



OFFICE OF FAMILY
REPRESENTATION AND ADVOCACY
Improving lives through outstanding advocacy

Oversight Commission

October 23, 2023

Approved Minutes

Roll Call

Members in Attendance:

Chair Monica Zamora, Retired Judge, Court of Appeals
Vice Chair Judge John F. Davis, Retired Judge, 13th Judicial District
Representative Gail Chasey, JD, NM House of Representatives, District 18
Ms. Monica R. Corica, JD, Civil Legal Services Attorney
Hector Diaz, Ph.D, NMSU School of Social Work
Tim Flynn-O'Brien, JD, Retired Civil Rights and Tort Attorney
Shaniah Gallegos, Youth Leader
Elena Giacci, Trainer and Advocate
Alison Pauk, JD, CCIC Director, NM Administrative Office of the Courts
Bernie Lopez, Parent Advocate
Senator Linda Lopez, NM State Senate, District 11
Pamela Pierce, JD, CEO Silver Bullet Productions
Beth Gillia, JD, Executive Director

Members Absent

Cathyanna Sedillo, Youth Leader

OFRA

Beth Gillia, JD, Executive Director
Lisa Fitting, JD, Administrative Services Director
Leslie Jones, JD, Legal Services Director
Stacie Ortiz, Interdisciplinary Services Director

I. Call to Order/Welcome

Judge Monica Zamora, Commission Chair, called the meeting to order at 3:35pm.

II. Announcements (Informational)

Chair Zamora announced that Dr. Hector Diaz will remain on the Commission as the designee of the NMSU Social Work Department Director.

Chair Zamora announced that Alison Pauk will replace Twila Hoon on the Commission. Alison is the Director of the Children's Court Improvement Commission.

III. Public Input

Lorilynn Violanta introduced herself as the co-Director of NMCAN.

IV. Adoption of Agenda – Commission Chair Monica Zamora (Approval/Action)

Executive Director Gillia asked that the draft agenda be modified to move the item on Commission member emails before the Executive Director report. Hector Diaz moved and John Davis seconded the motion to modify the agenda. The motion was approved unanimously.

John Davis then moved and Monica Corica seconded the motion to adopt the agenda. The amended agenda was approved unanimously.

V. Approval of the Minutes – Commission Chair Monica Zamora (Approval/Action)

Sen. Linda Lopez moved and Bernie Lopez seconded the motion to approve the August 28, 2023 Meeting Minutes. There were no corrections or additions. The Minutes were approved unanimously.

VI. OFRA Oversight Commission E-mail Addresses – Michael Lord, Department of Information Technology

Mr. Lord explained how Members can access their OFRA emails. He also noted that members have access to the Microsoft suite of tools, including Teams. He will be sending the step-by-step instructions to Lisa Fitting who will then send to all Commission members. Mr. Lord can be reached at (505) 629-7912 / Michael.Lord@doit.nm.gov

Mr. Lord asked that Lisa Fitting, Administrative Services Director, be notified if Commission members leave or new members are added. He also stated that signing up also creates access to Microsoft tools, including Teams.

VII. Director's Report – Beth Gillia, Executive Director

Executive Director Gillia noted that there should be a deadline for signing up for OFRA email addresses so that personal emails will no longer be used.

Executive Director Gillia reported that Eric Candelaria, the OFRA CIO, has left for a job with the City of Santa Fe that pays considerably more than OFRA could offer. The position has been re-posted. She also reported that they are in their second round of interviews for the Executive Secretary position. When hired, this person will assist the Legal Services Division Director in case assignments. For now, an intern is assisting part time, on loan from the Corinne Wolfe Center. OFRA has also posted two Attorney I positions, recruiting locally and nationally. Interviews will begin soon. Later this year, two Attorney 3 positions will be posted. Contracts have been negotiated with Queva Hubbard and Catherine Pavelski to provide family peer support navigator services.

Six navigators will be hired in the new calendar year and likely these two contractors will apply. It was also noted that Interdisciplinary Services Division Director Stacie Ortiz, MSW, is also carrying a small caseload.

Executive Director Gillia reported that considerable work has been done on the Practice Manual that includes the two key components of the model, Interdisciplinary Legal Teams and Cornerstone Advocacy, as well as performance standards for attorneys, social workers, and family peer support navigators. The manual should be available early next calendar year.

Performance measures have been initially set with LFC and DFA as required in the budget process. These include:

- Number of respondents (parents, guardians, or custodians) in the Second Judicial District (Bernalillo County) who receive services from a Family Peer Support Navigator
- Average reduction in time to reunification for children whose parent, guardian or custodian received interdisciplinary legal services from a family peer support navigator or licensed master social worker compared to those whose parent, guardian or custodian did not receive these services
- Percentage of hearings where client and attorney spoke at least once prior to day of hearing

An initial strategic plan has also been formulated as required for budgeting. There are four goals with objectives and activities under each:

(1) Administer core legal services that will ensure due process, enhance client engagement, and promote client dignity.

This goal includes refining the case assignment and data-based case management system to accommodate members of interdisciplinary teams that include the family peer support navigators to be hired through this expansion; the provision of training in the practice model; the formalization of practice standards to be incorporated into performance evaluation of all staff, including those targeted by the expansion; and the development and roll out of the language access plan under the auspices of the language access coordinator.

(2) Develop and implement policies and practices that provide for maximum efficiency and accountability.

This goal includes a number of policy initiatives under the direction of the Deputy Director who is part of this expansion request – policies on diversity, equity, and inclusion; data driven practices; continuous quality improvement as well as evaluation and quality monitoring; internal and external grievances policies and practices; and human resource policies.

(3) Develop and implement policies and practices that promote manageable attorney caseloads and fair compensation.

This goal includes a number of recruitment and retention strategies for all staff, including those in this expansion request. It also includes the provision of practice supports (e.g., using the LegalServer case management system) as well as litigation supports for interdisciplinary teams.

(4) Launch interdisciplinary legal services for families built on the practices of Cornerstone Advocacy.

This goal includes a number of practices to be implemented by family peer support navigators and overseen by both interdisciplinary and legal services supervisors and directors. They include practices for client engagement consistent with applicable law and regulation; practices for referral, triage, prioritization, and case assignment; conflict of interest checks; practices to advocate for placement, visitation, services and participation in meetings and conferences (the Four Cornerstones); practices that operationalize

diversity, equity, and inclusion (DEI) policies as well as language access; and the incorporation of trauma-informed practices.

Executive Director Gillia asked that there be extended time at the December meeting to look at this plan, identify barriers, and develop ideas for overcoming such barriers. Elena Giacci noted that DEI policies should be available by December. Chair Zamora noted she has a list of items for the Executive Director to include in the strategic and action plans.

Also underway are the logic model, theory of change, and evaluation plan. These will also be done by the end of the year. The evaluation plan will evolve with the case management system as it is customized to meet OFRA's purposes. There will be challenges in implementing the case management system as it is new. Extensive training will be provided and linked to other training. Per Legal Division Director Leslie Jones, certain attorneys will be asked to beta test the system first and then engage in peer-to-peer training. When asked about whether the case management system would be covered at the Children's Law Institute in January, it was noted that there are usually lunch sessions for attorneys.

To date, there have been three other trainings: individualized planning, respondent attorneys representing children, and GALs and youth attorneys representing parents. Monthly meeting will be starting up soon. When asked about recording all these trainings, it was noted that this could be done.

The "road show" will start, likely before the end of the year, in each region. These will be hybrid, engaging a wide range of stakeholders. The purpose is twofold: providing education about OFRA and securing input on future strategic planning.

Executive Director Gillia also presented updates on the budget. She showed a budget summary generated by the Share System, explaining that this does not include the \$300K one-time-only funds for furniture and equipment. She explained that \$3.2M was moved from the 200's category (personnel) to the 300's category (contractual). This is because OFRA was not allowed to begin the hiring process before July 1, 2023 as planned (49 positions were approved) so contractors were required to provide the statutorily required representation to children and parents. The next version of the budget will next show other adjustments: \$200,000 will move from Other (400's) to contractual (300's). There is also another \$100,000 that will move from personnel (200's) to contractual (300's). The \$1.5 million from the Board of Finance is not in the budget yet. It will cover attorney contracts through the year. It will not cover \$1.8 needed because of an increase in cases. This will be requested as a supplemental to use this year.

The budget includes 17 positions – the six current positions as well as an executive secretary, two attorney 1's, two attorney 3's, and six family peer support navigators. It is possible that a few more could be hired depending on the legislature. Executive Director Gillia noted that the legislature may have issues about the fact that OFRA did not hire the positions initially budgeted. There is also a small "special" request of \$180,000 for furniture and equipment.

Chair Zamora asked Executive Director Gillia to routinely let the Commission know when hearings are scheduled. The next two hearings are Wednesday 10/25 at 8:30am (special and supplemental requests) and Thursday 10/26 at 8:30am (entire budget request).

The new budget request will actually be about \$22 million, about \$5 million more than was presented at the last meeting. This is an increase of 109% over current funding. Approximately \$20+ million is in base funding and approximately \$2 million is for expansion requests (positions). The new positions include a Deputy Director, a Legal Services Division Director, four Lead Attorneys, one Appellate Attorney, 24 Family Peer Support Navigators, and a (Language) Access Coordinator. The budget breaks down to approximately \$11 million in personnel; \$9 million for contracts, and \$2 million for other items including training, office expenses, and more.

Executive Director Gillia reported on an issue of pay equity: some attorneys who have more than 60 cases in the same county only get paid for 60; attorneys with cases in two counties get paid from two separate tiers (e.g., 60 in one, 30 in another). To resolve this, contracts will be amended so that they will pay \$160/month for each case over 60 in the same county.

Dr. Diaz asked about the hiring of social workers and Executive Director Gillia responded that OFRA will not hire social workers this year but will next year. Member Bernie Lopez asked about attorney caseloads for cases with interdisciplinary services. These are just now starting and this won't change attorney caseloads; it will however free up attorney time for attorney work. Member Elena Giacci asked about interpreters and translators; Executive Director Gillia noted these costs are in contracts. Member Elena Giacci asked about access to Native languages and Executive Director Gillia noted that at this point she does not know exactly how these will be accessed, but that OFRA will ensure that all clients' translation and interpretation needs will be met, regardless of language.

VIII. Reports from Committees (Informational)

Governance Committee – Judge Monica Zamora

Chair Zamora reported that final drafts of the Guidelines and Policies were distributed to Members and comments were incorporated. These will be voted on today.

Diversity, Equity, Inclusion and Belonging– Elena Giacci

Committee Co-Chair reported that the final drafts are close and should be ready for December. The Committee also named Bernie Lopez as Co-Chair.

Legislative Committee – Rep. Gail Chasey and Sen. Linda Lopez

Committee Co-Chairs Chasey and Lopez reported that they are working on figuring the best way to get and keep legislators informed about OFRA. There is a lot of confusion that somehow OFRA is going to improve CYFD. We need to be clear about this: OFRA will improve the quality of representation of children and parents. This is the Mission, and we need to make that clear. There is a misperception about this and OFRA is being questioned in the same manner as CYFD is being questioned. OFRA and the Legislative Committee are working on a handout for the upcoming session, which should focus on the key points, especially when we only have five minutes to present. For the House and the Senate, we need to work with the members. The handout will be helpful in this regard.

IX. Commission Approval– Judge Monica Zamora, Commission Chair (Approval/Action)

Oversight Commission Guidelines

Pam Pierce moved and Rep. Chasey seconded the motion to approve the Guidelines as presented. The motion was approved unanimously.

Policy Statements

John Davis moved and Pam Pierce seconded the motion to approve the Policies as presented. The motion was approved unanimously.

X. December meeting date – Judge Monica Zamora, Commission Chair (Informational)

The December meeting will be held on the 18th from 3:30-5:00 pm.

XI. Other Business

There was no other business.

**XII. Adjournment of Meeting – Judge Monica Zamora, Commission Chair
(Approval/Action)**

Dr. Diaz moved and Representative Chasey seconded the motion to adjourn; the motion was approved unanimously. The meeting was adjourned at 5:12pm.

The next meeting will be December 18, 2023.