to reopen, habeas corpus petitions, and other separate forms of immigration relief or related litigation. Multiple activities performed as part of the same legal representation shall not be counted as separate matters solely because they involve multiple hearings, filings, or court appearances.	Caseload Expectations	
14.	If an Option B provider maintains the staffing and service capacity approved in its budget but the actual volume of eligible referrals or cases is lower than projected, will reasonable and allowable personnel and program costs incurred to maintain that approved capacity remain reimbursable even if the provider does not reach its proposed caseload?	Payments are made as reimbursement for actual allowable expenditures. Caseload expectations should be reasonable and supported by the provider’s budget, staffing, and capacity. The RFP also recognizes that program priorities, populations served, referral protocols, and service delivery requirements may be modified based on federal policy and operational needs.	Background and Population to Be Served; Caseload Expectations; Program Infrastructure / Costs	4–5, 10–11, 18–19
15.	Is it acceptable to hire attorneys to fulfill the work requirements outlined in an RFP once the grant has been awarded. As a small organization, we do not have the spare legal capacity to handle the scope of work required by the RFP, and we would expect to hire an additional attorney/s to handle the work. Given that Option B is designed to help organizations expand their capacity, some extra staff would be expected. Can you elaborate on	Option B is intended for organizations seeking to develop or expand their capacity. The bidder, or subgrantee, must have licensed attorneys with immigration law expertise on staff who will directly provide or supervise the services described in this RFP. Bidders are allowed to hire staff and should describe the number	Option B – Capacity Expansion Providers; Required Proposal Content – Organizational Capacity; Review of Proposals	7, 17, 23

	whether post-award hiring is acceptable and what you would expect in the proposal to demonstrate the feasibility of that strategy?	and roles of proposed staff and their plans to recruit, hire, retain, or repurpose qualified attorneys and/or DOJ-accredited representatives to provide services under the project. Final staffing and implementation will be addressed through the contract negotiation process.		
16.	To what extent is a recent organization audit necessary, and are there alternative ways to document the financial stability of the organization. As a small non-profit we do not have a recent annual audit and it is our understanding that New Jersey law does not require an organization to undergo an audit unless it has a budget of more than \$1 million (ours is well under).	The bidder must be fiscally viable based upon an assessment of the bidder's audited financial statements. If a bidder is determined, in ONA's sole discretion, to be insolvent or likely to become insolvent within twelve (12) months of proposal submission, ONA may deem the proposal ineligible for award.	Who Can I Apply?	6
17.	The RFP states that the applicant must provide "Audited financial statements and Single Audits (A133), prepared for the two (2) most recent fiscal years." Is that a requirement for smaller organizations with a proposal on the lower end of the grant spectrum?	The RFP requires audited financial statements and Single Audits (A133) for the two most recent fiscal years for main grantees.	Required Attachments/ Appendices; Partnerships, Subgrants, and Subcontracts	12, 19–20
18.	Is the grantee required to provide full representation, or can a proposal be awarded if legal services are provided on a pro se basis?	Up to the limit of available resources, successful bidders under Options A and B shall provide the level of legal representation—advice, limited representation, full representation through initial adjudication, and appeals—necessary and appropriate for each case. This grant is not for pro-se services.	Scope of Work	8
19.	Are grantees required to provide services to all four types of “populations to be served”? Is detention representation required, or can a grantee limit services non-detained populations who face a significant risk of detention, deportation, or removal?	Grantees are required to provide services to all types of populations listed in the RFP. The RFP identifies four populations to be served, and prioritizes the areas of greatest need, including individuals detained under ICE custody in New Jersey or elsewhere, individuals detained by another federal agency due to immigration status, individuals in IHP	Background and Populations to be Served	4-5

		removal proceedings while in custody at a New Jersey correctional facility, and individuals who face a significant risk of detention, deportation, or removal and require legal services to preserve or pursue immigration relief, subject to provider capacity. ONA reserves the right to modify program priorities, populations served, referral protocols, and service delivery requirements during the contract based on federal policy, operational needs, and other factors.		
20.	Can a grantee limit case acceptance to certain targeted populations or is this a universal representation model? If it can be limited, could a proposal be limited to representation of unaccompanied minors?	The RFP requires a universal representation model for financially and otherwise eligible, unrepresented New Jersey residents within the populations identified in the RFP. Providers may not limit representation based on immigration status or the perceived merits of a case. DDDI prioritizes representation of detained individuals as the most vulnerable population. Providers must participate in the statewide referral process and accept referrals consistent with their approved scope, expertise, staffing, and capacity. The DDDI Coordinating Entity may consider a provider's particular expertise when coordinating referrals, but DDDI funding may not be limited exclusively to a particular subgroup, such as unaccompanied minors.	Who can apply?	5
21.	Individuals at significant risk of detention, deportation, and removal are listed as one of the populations to be served. Will proposals that focus primarily on the provision of affirmative immigration services to such individuals be considered (no removal	No, DDDI funds are intended for detention, deportation, and removal defense and are not intended to fund affirmative immigration cases. All bidders are required to provide removal representation and must be	Legal Services Program Expertise	29

	representation)? For example, to individuals who have become undocumented because they have lost parole and TPS and need to file for asylum affirmatively before USCIS?	prepared to serve the four populations identified in the RFP. Individuals who face a significant risk of detention, deportation, or removal may be served when capacity is established by ONA and the DDDI Coordinating Entity.		
22.	Our organization has existing clients in our caseload and on the waitlist who could benefit from these services. Would our organization be able to serve those clients first before taking referrals from the central coordinating mechanism?	Providers must coordinate with statewide intake, referral, case tracking, data collection, and reporting processes established by ONA or the DDDI Coordinating Entity.	Coordination and Capacity-Building Requirements	11
23.	Can you please clarify the financial eligibility criteria for individuals receiving service?	Services are to be provided to individuals who are unable to afford legal assistance. Client eligibility is subject to a Modified Net Income (MIL) level not exceeding 300% of the most recent U.S. Department of Health and Human Services (HHS) poverty guidelines, as published in the Federal Register.	Populations to be Served	5
24.	What is the grant term? The RFP references a one-year period throughout but never states a start date.	The anticipated initial contract term is one year, beginning upon execution of the contract. The contract may be renewed for up to four additional one-year terms at ONA's sole discretion and based on availability of funding, with the successful bidder's agreement. The specific contract start date will be established upon execution of the contract.	General Contracting Information	15
25.	Does the term begin upon the award date?	The grant term for this program begins upon execution of contracts with awarded vendors.	Purpose and Intent	4
26.	If the grant term is retroactive to 7/1/26, will there be the ability to request an extension, especially given that many organizations will be hiring attorneys with this funding and it will be challenging to hire staff for a shorter period of time?	The grant term for this program begins upon execution of contracts with awarded vendors and is not retroactive. The anticipated initial term is one year and that the contract may be renewed for up to four additional one-year terms at ONA's sole discretion, with	General Contracting Information	15

		the successful bidder's agreement.		
27.	The timeline does not include a final award decision date, presumably because of the appeals window. When will final decisions be made?	The Award Announcement as TBD. All updated will be posted on: https://www.nj.gov/humanresources/notices/grants/proposals/	Purpose and Intent	4
28.	How does ONA define a distinct legal matter? The RFP notes a single client may have more than one legal matter during the contract period but does not fully define the unit.	Examples of distinct legal matters include, but are not limited to, bond proceedings, removal proceedings, appeals, motions to reopen, habeas corpus petitions, and other separate forms of immigration relief or related litigation. Multiple activities performed as part of the same legal representation shall not be counted as separate matters solely because they involve multiple hearings, filings, or court appearances.	Case Expectations	10
29.	How does the cost per case figure into the caseload expectations table on page 10 relate to that definition, and how should applicants square proposed caseload numbers with those cost estimates?	As a general guideline, each distinct legal matter should cost between \$2,000 and \$3,500. Applicants proposing caseloads outside of these ranges should provide a justification demonstrating how the proposed level of service will be achieved. The RFP also states that the anticipated annual caseload must be reasonable and supported by the proposed budget, staffing, and organizational capacity.	Caseload Expectations	10-11
30.	How will ONA expect grantees to report on caseload and legal matters, and does that overlap with what is already being reported?	Providers must track total matters and unique clients and comply with ONA/DDDI Coordinating Entity reporting requirements. Reporting templates will be provided to selected bidders.	Caseload Expectations; Data and Fiscal Reporting	10, 13
31.	If organizations submit as a collective with a grantee and proposed subgrantees, who is the primary point of contact with the coordinating entity: the direct grantee or the subgrantees?	The direct grantee/selected bidder will serve as the primary point of contact and remains responsible for oversight, performance, fiscal management, and reporting	Partnerships, Subgrants, and Subcontracts	12

		for all participating organizations. The DDDI Coordinating Entity will also work directly with participating providers, including subgrantees, as needed to coordinate referrals, services, training, technical assistance, and reporting.		
32.	Does that same structure apply to reporting, meaning the lead organization collects everything from subgrantees and rolls it up to the coordinating entity?	Financial reporting will be the responsibility of the lead/selected bidder for the participating organizations. Programmatic and client data reporting will go through the DDDI Coordinating Entity in accordance with the statewide reporting requirements and designated reporting processes.	Partnerships, Subgrants, and Subcontracts	12
33.	How does the new coordinating entity structure interact with existing subgrantee relationships and MOUs already in place?	The DDDI Coordinating Entity will provide statewide coordination, referral, provider support, and program administration for the entire DDDI program.	Option C – DDDI Coordination Entity	8
34.	The reporting section says "selected bidders shall submit." Does that mean only the direct grantee submits reports, with subgrantees continuing to report through the lead?	The selected bidder remains responsible for reporting for all participating subgrantees.	Partnerships, Subgrants, and Subcontracts	12
35.	Are subgrantees expected to submit the full attachment set (mission statement, org chart, job descriptions, signed assurances, resumes), or only the bidder, given the page limit?	Bidders with subgrantees must submit for subgrantees the role of each subgrantee and how the arrangement enhances service delivery or capacity. The bidder must also describe the oversight, quality assurance, fiscal monitoring, data collection, reporting, and training for subgrantees. ONA approval is required for all subgrantees.	Partnerships, Subgrants, and Subcontract	12
36.	Is a full narrative required from subgrantees, or only descriptions of qualifications and expertise as was requested last year?	The bidder submits one complete narrative proposal for the overall application. Bidders with subgrantees must submit for subgrantees the role of each subgrantee and how the arrangement enhances service delivery or	Required Proposal Content; Partnerships, Subgrants, and Subcontracts	16,12

		capacity.		
37.	Clarification on the note on page 13 under Public Outreach and Communications requiring bidders to describe actual conflicts of interest and organizational or contractual obligations. What is ONA looking for here, and what types of conflicts or obligations are in scope?	Applicants should identify any actual or potential conflicts of interest, organizational relationships, or contractual obligations that could affect their ability to perform the DDDI services and describe how those conflicts would be mitigated.	Public Outreach and Communications	13
38.	The RFP references funds in advance and a three-month provision, but the payment model appears to be reimbursement only. Will any funds be advanced at the start of the term?	Payments are made quarterly as reimbursement for actual allowable expenditures; however, an initial payment will be disbursed to selected bidders shortly after execution of the resulting contracts equaling a quarter of their proposed budgets.	Program Infrastructure	18
39.	Can an organization choose to serve only a specific age range of clients (e.g. 18-21)?	Providers must be prepared to provide services to all eligible populations identified in the RFP and cannot limit their DDDI caseload to a specific age range. The DDDI Coordinating Entity may consider a provider's particular expertise, including expertise serving a specific age group, when coordinating referrals; however, providers should be prepared to accept referrals consistent with their approved scope, expertise, staffing, and capacity. DDDI does not guarantee a specific volume or number of referrals within a particular age group.	Background and Population to Be Served; Options A–C	4-8
40.	If an organization technically qualifies for both Options A and B, based on years of service and experience, is there any advantage to applying for one versus the other? Is preference given to one Option more than the other?	The RFP does not state that preference is given to Option A or Option B. Applicants should apply under the Option that best reflects their qualifications and proposed services.	Purpose and Intent; Options A and B	3, 7
41.	Population to be served definition (pg 3) includes those who "face a significant risk of detention, deportation, or removal and require legal services to preserve or pursue immigration relief, subject to provider capacity." - Can you give more context on how this is	Priority will be given first to individuals who are detained and those facing deportation or removal. Individuals who are not detained but face a significant risk of detention, deportation, or removal may	Background and Population to Be Served	4

	defined for purposes of the grant? Does this include individuals who are not in detention but are at high risk of being detained?	be served subject to available program capacity and approval by ONA.		
42.	Does the grant allow for representation of: (1) immigrant children under the age of 18 who are residents of NJ, who are detained or re-detained by federal officials and placed in ORR custody in NJ or elsewhere; and/or (2) family units (e.g. mother and minor child) who are detained in NJ and placed in family detention.	Providers must be prepared to provide services to all eligible populations identified in the RFP and cannot limit their DDDI caseload to a specific age range or category. DDDI provides services to financially and otherwise eligible, unrepresented New Jersey residents who meet one of the four populations identified in the RFP. This includes individuals who are detained under ICE custody in New Jersey or elsewhere or who are detained by another federal agency as a result of their immigration status. Therefore, a child or member of a family unit who is detained may be eligible if they meet the RFP's eligibility requirements.	Background and Population to Be Served	4
43.	Is the provision of advice and counsel considered a legal "matter" for caseload projection purposes?	For purposes of caseload projections, a distinct legal matter is a distinct legal representation or legal proceeding. The provision of advice and counsel may be counted as a distinct legal matter when it constitutes a distinct legal representation or legal proceeding.	Caseload Expectations	10
44.	Regarding the \$2,000–\$3,500 per-matter cost, could you clarify which budget lines are included when calculating and reporting this figure? Is the cost calculated by dividing the organization's total DDDI program budget by the number of matters, or is it based on a specific subset of expenses, such as salary and fringe costs?	The \$2,000–\$3,500 amount is a general guideline for the cost per distinct legal matter. The RFP does not specify a particular subset of budget lines to use in calculating this figure. Applicants should provide a budget that reflects the proposed staffing, caseload, and overall cost of delivering services.	Caseload Expectations; Budget	10,14
45.	For the required Cultural Competency Plan appendix – is there a specific template that is required? If not, is there specific information that needs to	The RFP does not provide a specific template for the Cultural Competency Plan.	Required Attachments/ Appendices	20

	be included in order to meet this requirement?			
46.	The RFP instructs applicants to send all materials as a single pdf, but the presentation instructed sending the budget as an excel file. Please confirm submission format.	All proposal materials must be submitted as a single PDF, except the budget, which may be submitted as an Excel file.	Submission Requirements	21
47.	The required attachments include a copy of the bidder's charitable registration status. What is the equivalent requested for a private entity?	The bidder's charitable registration status is not applicable to private, for-profit entities.	Required Attachments/ Appendices	19
48.	The required appendices lists "letters of commitment/support". Please clarify what these letters are/should contain.	Letters of commitment/support should demonstrate the proposed partner's commitment to the application or proposed service delivery.	Required Attachments/ Appendices	20
49.	The required appendices also ask for a "cultural competency plan". Please elaborate on what this plan should look like.	The Cultural Competency Plan should address how the proposed services will be culturally and linguistically responsive and accessible to the communities served.	Purpose and Intent; Required Attachments/ Appendices	3, 20
50.	The RFP requires the bidder or subgrantee to have licensed attorneys with immigration law expertise on staff who will directly provide or supervise the services described in the RFP.	The bidder or subgrantee must have licensed attorneys with immigration law expertise on staff who directly provide or supervise the services described in the RFP.	Who Can Apply?	6
51.	Please clarify whether a formal MOU with a qualified law firm whose licensed attorneys directly provide or supervise services satisfies the on-staff attorney requirement, or whether attorneys must be employed directly on the applicant's payroll.	A formal MOU with a law firm does not meet the requirement. The bidder and subgrantees must have licensed attorneys with immigration law expertise on staff and on payroll, who will directly provide or supervise the services described in this RFP. Option A bidders must have attorneys on staff with at least three years of experience representing individuals in immigration detention and removal proceedings. Option B applicants must have on-staff immigration attorneys with at least two years of experience providing immigration legal services or legal representation, to demonstrate their experience	Who Can Apply?	6

		in immigration legal services.		
52.	The RFP requires Option B applicants to commit to a universal model of representation, meaning representation will be provided to a client regardless of the perceived merits of the client's case. This agency seeks formal clarification on the definition and practical application of this requirement.	Applicants must commit to a universal model of representation, meaning representation will be provided regardless of the perceived merits of the client's case. Client eligibility criteria to receive services through this grant shall be limited to only income and the lack of private counsel, no one should be excluded from receiving services based on the merits of their case. Services of clients may range from advice, limited representation, full representation through initial adjudication, and appeals—necessary and appropriate for each case.	Who Can Apply? – All Applicants; Option B	6-7
53.	If the RFP's definition of universal representation is intended to mean that a provider may never decline a specific case, regardless of its legal merits, this agency respectfully requests formal clarification on how this requirement is reconciled with providers' professional obligations under the ABA Model Rules of Professional Conduct. Specifically, ABA Model Rule 3.1 provides that a lawyer shall not bring or defend a proceeding, or assert or controvert an issue therein, unless there is a non-frivolous basis in law and fact. Compelling licensed attorneys to proceed with cases that lack any non-frivolous basis in law or fact would place providers in direct conflict with their professional ethical obligations and expose them to disciplinary action.	Applicants must commit to a universal model of representation, meaning representation will be provided regardless of the perceived merits of the client's case. Client eligibility criteria to receive services through this grant shall be limited to only income and the lack of private counsel, no one should be excluded from receiving services based on the merits of their case. Services of clients may range from advice, limited representation, full representation through initial adjudication, and appeals—necessary and appropriate for each case. Providers are expected to use their legal expertise to file the appropriate legal matters based on the merits of the case.		
54.	This agency requests formal guidance on how providers are expected to manage an emerging and significant	Selected bidders shall follow their own organizational policies or protocols to		

	legal risk to immigration attorneys in the current federal enforcement environment. On May 26, 2026, DHS published a memorandum announcing that ICE attorneys have authority to take enforcement actions against immigration attorneys who file false or frivolous claims in immigration court (Source: DHS, Taking Additional Steps to Crack Down on Asylum Fraud, May 26, 2026 — dhs.gov/news/2026/05/26/dhs-takes-additional-steps-crack-down-asylum-fraud). Please describe the protocols, guidance, or safe harbors ONA will provide to DDDI-funded providers to help them navigate this new enforcement environment, ensure compliance with evolving federal guidance, and protect their legal staff from potential DHS enforcement actions while continuing to deliver services under a universal representation commitment.	navigate federal changes that may impact their operations.		
55.	This agency seeks clarification on whether the \$2,000 to \$3,500 per-matter guideline is intended to serve as a per-matter cap that limits total reimbursement for a single legal matter regardless of its actual complexity, scope, and duration, or whether it is intended as an average cost guideline within which providers are expected to manage their overall caseload budgets, with individual matters permitted to exceed or fall below the range based on case-specific circumstances.	The \$2,000–\$3,500 amount is a general guideline, not a per-matter cap. Applicants proposing caseloads outside this range should provide a justification.	Caseload Expectations	10
56.	This agency requests that ONA clarify: a) Whether \$3,500 represents a hard per-matter cap or a budgetary average guideline; b) If it is a cap, how are providers expected to serve clients in complex, multi-hearing, or multi-family-member cases within that cost ceiling without compromising the quality or completeness of representation; and	The RFP establishes \$2,000–\$3,500 as a general guideline. The RFP recognizes that matters may vary in complexity and states that costs outside this range require justification.	Caseload Expectations	10

	c) Whether providers may seek prior approval from ONA for individual matters projected to exceed the guideline, based on documented case complexity.			
57.	Please confirm whether a client who has been served for one legal issue and later returns during the contract period with a new and separate legal issue, such as a bond proceeding followed by an independent removal proceeding, would be counted and reimbursed as a new distinct legal matter with its own associated cost. Alternatively, are all services provided to a single client across the contract period considered part of one matter, regardless of the number of separate legal proceedings involved?	A distinct legal matter is a distinct legal representation or legal proceeding. A single client may have more than one distinct legal matter. Therefore, a separate legal proceeding, such as a bond proceeding followed by a removal proceeding, may be counted as a separate matter.	Caseload Expectations	10
58.	Please clarify whether attorneys engaged through subcontract or subgrantee arrangements, rather than employed directly on the applicant's organizational payroll, qualify as contracted staff for purposes of satisfying the attorney staffing requirement and addressing the staffing narrative in the proposal. Specifically, may an applicant propose to fulfill the immigration attorney requirement entirely through a formal subcontract or subgrantee arrangement with a qualified law firm, provided that appropriate programmatic oversight, quality assurance, and fiscal accountability are maintained by the applicant organization?	Contractual services are an allowable budget category and may include consultants, partners, subgrants, subcontracts, and other approved case-related services or expenses. However, contractual services may not be used to satisfy the required attorney staffing component of the required scope of work. The bidder and any proposed subgrantees must have licensed attorneys with immigration law expertise on staff and on payroll who directly provide or supervise DDDI services. Subcontracted or contracted services may be used for specific case-related supports but may not replace the required on-staff attorney capacity.	Who Can Apply? – All Applicants; Partnerships, Subgrants, and Subcontracts	6, 12
59.	Is participation in the centralized hotline/intake system mandatory for all DDDI-funded providers, or may providers continue operating their own independent hotlines in parallel?	All DDDI providers must participate in the statewide intake, referral, case tracking, data collection, and reporting processes established by ONA or the DDDI Coordinating Entity.	Coordination and Capacity-Building Requirements	11

60.	If existing provider hotlines continue to operate, what is the expected relationship between them and the centralized hotline? Do provider hotlines feed into the centralized system, does the centralized hotline route out to them, or both?	Referrals will be coordinated through the centralized statewide intake and referral system. Providers must cooperate with the statewide intake and referral process established by ONA or the DDDI Coordinating Entity.	Coordination and Capacity-Building Requirements	11
61.	What does "in collaboration with ONA" mean operationally for hotline design and staffing — does ONA co-staff the hotline, set required protocols/scripts, review call data, or play a more limited advisory role?	The Coordination Entity will work in collaboration with ONA and under ONA's guidance in developing and implementing the hotline and intake system. ONA will provide guidance to ensure that centralized coordinating system meets program needs and priorities. Coordinating Entity will manage and oversee intake and referrals and staffing.	Option C – DDDI Coordination Entity	8
62.	Has ONA or the Department assessed existing call volume and disposition data from current provider-run hotlines that would inform staffing and capacity planning for a new centralized line?	The ONA does not currently oversee provider run hotlines. The hotline and intake system will be designed in collaboration with ONA and under ONA's guidance and approval.		
63.	Are there minimum technical requirements for the hotline and intake system (languages supported, hours, accessibility, integration with the reporting database referenced later in the scope) that the Coordination Entity must meet, or is that left to bidder design subject to ONA approval?	The hotline and intake system will be designed in collaboration with ONA and under ONA's guidance and approval.	Option C – DDDI Coordination Entity	
64.	If a caller reaches the centralized hotline but is already an existing client of another participating provider, what protocol governs handoff to avoid duplicate intake or conflicting case management?	Providers must cooperate with statewide intake, referral, case tracking, data collection, and reporting processes established by ONA or the DDDI Coordinating Entity.	Coordination and Capacity-Building Requirements	11
65.	Will the Coordination Entity have visibility into real-time capacity data (staffing, open caseloads) from all participating providers, and is providing that data to the Coordination Entity a mandatory condition of DDDI funding for Option A/B awardees?	Providers must communicate information regarding capacity, staffing, intake availability, case acceptance, and waitlists, and cooperate with statewide referral, case tracking, data collection, and reporting processes.	Coordination and Capacity-Building Requirements	11

66.	The scope states referrals are to be coordinated "based on organizational expertise, service capacity, and client needs." Will the Coordination Entity have authority to make binding referral assignments, or is this an advisory/facilitative role where providers retain final discretion over which cases they accept?	The DDDI Coordinating Entity will coordinate referrals based on organizational expertise, service capacity, and client needs. Providers are expected to accept referrals that are consistent with their approved scope of services, expertise, staffing, and organizational capacity. Providers may not limit their DDDI caseload to a particular subgroup, age range, or case type, or decline referrals solely because they prefer not to serve a particular population or type of case. Options A and B are also required to follow the DDDI's universal representation model, meaning representation will be provided regardless of the perceived merits of the client's case. Client eligibility criteria to receive services through this grant shall be limited to only income and the lack of private counsel, no one should be excluded from receiving services based on the merits of their case.	Contract Scope of Work – Options A and B	9
67.	Is provider participation in the statewide referral system mandatory as a condition of receiving DDDI funding (under Option A/B), or may a funded provider decline referrals from the Coordination Entity?	Providers must participate in the statewide intake and referral processes and accept referrals consistent with their approved scope, expertise, staffing, and capacity.	Coordination and Capacity-Building Requirements; Contract Scope of Work – Options A and B	9, 11
68.	What compliance mechanisms does the Coordination Entity have if a participating provider consistently declines referrals, is at capacity, or is non-responsive to referral requests?	Failure to comply with referral management, reporting, data, quality assurance, or performance monitoring requirements may affect contract performance and future funding.	Coordination and Capacity-Building Requirements	12
69.	Given that providers currently operate independently and have established their own referral and hotline practices, has the Department engaged those (or other anticipated) providers on their willingness to route calls through and	All DDDI providers are required to comply with all referral management, data collection, reporting, quality assurance, and performance monitoring requirements	Data and Fiscal Reporting	13

	report data to a new statewide Coordination Entity, or is buy-in something the awardee is expected to build post-award?	established by the ONA and DDDI Coordinating Entity. The hotline and intake system will be designed in collaboration with ONA and under ONA's guidance and approval.		
70.	Is there an anticipated startup/transition period before the Coordination Entity's monitoring, referral-direction, and reporting functions become fully binding on participating providers, to allow relationship-building given no prior coordination structure currently exists?	The hotline and intake system will be designed in collaboration with ONA and under ONA's guidance and approval. Timeline to engage in referrals will be determined by ONA along with the Coordinating Entity.		
71.	What reporting cadence and format does ONA expect for the "aggregate programmatic and performance data" deliverable, and will the database/tools the Coordination Entity is required to develop need to be operational by a specific date, or built out progressively during a startup phase?	ONA expects programmatic and performance data to be reported quarterly, using ONA-designated reporting tools, forms, templates, spreadsheets, and secure methods. The Coordination Entity is responsible for developing the reporting database and tools in coordination with ONA. The Coordination Entity will build out the reporting database and tools progressively in collaboration with ONA.		
72.	Does ONA have specific demographic data fields, case matter type categories, or other required data elements it wants captured in the reporting database, or is the Coordination Entity free to propose a data structure based on its own experience and best practices, subject to ONA approval?	The Coordination Entity is responsible for developing the reporting database and must use ONA-designated reporting tools, forms, templates, and secure methods as applicable. ONA may update reporting requirements.	Option C – DDDI Coordination Entity; Data and Fiscal Reporting	
73.	"Other coordination activities as directed by ONA" is open-ended. Can the Department give examples of the scope and frequency of ad hoc requests historically directed at similar coordinating entities, so bidders can budget capacity appropriately?	The program currently does not have a Coordinating Entity. ONA and Coordinating Entity will check for capacity if other coordinating activities are needed.		
74.	The successful bidder is expected to submit financial reports for the activities undertaken. Since the award will be to a single entity, can you confirm the financial reporting component is to reflect the work	The financial reporting for Option C will reflect the activities and expenditures of the selected Coordination Entity. Each Option A/B provider will submit its own	Option C – DDDI Coordination Entity; Data and Fiscal Reporting	8, 13

	undertaken solely by the selected Coordination Entity?	financial reports for its respective award.		
75.	Can you share the financial reporting template?	Financial reporting templates will be shared with awarded bidders.	Data and Fiscal Reporting	13
76.	Does DDDI require legal service providers to serve a specific ratio of clients who are detained vs. those at significant risk of detention?	Priority is given to detained individuals as the most vulnerable population, while also serving eligible individuals at significant risk of detention, deportation, or removal, based on ONA priorities, referrals, and provider capacity.	Background and Population to Be Served	4
77.	Does a distinct legal matter include both representation in removal defense, and unique applications for relief filed in immigration court?	A distinct legal matter is “a distinct legal representation or legal proceeding.” Multiple activities within the same representation are not separate matters solely because they involve multiple hearings, filings, or court appearances.	Caseload Expectations	10