

## Attachment 1 Virtual Attorney Visitation

The VAV program utilizes common web conferencing and videoconferencing applications to enable legal representatives to meet with their clients or prospective clients virtually using video technology in private rooms or booths to ensure confidentiality of communications during remote legal visits. VAV is not a substitute for in-person meetings, but it does provide an alternative for legal service providers to communicate with clients in a timely and efficient manner.

- The same guidelines in applicable ICE detention standards for in-person attorney/client visits will apply to virtual attorney client meetings and legal calls. Only legal representatives, legal assistants, and interpreters will be allowed; no family or friends of the clients are permitted. The attorney and/or his/her agents may contact outside interpretation services during the call or session. To ensure confidentiality of communications between detained non-citizens and legal representatives, the existing visitation officer shall maintain safety and security for all detained non-citizens/residents utilizing VAV. The officer shall be stationed outside of the confidential room standing out of earshot but within eyeshot. The officer will knock 5 minutes before the cut off time.
- Service provider shall build or identify private rooms or booths in the facility for VAV to be available in accordance with each facility's legal visitation hours (but at least eight (8) hours per day on weekdays and 5 hours a day on weekends and holidays in accordance with ICE detention standards). Phone booths should be soundproofed to at least the 30-35 decibel (dB) level to keep VAV conversations private.
- VAV rooms or booths must have closeable doors and the service provider should ensure visibility of detainees through windowed doors or other alternatives to ensure safety, while still maintaining confidentiality of the attorney-client communication.
- The service provider shall have at least two telephones and a network line per station, with one telephone jack a FAX-compliant POTS line.

The VAV program shall be operational within 6 months of IGSA award to include purchase and installation of equipment, training of staff, implementation of VAV procedures, and policy updates.

### *Deliverables:*

- All deliverables listed below shall be submitted to the ERO Contracting Officer Representative (COR) within 3 months of IGSA award for review and approval:
  - The service provider shall create and implement procedures, in writing, through which legal representatives can utilize an online scheduling system to verify legal representatives and schedule legal visits or confidential legal calls. The procedures shall be added to the posted Legal Visitation Rules for each facility and be made available to the COR for posting on the facility webpage on ICE.gov.
    - The service provider shall appropriately staff the online scheduling system to ensure timely scheduling and response to requests.

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- The service provider shall create and implement procedures, in writing, through which detained individuals and legal representatives may exchange confidential and non-confidential messages (such as the use of a dedicated email box or electronic messaging platforms). The service provider shall send written procedures to the ERO COR for posting on the facility webpage on ICE.gov.
  - The service provider shall create and implement procedures, in writing, through which detained individuals and legal representatives may exchange confidential documents, via electronic means (*e.g.*, facsimile or email), such as to obtain signatures. The service provider shall send written procedures to the ERO COR for posting on the facility webpage on ICE.gov.
  - The service provider shall maintain a usage log of the VAV and provide this to the ERO COR on a monthly basis.
    - The usage log shall be provided using Microsoft Excel and include the following data elements:
      - 1) Name of detainee and A#
      - 2) Name of legal representative
      - 3) Length of Call
      - 4) Wait time (if applicable)
      - 5) Interpreter Needed (if applicable)
      - 6) Interpreter Language (if applicable)
- All procedures and or manuals shall be provided to the COR for review annually.
  - The service provider shall notify ICE if the scheduling process changes in advance of the changes taking effect.
  - If the service provider cannot achieve implementation of the VAV, a waiver can be sought through the ERO COR and the Contracting Officer. Waivers would be for a period of 1-year, after which the service provider should continue to explore the capability of establishing and implementing VAV.