

# State of New Mexico

## OFFICE OF FAMILY REPRESENTATION AND ADVOCACY

MICHELLE LUJAN GRISHAM  
GOVERNOR



BETH GILLIA  
EXECUTIVE DIRECTOR

FARRA FONG  
DEPUTY DIRECTOR FOR PROGRAMS

LISA FITTING  
DEPUTY DIRECTOR FOR OPERATIONS

### April 28, 2025 MEETING Minutes – Approved June 23, 2025

#### Members in Attendance

Chair Monica Zamora, Retired Judge, Court of Appeals  
Vice Chair John Davis, Retired Judge, 13<sup>th</sup> Judicial District  
Tim Flynn-O'Brien, JD, Retired Civil Rights and Tort Attorney  
Alison Pauk, JD, CCIC Director, NM Administrative Office of the Courts  
Senator Linda Lopez, NM State Senate, District 11  
Beth Gillia, JD, Executive Director  
Elena Giacci, Trainer and Advocate  
Monica R. Corica, JD, Civil Legal Services Attorney  
Pamela Pierce, JD, CEO Silver Bullet Productions

#### Members Absent

Bernie Lopez, Parent Advocate  
Abbigale Martinez – Youth member  
Joanna DeLaney – Youth member  
Mary Nienow, Director and Associate Professor School of Social Work, NMSUU  
Representative Pamelya Herndon, NM House of Representatives, District 28

**I. Call to Order/Welcome:** Chair Zamora Chair called the meeting to order at 3:37pm.

#### **II. Announcements (Informational)**

Lisa Fitting introduced two new staff: Human Resources Manager, Chynna Comer, and Human Resources Specialist, Vanessa Marquez.

#### **III. Adoption of Agenda -**

Chair Zamora moved to amend the agenda to delete the OFRA Spotlight and to add a new item (consideration and approval of a resolution identifying standing committees). Commissioner Flynn-O'Brien also moved to amend the agenda to include approval of the December 18, 2024, minutes. Commissioner Davis seconded the motion. The agenda was adopted as amended without opposition.

**IV. Public Input:** No public input was offered.

**V. Approval of the December 18, 2024 & January 13, 2025 Minutes**

Commissioner Davis moved to approve the December 18, 2024, Meeting Minutes and Commissioner Flynn-O'Brien seconded. With no opposition, the December minutes were approved. Commissioner Davis moved to approve the January 13, 2025, Meeting Minutes, and Commissioner Flynn-O'Brien seconded. The January minutes were approved without objections.

**VI. Consideration of Proposed Resolution on Standing Committees**

Judge Zamora discussed the resolution and the creation of the committees and how they needed to be formalized to be made systemic. The Director asks for some changes. Changes from "Board" to "Commission". On page one to make a correction on the timeframe of meetings to meet quarterly instead of monthly. Judge Zamora suggested to strike monthly due to agreement to continue to meet every other month. On the next paragraph the part with "fully engaged member of the committee" Director Gillia asked if that encourages that there be a point person? A discussion was held, and it was explained that it was to have active participation in the committee. A suggestion was made for it to say, "that a fully engaged committee is necessary".

Under the finance committee, the second sentence, the Statute lays out the duties of the Commission and the office and of the Executive Director, and under Section 32-A-27-9 establishes the Commissions powers and duties and it doesn't say anything about financial and fiscal oversight, and Section 10 clarifies that Admin and Finance will be performed by the Director as long as it's consistent and approved by the budget and DFA. Section 13 gives the Director the duty to oversee funding. The commission has explicit oversight related to budget through DFA having to approve the budget submission for any adjunct agency. It was explained that the finance committee is more to know and be aware of what is going on and to take care of business beforehand, and if there are any questions it be brought to the full Commission, since the Commission is supposed to be involved in the Fall when the audit comes. It was suggested the wording be "this may include working with the Director and key staff on budget related issues." It was agreed to correcting the board and changing that and going back and looking at Sections 32-A-7-9, 10, and 13 just to make sure we are in line with it. It was also suggested that we hold off on approving the Resolution until the June meeting and asked if all are okay with that. The Commissioners agreed.

**VII. Director's Report**

Executive Director Gillia provided the following updates:

**Offices**

The Albuquerque office is being renovated and is likely to open in late July or August. An RFP for office space in Las Cruces is underway and proposed sites will be visited in late May.

## **Staffing**

OFRA is diligently expanding its staff. In addition to our new Human Resources staff, Alex Sanchez, will start next week as a Finance Specialist.

A number of other positions are currently posted and the hiring process is underway for a number of candidates, including:

- 1 or 2 social work interns will begin in the summer or fall,
- 1 summer law clerk has been selected,
- 2 attorneys will be hired in Albuquerque and 2 in Las Cruces,
- 1 statewide Access Coordinator,
- 1 social worker in Albuquerque,
- 2 additional Family Peer Support Navigators in Albuquerque,
- 2 paralegals, and
- 1 CFO.

Six additional positions will be posted soon, including a Program Coordinator, Appellate/Trial Attorney, Supervising Attorneys in Albuquerque and Las Cruces, a Training and Development Specialist, and an IT Systems Analyst II.

## **Evaluation**

OFRA has partnered with a team from the UNM Evaluation Lab to evaluate our services. The evaluation included client interviews, staff interviews, and a survey for staff that could not be interviewed. The results demonstrated that clients felt seen and heard by their legal team, especially by their Navigators. Clients were positive about the attorneys, but they would have liked more communication with their attorneys. Attorneys that were interviewed said that the lack of client engagement was a barrier to communication and that stigma could be an obstacle to client engagement. The commission asked if clients felt differently about staff or contract attorneys, and if questions about cultural issues were asked. The evaluation did not show any differences between clients' feelings about staff or contract attorneys. Deputy Director Fong described the questions related to culture, and explained that interviews were held in Spanish and English, and that translators were available if other languages were needed.

## **Courtroom observations**

Deputy Director Fong reported on a separate evaluation process that OFRA has begun. Using an observation tool that we adapted from one used by the Colorado Office of the Parent's Representative, our contractor (a very experienced child and family welfare attorney) is observing OFRA staff and contract attorneys in court proceedings around the state to assess training needs and implementation of our Cornerstone practice model. The courtroom observations focus on the following four broad areas:

- The attorneys' overall professional engagement and demeanor – how the attorneys present themselves and their clients in the courtroom
- Advocacy addressing the Four Cornerstones (placement, visitation/family time, out of court meetings, and appropriate services)

- Attorneys' skills as tied to our practice standards and expectations
- Courtroom systemic issues

We have conducted courtroom observations in Santa Fe and Albuquerque, and have observed 35 individual attorneys so far, with 13 more yet to be observed in these two judicial districts.

Our next observations will be in Las Cruces, which will help us establish a baseline for comparing the quality of representation before and after we hire staff attorneys and implement interdisciplinary teams in that region.

During the next phase of observations, we will create tools for observing attorneys representing "eligible adults" in Fostering Connections cases and for auditing attorney case files. We hope to better assess attorney-client engagement through future interviews and a satisfaction survey.

The data we collect will inform our coaching and training efforts.

The Commission asked if our observation tool monitors the judge's behavior, such as interruptions and disruptions by judges, and provides a space to track how these issues might be addressed to benefit the community. Deputy Director Fong responded that a section of our observation tool focuses on systemic issues related to how the judge is managing the courtroom, and how parties and their representatives are working together to find the best outcome for the family and the children. We are tracking those behaviors, discrimination of any kind, any access issues not being managed in the courtroom. Our goal is to share this information with the Children's Court Improvement Commission and other stakeholders to find solutions, provide judicial/legal education and coaching to our legal teams (if needed) so that our clients are seen as whole human beings who are supported in their efforts to change, but who are not shamed or blamed.

## **Budget**

OFRA is on target to have a small reversion of about \$500,000 by the end of **FY25**, which is enough of a cushion to avoid a deficit without limiting our hiring and services. We are doing a better job tracking our invoices and expenditures this year, ensuring accuracy and prompt payment, and disencumbering or adding funds in a timely way to avoid any procurement problems.

The **FY26** operating budget was due (and submitted) the day after the April Commission meeting. The operating budget provides a detailed plan for spending the budget adopted by the Legislature, which appropriates funding in three broad categories, staff, contracts, and all other expenses.

Our total budget for FY26 is \$14,562,500 (including state general funds, projected Title IV-E funds, IV-E funds that we carry forward from the current year, and GRO funds),

which represents a 5% increase over FY25. At the next Commission meeting, we will share more details about how these funds will be spent.

The **FY27** budget request is due on September 1<sup>st</sup>. We plan to meet with the Commission's soon to be formed Finance Committee and to discuss the budget request preliminarily at the June Commission meeting. We will seek a final vote on our proposed budget at our August meeting.

As we requested for FY26, we intend to request a small expansion of our budget to pilot preventive legal services and pre-petition work aimed at keeping families out of the system. We requested \$336,000 for this purpose for FY26, but did not receive this funding.

Executive Director Gillia and Legal Services Director Jones recently attended a technical assistance meeting in Boston focused on helping states start preventive legal services like those we sought funding for. We plan to work with the Commission's Finance and Legislative Committees to frame the need for and value of these services, and to dedicate a portion of our Project Coordinator's time to this effort.

The Commission and the Director suggested that the Finance Committee review and consider a backup plan for IV-E funding, due to the uncertainty of federal funding, which makes up approximately 28% of our budget. Commissioners also suggested that OFRA should be part of the statewide discussion of Medicaid cuts to mental health services used by our clients and uses of the new trust fund for behavioral health.

### **OFRA Stakeholder Resources**

The Executive Director discussed the development of the client resources, including a parent guide that has been drafted. Commissioner Bernie Lopez and Family Peer Support Navigator Catherine Pavelski reviewed the draft and provided important insights from the parents' perspective. The parent guide is being translated into Spanish and our translation contractor is looking for someone to translate the guide into Navajo. [After our meeting, it was suggested that creating a video in Navajo would also be valuable. We will follow up on this suggestion.]

OFRA has also created a guide to help youth understand the process. Youth Commissioner Abbigale Martinez helped by giving feedback. This guide is in final editing and will next go to the translators and our designer.

We are in the final stages of drafting a handout for foster parents that discusses the roles of the Guardians ad Litem and youth attorneys. The next resource will be for younger children, it would be a coloring book, game, video or storybook that is appropriate for younger children.

We are discussing with a contractor the possibility of developing an app so these print booklets can be interactive and accessible to all clients on their mobile devices.

Finally, we have created a password-protected page on our website for attorneys only. The page has training resources, research, and a pleadings/motions bank. The page is well under way and we hope it will go live soon.

The Executive Director mentioned that many other activities are underway, including:

- lots of training (monthly webinars, attendance at the annual Children's Law Institute and at the national multi-disciplinary parent representation conference in Minnesota),
- contracting with an expert to develop a DEI training curriculum and provide technical assistance with OFRA's policies and practices related to DEI,
- working with consultants who are assisting with drafting comprehensive policies and procedures for procurement, accounts payable, travel, capital assets, human resources, etc., and
- working with a new contractor, PCG, to help with our IV-E reimbursement claiming.

### **VIII. Update on Commission Vacancies**

Abbigale Martinez is the newest youth advisor; we are still waiting for paperwork for Representative Herndon. Judge Zamora's last meeting is in June so that will create a new vacancy.

### **IX. Meeting Schedule in 2025**

The next regularly scheduled meeting will be June 23, 2025, from 3:00 - 5:00 pm. This will be followed by meetings on August 25<sup>th</sup>, October 27<sup>th</sup> (hybrid), and December 22<sup>nd</sup>.

The August 25<sup>th</sup> meeting will be important for budget approval. We are hoping this can be in person unless there is opposition. OFRA will send out a survey to assess availability on the 25<sup>th</sup> for an in- person meeting.

The Executive Director may ask for extra time to talk about more in-depth issues such as strategic planning and other important topics. The survey should also seek input on the date and length of the December meeting.

### **X. Other Business**

Senator Lopez acknowledged and thanked Executive Director Gillia and the team for the Children's Law Institute conference, saying it was phenomenal. Congratulations to those who received recognition and rewards. The Director did a wonderful job of explaining what OFRA does and gave the audience a good picture of what we do.

No other business.

### **XI. Adjournment of Meeting**

Commissioner Pauk moved, and Commissioner Flynn-O'Brien seconded the motion to adjourn. The motion was approved. The meeting adjourned at 5:02 pm.