Family Representation and Advocacy Commission

OFRA Commission Hybrid Meeting February 23, 2026
FINAL Minutes –Approved June 24, 2026

Members in Attendance

Chair Tim Flynn-O'Brien, Retired Civil Rights and Tort Attorney
Alison Pauk, CCIC Director, NM Administrative Office of the Courts - virtual
Linda Lopez, NM State Senate, District 11 - virtual
Beth Gillia, OFRA Executive Director
Cristen Conley, Director of Corinne Wolfe Center for Child and Family Justice
Elena Giacci, Trainer and Advocate
Pamela Pierce, CEO, Silver Bullet Productions
Bernie Lopez, Parent Advocate – virtual
Monica Corica, Civil Legal Services Attorney – virtual
Mary Nienow, Director and Associate Professor School of Social Work – virtual
Pamelya Herndon, NM House of Representatives, District 28 – virtual
Abbigale Martinez, Youth member – virtual

Members Absent

Vice Chair Judge John Davis, Retired Judge, 13th Judicial District
Joanna DeLaney, Youth Member

I. Call to Order/Welcome at 3:05pm.

II. Announcements — none.

II. Adoption of Agenda

Chair Tim Flynn-O'Brien asked to amend the minutes to say approval of the August, November and December meetings and to reorder the agenda to accommodate Commissioner schedules. Commissioner Conley moved and Commissioner Senator Lopez seconded the motion. Motion passed without opposition.

IV. Approval of 2026 Open Meetings Act Resolution

Chair Flynn-O'Brien reminded the Commission that the Open Meetings Act Resolution needs to be approved each year and invited discussion. Director Gillia noted that the Executive Committee reviewed the Resolution and confirmed that it remains compliant with the law and that no changes are needed. Commissioner Conley moved approval of the 2026 Open Meetings Act Resolution; Commissioner Corica seconded. No further discussion, all in favor, no opposition. The resolution was adopted.

V. Discussion of Executive Director Search and Approval of Job Description

Chair Flynn-O'Brien shared the Executive Committee's extensive and thoughtful process for developing two versions of the Executive Director job description: a shorter version for publications that charge by the word, and a longer version for emails and other free postings. To get this out and begin the job search, the Executive Committee recommends the Commission adopt the drafts without change. The purpose is to attract a broad pool of applicants The longer version will be sent to people who inquire about this posting. After discussion, Chair Flynn-O'Brien asked for a motion to adopt the two job descriptions. Commissioner Corica moved to adopt, and Commissioner Pauk seconded. All in favor, no opposition.

The hiring timeline and tasks (drafting questions, reviewing/screening applications) were discussed. The ideal search committee would consist of Commissioners Senator Lopez, Monica Corica, Cristen Conley, Bernie Lopez, and Elena Giacci. Commissioner Herndon moved that the committee be created with these members. Commissioner Conley seconded. No opposition. It is adopted.

The Commission discussed where to publish the posting as a nationwide search to many agencies. Director Gillia shared the search timeline, which would be completed by the end of August or the early Fall to allow for a brief period of overlap between the incoming and outgoing directors.

OFRA staff will provide administrative support, creating a series of tools for the search committee to use such as interview question form, screening tools, and review tools to help streamline the process. In June once initial interviews have been done, the top candidates will be invited to give a presentation that will be open to staff, the public and commissioners not on the search committee. Staff and commissioners will have a feedback form to allow input.

VI. Approval of the August, November and December 2025 Minutes

Chair Flynn-O'Brien asked if members wanted to propose any changes to August minutes. No changes. Commissioner Conley moved, Commissioner Corica seconded. No opposition. Minutes approved.

November 2025: Commissioner Conley moved, Commissioner Linda Lopez seconded. No opposition. Minutes approved.

December 2025 minutes. Director Gillia explained that she added the purpose statement that the Commission adopted verbally at the December meeting, which replaces the previous DEI Policy. No changes were suggested. Commissioner Conley moved and Commissioner Lopez seconded. No opposition. Minutes approved.

VII. Public Input—none.

VIII. Discussion of Upcoming Rulemaking

Director Gillia discussed that OFRA's Statute allows the Commission authority to write rules for the office. Deputy Director Fitting has completed all required rulemaking training. We have an analyst assigned to us from New Mexico Records and Archives. We are going to propose three rules to start with.

- Rulemaking Process – Administrative. The Commission previously approved a general approach to rule making that Director Gillia will use as the basis of a proposed rule on rulemaking procedures. OFRA will draft a rule and bring it to the Executive Committee for preliminary review. OFRA will then formally propose the rule and go to the formal public input process. Three members of the commission will participate in a public hearing where public comment can be made; written comments will also be accepted. OFRA will respond to each of the comments and recommend either a change based on the public comment or a rejection to the public comment, then the Commission will have to decide whether to adopt the rule or not.

- Right to Counsel. The rule will clarify the indigency requirement for representation for parents, guardians and custodians, will recognize the right of parties to represent themselves, will clarify that the right to counsel doesn't mean clients have the right to choose their own counsel (meaning clients don't have the right to consecutively fire their OFRA attorney multiple times and get more counsel).

- Process for Complaints – The rule will clarify our process for complaints against staff or contractors and will establish how the Commission will deal with complaints against the Executive Director.

The Commission discussed the role of advisory counsel when a client seeks to appear pro se, addressing the need for language to protect the lawyer and make clear what their role is, Supreme Court Rule 23-113 (which orders the courts to provide information to self-represented individuals), and relevant criminal cases.

IX. Director's Report

On 2/19/26, we were 64 percent through the year but had spent only 61 percent of personnel budget, 55 percent of the contracts budget, and 53 percent of the "other" budget, for a total of 57 percent. This is not concerning. We are sure we will catch up because of increasing case filings. Since July this fiscal year there has been a significant increase in filings over the previous year; and last year had a significant increase over the immediately preceding year.

We are 7 months into this fiscal year, and we already have 141 cases more than last year. Commissioners discussed whether the increase in cases is across the board or more from the Governor's CARA Directive.

Director Gillia asked the Commission to strategize with staff about recruiting members of the private bar to do a small number of cases to help us reduce large caseloads and avoid having attorneys driving long distances to represent clients. The Commission discussed ways to spread the word about the need for attorneys. Commissioner Corica will work on talking to places about working on our cases.

At this point in the year, we are anticipating a reversion of $150,000 from a $14 million budget.

FY27 Budget
The FY27 budget (July 1, 2026 – June 30, 2027) is $16,134,812.00, including:

- State General Funds,
- Federal IV-E reimbursements (called transfer funds),
- the final year of GRO funding ($2,062,500), and
- $120,000 for equipment and supplies.

The Director will have to lobby hard to ensure the GRO funding becomes part of OFRA's base budget. This funding was designed as seed or pilot funding to test the efficacy of our Interdisciplinary Services model. These funds account for a substantial part of our services. If these funds go away, it will be difficult to operate as the statute intends. Our performance data is strong; we met our performance measures. The Legislative Finance Committee was positive about our efforts, so we're on target and hopeful about continued funding.

Audit
The audit was completed successfully. The audit of our state funds was completed in December and resulted in one finding, which Director Gillia reported at the last meeting. The Federal Audit was delayed due to delays in getting guidance from Federal Government. Once the federal audit closed, we received the best rating possible, called an unmodified audit.

ADA Audit of Website
We are anticipating some problems in the ADA Audit of our website, particularly related to the accessibility of our website for people with vision impairments (in large part because of challenging federal requirements).We are having key documents translated into Spanish and are working to include other languages.

Employee policies
Covers multiple sections in a 150-page document.

Convening, Public Art and Reunification Celebrations
Casey Family Foundation has agreed to sponsor a convening in June 2026. Planning is underway. We'll report more in future meetings.

We received funding from the Department of Cultural Affairs for public art and have picked nine pieces of wall art.

We held our first Reunification Celebration and will be holding one celebration quarterly. The next is scheduled for March 23, 2026.

Case Management System
We have contracted with someone to map our business processes and needs. The contractor works with the leadership team on every step of a case and works on data points we need to collect. She is preparing us for an upcoming Request for Information, so we can better understand what's available, what would need to be custom-designed, and what the cost is likely to be. Once we complete the RFI process, we will go through DOIT's C2 process to request funding to purchase a system.

X. Other Business—none.

XI. Adjournment of Meeting

Commissioner Conley moved to adjourn, and Commissioner Bernie Lopez seconded. The motion passed unanimously, and the meeting adjourned at 4:40pm.