



Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

FINANCE DIVISION

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TO: **POTENTIAL PROPOSERS**

FROM: ADMINISTRATIVE OFFICE OF THE COURTS
CENTER FOR FAMILIES, CHILDREN & THE COURTS

DATE: May 7, 2009

SUBJECT/PURPOSE OF MEMO: **REQUEST FOR PROPOSALS (RFP)**

The Center for Families, Children & the Courts, a division of the Administrative Office of the Courts, seeks the services of a consultant to (1) collect, analyze and report on quantitative and qualitative data to be gathered from selected trial courts on the workload of the family court, in order to produce estimates of the resources needed to implement recommendations to improve to the family law system, and (2) to collect data to pilot test the measures used in the family law reports to be produced by the California Courts Case Management System.

ACTION REQUIRED: You are invited to review and respond to the attached Request for Proposal (RFP), posted at <http://www.courtinfo.ca.gov/reference/rfp/>

Project Title: FAMILY LAW WORKLOAD RESEARCH

RFP Number: CFCC 10-09-LM

QUESTIONS TO THE SOLICITATIONS MAILBOX: Questions regarding this RFP should be directed to Solicitations@jud.ca.gov by **Tuesday, May 12, 2009, at close of business.**

DATE AND TIME PROPOSAL DUE: Proposals must be received by **Monday, May 18, 2009, at close of business.**

SUBMISSION OF PROPOSAL: Proposals must be sent to:
Judicial Council of California
Administrative Office of the Courts
Attn: Nadine McFadden, RFP No. CFCC 10-09-LM
455 Golden Gate Avenue, 7th Floor
San Francisco, CA 94102-3688

JUDICIAL COUNCIL OF CALIFORNIA ADMINISTRATIVE OFFICE OF THE COURTS

1.0 GENERAL INFORMATION

1.1 BACKGROUND

The Judicial Council of California, chaired by the Chief Justice of California, is the chief policy making agency of the California judicial system. The California Constitution directs the Judicial Council to improve the administration of justice by surveying judicial business, recommending improvements to the courts, and making recommendations annually to the Governor and the Legislature. The Judicial Council also adopts rules for court administration, practice, and procedure, and performs other functions prescribed by law. The Administrative Office of the Courts (AOC) is the staff agency for the Judicial Council and assists both the Judicial Council and its chair in performing their duties.

1.2 THE CENTER FOR FAMILIES, CHILDREN & THE COURTS

The Center for Families, Children & the Courts (CFCC) provides a range of services to Courts in California, including research and technical assistance for juvenile and family Courts, collaborative justice courts, cases involving self-represented litigants, and cases involving family violence.

1.3 THE DOMESTIC VIOLENCE PRACTICE AND PROCEDURE TASK FORCE

1.3.1 In September 2005, Chief Justice Ronald M. George appointed the Judicial Council Domestic Violence Practice and Procedure Task Force to recommend improvements to court practice and procedure in cases involving domestic violence allegations. The task force charge also included the review and implementation, as appropriate, of court-related recommendations contained in the June 2005 report to the California Attorney General from the Task Force on Local Criminal Justice Response to Domestic Violence, entitled *Keeping the Promise: Victim Safety and Batterer Accountability*.

1.3.2 In January 2008, the task force released *Recommended Guidelines and Practices for Improving the Administration of Justice in Domestic Violence Cases*. CFCC staff, in their supporting role to the task force, has been directed to identify the resources needed to implement the guidelines and practices outlined in the report.

1.4 THE FAMILY LAW RESOURCE GUIDELINES PROJECT

1.4.1 In 2007, CFCC initiated the Family Law Resource Guideline Project to address

the need for additional resources in California family law courts. The project is modeled after the National Council of Juvenile and Family Court Judges' *Resource Guidelines: Improving Court Practice in Child Abuse & Neglect Cases*. The project's purpose is to create a volume for use by presiding judges and executive officers that provides models of resource allocation and administration that promote effective practices on family case processing at all stages.

1.4.2 The resource guideline project builds on the Family Law Caseflow Management Project, which was undertaken in 2005-2007 to assist local courts to improve caseflow management in family law matters—including conducting hearings in a timely manner, ensuring that judgments are completed, and developing systems to assist judicial officers to obtain the information they need for making decisions. Throughout this process, it was clear that while certain efficiencies can be achieved, family law needs additional court resources to meet the needs of the public. The resource guidelines project is designed to identify those needs.

1.5 CALIFORNIA COURTS CASE MANAGEMENT SYSTEM (CCMS)

CCMS is a statewide technology initiative to bring the courts together to use one application for all case categories. The statewide data warehouse will give the judicial branch the ability to store and report information on case volume, types of orders, case duration, fee waivers, collection performance, and court costs. This will improve statistical information and enable better operational and policy decisions. The statewide data warehouse will facilitate the ability of the AOC to run statistical reports, thereby relieving court staff that currently produce and report this information. CFCC staff and selected courts have developed several family law reports, related in large part to court workload, which will be available to courts statewide through the data warehouse. CFCC is interested in pilot testing the measures in order to understand whether the reports will produce the type of information sought and what other measures may need to be included in reports, as well as to provide baseline data against which to evaluate the reports when they become available.

2.0 TIMELINE FOR THIS RFP

The AOC has developed the following list of key events from the time of the issuance of this RFP through the intent to award contract. All dates are subject to change at the discretion of the AOC.

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EVENT	KEY DATE
RFP issued to http://www.courtinfo.ca.gov/reference/rfp/ :	May 7, 2009
Deadline for questions to Solicitations@jud.ca.gov	May 12, 2009, at close of business
Latest date and time proposal may be submitted	May 18, 2009, at close of business
Evaluation of proposals (<i>estimate only</i>)	May 19-22, 2009
Notice of Intent to Award (<i>estimate only</i>)	May 26, 2009
Negotiations and execution of contract (<i>estimate only</i>)	June 5, 2009

3.0 PURPOSE OF THIS REQUEST FOR PROPOSALS (RFP)

- 3.1 The AOC seeks the services of a consultant with expertise in court operations and court-based research to collect quantitative and qualitative data related to the workload of the family court. The data are to be used to identify and estimate the staffing and other resources needed to implement recommended improvements to the family law system, particularly as related to domestic violence case processing and family law caseflow management—as well as to assess the quality of and establish a baseline for measures included in CCMS data warehouse family law reports.
- 3.2 For the workload analysis, research methods are expected to vary and may include secondary analysis of existing administrative and financial data, court observations, case file reviews, calendar reviews, time studies, or structured interviews or focus groups with judicial officers and court personnel. Data collection is expected to take place in six to eight study courts throughout California. Upon completion of the study, the consultant will convene a series of regional meetings to present the study results to the courts and provide them with models for resource allocation, including both allocation of new resources and reallocation of existing resources.
- 3.3 For the assessment of the CCMS family law report measures, research methods will include analysis of case management system data, file reviews, and possibly court observation. Data collection must cover a range of family law case types, including dissolution, child custody and visitation, domestic violence, parentage, and child support. The contractor should plan to review a minimum of 150 paper court files, including a cohort of new cases and a cohort of post-judgment cases. Electronic data (e.g., case management system data or other administrative databases) should be extracted for 1,000 to 5,000 cases, depending on the size of the study court, data

availability, and other variables. Data collection is expected to take place in one or two counties, which will be selected from the same counties in which the workload studies will take place.

- 3.4 The Work of this RFP is provided in *Attachment 2 - Contract Terms, Exhibit D - Work to be Performed*.

4.0 RFP ATTACHMENTS

- 4.1 Included as part of this RFP are the following attachments:

4.1.1 Attachment 1 - Administrative Rules Governing Request for Proposals. Proposers shall follow the rules, set forth in *Attachment 1, in preparation and submittal of their proposals*.

4.1.2 Attachment 2 - Contract Terms. Contracts with successful firms will be signed by the parties on a State of California Standard Agreement form and will include terms appropriate for this Work. Terms and conditions typical for the requested services are attached as *Attachment 2 - Contract Terms* and include *Exhibits A through E*.

4.1.3 Attachment 3 - Vendor's Acceptance of the RFP's Contract Terms. Proposers must either indicate acceptance of Contract Terms, as set forth in *Attachment 2 - Contract Terms*, or clearly identify exceptions to the Contract Terms, as set forth in this *Attachment 3*.

4.1.3.1 If exceptions are identified, then proposers must also submit (i) a redlined version of *Attachment 2 - Contract Terms*, that clearly tracks proposed changes to this attachment, and (ii) written documentation to substantiate each such proposed change.

4.1.3.2 The services anticipated by this RFP must commence in June 2009. Due to the short timeframe before commencement of these services, there will be insufficient time for the AOC to negotiate contract terms and conditions with the selected service provider/consultant. Therefore, prospective service providers may include exceptions to the Attachment 2, Contract Terms, in their proposal submission; however, the AOC, at its sole discretion, will determine whether such submitted exceptions are significant or minor. Proposals that contain significant exceptions may be deemed non-responsive by the AOC, at the AOC's sole discretion, to the requirements of this RFP and may be rejected without further evaluation.

4.1.4 Attachment 4 - Payee Data Record Form. The AOC is required to obtain and keep on file, a completed Payee Data Record for each vendor prior to entering

into a contract with that vendor. Therefore, vendor's proposal must include a completed and signed *Payee Data Record Form*, set forth as Attachment 4.

5.0 EVALUATION OF PROPOSALS

Proposals will be evaluated by the AOC using the following criteria, in order of descending priority. Each proposed candidate will be evaluated separately in accordance with these criteria:

- 5.1 *Quality of work plan submitted (30 Total Possible Points)*. Proposals will be evaluated considering the type of services required and the complexity of the project, with special consideration as listed in section 6.1, below.
- 5.2 *Credentials of staff to be assigned to project (20 Total Possible Points)*. Proposals will be evaluated considering demonstrated experience in court administration and management of data and management reports, performance measurements, operational efficiency, and process design as well as court technology, with special consideration as listed in section 6.2, below.
- 5.3 *Experience of key staff working on similar assignments. (20 Total Possible Points)*. Proposals will be evaluated considering demonstrated experience with quantitative and qualitative research related to the daily operations of the California family law courts, as noted in section 6.2.2. Proposer has demonstrated an ability to understand and interpret family court data, with special consideration as listed in section 6.3, below.
- 5.4 *Reasonableness of cost projections (15 Total Possible Points)*. Proposals will be evaluated in terms of reasonableness of cost, proposed rate structure for the position, including breakdown of salary, overhead and profit.
- 5.5 *Ability to meet timing requirements to complete the Work (10 Total Possible Points)*. Proposals will be evaluated in terms of compliance with proposed contract terms and project scheduling.
- 5.6 *Company Stability and Capabilities (5 Total Possible Points)*. Proposals will be evaluated in terms of the agency's stability and capabilities as demonstrated in 6.6, below.

6.0 SPECIFICS OF A RESPONSIVE TECHNICAL PROPOSAL

Responsive proposals should provide straightforward, concise information that satisfies the requirements noted above.

The following information shall be included as the technical portion of the proposal:

- 6.1 Quality of work plan submitted.
 - 6.1.1 Approach.

- 6.1.1.1 Proposed process necessary to address the project objectives.
 - 6.1.1.2 Proposed data sources and data collection methods.
 - 6.1.1.3 Proposed approach to analyzing and synthesizing results.
 - 6.1.1.4 Proposed approach to developing models of resource allocation for presentation to the courts.
 - 6.1.1.5 Proposed project and team organization.
- 6.2 Credentials of staff to be assigned to project.
- 6.2.1 Proposer has demonstrated experience in court administration and management of data and management reports, performance measurements, operational efficiency, and process design as well as court technology;
 - 6.2.2 Proposer is familiar with the daily operations of the California family law courts, including but not limited to the business offices, self-help centers, mandatory mediation processes, and courtroom hearings and trials;
 - 6.2.3 Proposer has demonstrated extensive experience working with the issue of self-represented litigants, and experience with the processes of court-based assistance to pro se litigants in family law; and
 - 6.2.4 Proposer has demonstrated knowledge and understanding of Domestic Violence Prevention Act restraining orders and domestic violence in the family law context.
- 6.3 Experience of key staff working on similar assignments.
- 6.3.1 Experience of staff in each of the following areas:
 - 6.3.1.1 Proposer has demonstrated experience with quantitative and qualitative research related to the daily operations of the California family law courts, as noted in Section 6.2.2. Proposer has demonstrated an ability to understand and interpret family court data;
 - 6.3.1.2 Proposer has demonstrated experience with assessment of effective caseload management processes in family law trial courts, as well as overall experience with effective case management practices;
 - 6.3.1.3 Proposer has demonstrated experience in using quantitative and qualitative data from the courts to communicate with judges and court administrators to develop court leadership and promote increased customer service; and,

- 6.3.1.4 Proposer has demonstrated an ability to work collaboratively with trial court management personnel to develop data collection and interpretation.
- 6.3.2 Names, addresses, and telephone numbers of three (3) clients for whom the consultant has conducted similar services. If appropriate, these clients may be the same as those listed under section 6.2, above. The AOC may check references listed by the consultant.
- 6.4 Reasonableness of cost projections. See below, *RFP: 7.0 Specifics of a Responsive Cost Proposal*.
- 6.5 Ability to meet timing requirements to complete the Work.
 - 6.5.1 Plan must include time estimates for completion of all work required.
 - 6.5.2 Compliance with Contract Terms. Complete and submit *Attachment 3 - Vendor's Acceptance of the RFP's Contract Terms*. If changes to *Attachment 2* are proposed, submit redlined version of *Attachment 2 - Contract Terms* as well as written justification supporting any such proposed changes.
- 6.6 Company Stability and Capabilities. Provide the following information about your company:
 - 6.6.1 Proposer's point of contact, including name, physical and electronic addresses, and telephone and facsimile numbers in a cover letter.
 - 6.6.2 Number of years your company has been in the business of court-based research.
 - 6.6.3 Number of full time employees.
 - 6.6.4 Disclose any judgments, pending litigation, or other real or potential financial reversals that might materially affect the viability of the proposer's company.
 - 6.6.5 Annual gross revenue from your most recent audited or reviewed profit and loss statement and balance sheet. State the audit/review year and the annual gross revenue. The AOC may request a copy of your most recent audited or reviewed profit and loss statement and balance sheet.
 - 6.6.6 Tax recording information. Complete and submit *Attachment 4 - Payee Data Record Form*. Note that if an individual or sole proprietorship, using a social security number for tax recording purposes, is awarded a contract, the social security number will be required prior to finalizing a contract.

7.0 SPECIFICS OF A RESPONSIVE COST PROPOSAL

The following information shall be included as the cost portion of the proposal:

7.1 Reasonableness of Cost Projections.

7.1.1 As a separate document, submit a detailed line item budget showing total cost of the services for each of the six (6) Deliverables specified in *Attachment 2 Contract Terms, Exhibit D - Work to be Performed*. This budget should identify unique hourly rates, titles, and responsibilities for each “Key Personnel,” plus rates for any additional staff, but can group this information for other personnel in a more general manner. Staff rates should be fully burdened, including indirect costs, overhead and profit. The cost proposal should also include separate line items for postage/ mailing costs and travel and lodging. Fully explain and justify all budget line items in a narrative entitled “Budget Justification.” Travel expenses, if any, will be reimbursed in accordance with the provisions set forth in *Exhibit C, Payment Provisions, in Attachment 2, Contract Terms*.

7.1.2 The total cost for consultant services will range between ***\$150,000.00 to \$190,000.00***, inclusive of personnel, materials, overhead rates, travel and profit. The method of payment to the consultant will be by cost reimbursement for each of the six (6) Deliverables specified in *Attachment 2 Contract Terms, Exhibit D - Work to be Performed*.

8.0 SUBMISSIONS OF PROPOSALS

8.1 Responsive proposals should provide straightforward, concise information that satisfies the requirements noted in items *RFP: 6.0 Specifics of a Responsive Technical Proposal* and *RFP: 7.0 Specifics of a Responsive Cost Proposal*, above. Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should be placed on conformity to the state’s instructions, requirements of this RFP, and completeness and clarity of content.

8.2 Proposers will submit one (1) original and three (3) copies of the technical proposal and cost proposal signed by an authorized representative of the company, including name, title, address, and telephone number of one individual who is the responder’s designated representative. In addition, proposers will submit an electronic version of the entire proposal on CD-ROM.

8.3 Proposals must be delivered to the individual listed under Submission of Proposals, as set forth on the cover memo of this RFP.

8.4 Only written responses will be accepted. Responses should be sent by registered or certified mail or by hand delivery.

9.0 RIGHTS

The AOC reserves the right to reject any and all proposals, in whole or in part, as well as the right to issue similar RFPs in the future. This RFP is in no way an agreement, obligation, or contract and in no way is the AOC or the State of California responsible for the cost of preparing the proposal. One copy of a submitted proposal will be retained for official files and becomes a public record.

10.0 ADDITIONAL REQUIREMENTS

It may be necessary to interview prospective service providers to clarify aspects of their submittal. If conducted, interviews will likely be conducted by telephone conference call. The AOC will notify prospective service providers regarding the interview arrangements.

11.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

The Administrative Office of the Courts policy is to follow the intent of the California Public Records Act (PRA). If a vendor's proposal contains material noted or marked as confidential and/or proprietary that, in the AOC's sole opinion, meets the disclosure exemption requirements of the PRA, then that information will not be disclosed pursuant to a request for public documents. If the AOC does not consider such material to be exempt from disclosure under the PRA, the material will be made available to the public, regardless of the notation or markings. If a vendor is unsure if its confidential and/or proprietary material meets the disclosure exemption requirements of the PRA, then it should not include such information in its proposal.

END OF FORM