

**State of New Mexico**  
**OFFICE OF FAMILY REPRESENTATION AND ADVOCACY**

**MICHELLE LUJAN GRISHAM**  
GOVERNOR

**HOWIE MORALES**  
LT. GOVERNOR



**BETH A. GILLIA**  
EXECUTIVE DIRECTOR

**FARRA FONG**  
DEPUTY DIRECTOR

**LISA FITTING**  
DEPUTY DIRECTOR

**OFRA Commission Hybrid Meeting**  
**June 24, 2026, 3:00 PM -5:00 PM**  
**APPROVED Minutes**

**Members in Attendance**

Chair Tim Flynn-O'Brien, Retired Civil Rights and Tort Attorney – in person  
Vice Chair John Davis, Retired Judge, 13<sup>th</sup> Judicial District – virtual  
Beth Gillia, OFRA Executive Director – in person  
Pamelya Herndon, NM House of Representatives, District 28 – virtual  
Cristen Conley, Director of Corinne Wolfe Center for Child and Family Justice – in person  
Alison Pauk, CIP Director, NM Administrative Office of the Courts – in person  
Bernie Lopez, Parent Advocate – in person  
Mary Nienow, Director and Associate Professor School of Social Work, NMSU – virtual  
Pamela Pierce, CEO Silver Bullet Productions  
Elena Giacci, Trainer and Advocate – virtual  
Linda Lopez, NM State Senate, District 11 – virtual

**Members Absent**

Monica Corica, Civil Legal Services Attorney  
Joanna DeLaney, Youth Member  
Abbigale Martinez, Youth member

**I. Call to Order/Welcome.** Chair Flynn-O'Brien called the meeting to order at 11:10am

**II. Announcements (Informational).** None

**III. Adoption of Agenda.** Commissioner Conley moved to adopt the agenda, Commissioner Linda Lopez seconded the motion. No objections, agenda adopted.

**IV. Approval of Minutes from February and April Meetings.** Vice Chair Davis moved and Commissioner Conley seconded; February minutes approved.

Commissioner Linda Lopez moved and Commissioner Conley seconded, April minutes approved.

**V. Executive Director Search.** Commissioner Conley, chair of the Search Committee, shared that three candidates applied for the Executive Director position. The Search Committee is meeting immediately after the Commission meeting to review interview and set interview dates. The Commission discussed the hiring process generally and Commissioner asked for an additional member to join the search committee to take former Commissioner Corica's place. Commissioner Herndon agreed to join the search committee.

**VI. OFRA Rulemaking Proposal.** Director Gillia requested that the Commission vote on whether to proceed with the rulemaking process related to its first draft rule (which would establish a formal Rulemaking process in Title 8, Chapter 7, Part 2). Director Gillia described the process for considering this proposed rule: two commissioners would hold a hearing to take public comment. Written comments would also be accepted. After the hearing, OFRA staff will draft a brief report summarizing public comment and making recommendations about whether to modify the draft rule based on the public comment. If the Commission adopts the Rule after public hearing, OFRA staff will complete the administrative needed to include the Rule in the NM Administrative Code.

During discussion Chair Flynn-O'Brien suggested changing 8.7.2.12 to require a record as opposed to a transcript of the oral comments, which could be made available on the OFRA website. After discussion, Commissioner Conley moved that: (1) 8.7.2.12 be modified to require that a recording of the public hearing be made available to the Commission before it voted on a rule, in addition to a summary of the public comment; and (2) that 8.7.2.15 B be modified to clarify that records and materials incorporated by reference in the proposed rule shall be readily available for public inspection at the central office of the agency and available for public display on the State Sunshine portal. All Commissioners voted in favor of the motion.

Chair Flynn-O'Brien asked for two commissioners willing to hold the public rulemaking hearing and then report back at the next following Commission meeting. Davis and Commissioner Linda Lopez expressed interest in holding the public hearing.

## **VII. Director's Report**

Director Gillia reported on recent **staffing changes**, including the hiring of a third social worker, a sixth Family Peer Support Navigator (FPSN), and a fifth staff attorney, as well as the departure of staff attorneys (two of whom have become OFRA contractors with full caseloads). The Director also announced the creation of a new FPSN lead position that will help with onboarding, training, and coaching new navigators. She also mentioned that OFRA's Chief Information Officer (CIO), Chris Sparno, would be retiring at the end of June. A new CIO, Tim Struck, has been selected and will start on July 6<sup>th</sup>.

## **Budget-**

Director Gillia briefly discussed the end-of-year budget cycle. She thanked OFRA's Chief

Financial Officer, Vicente Ortiz, and Financial Specialist, Alex Sanchez, for the outstanding job they have done in the last year improving our fiscal monitoring, internal controls, and projections. Director Gillia indicated that OFRA's final actual expenditures are not yet known but that we may have a small deficiency at the end of the year because the rate of Title IV-E reimbursement has significantly decreased. With these lower levels of reimbursement, OFRA is unlikely to collect the full amount budgeted by the Legislature. Even with close monitoring and curtailment of spending, including stopping work on non-attorney contracts, we expect a deficiency.

### **Case Management System-**

OFRA has been working for years to obtain a system to manage cases and data in a more efficient way. Over the last year, we have worked with a contractor to better understand our business processes and needs. After identifying these, we issued a national Request for Information (RFI) to identify any already existing systems that might meet our needs and to develop a better sense of the cost. The RFI will inform our C2 Budget Request (a special budget process for IT projects). If the C2 request is approved by DoIT and then the legislature, we will go to RFP in FY28 to secure a case management system.

### **Complaints Report-**

Director Gillia described OFRA's process for receiving complaints and our process for reviewing, investigating, and resolving the complaints we receive. She also provided data about (1) the number and type of complaints received from July 1, 2024 through May 19, 2026, (2) the roles of those making complaints, (3) the roles of those who received complaints, and (4) how the complaints have been resolved (including taking no action when no improper or inadequate performance has been found, to terminating contracts, not renewing contracts, reducing contractor caseloads, allowing withdrawal and substitution, requiring coaching and training, and requiring a period with no further complaints). She noted that when the subject of a complaint hasn't performed consistently with expectations established in our practice manual and in our contracts, OFRA provides a detailed written response and has sometimes met with the person to provide more detailed information about the resolution of the complaint. A brief letter is also sent to the complainant explaining how the matter was resolved. When the complainant has not fully understood the role of the attorney, the letter will include educational about the role of the attorney.

OFRA received 56 individual complaints, all against attorneys. Of these, 51 were against contract attorneys, and complaints against 6 attorneys accounted for 54% of all complaints. Foster parents and parents/respondents filed most of the complaints.

The complaints can be grouped into four major areas: failure to communicate, failure to visit a child in placement, failure to advocate for the best interests of the child, and failure to provide adequate counsel.

Discussion about the complaints was animated and there was considerable interest in the role of the Guardian ad Litem, especially as it relates to the foster parents and the Guardian

ad Litem's need to make an independent assessment of the best interests of the child. Chair Flynn-O'Brien suggested putting the topic of the role of the Guardian ad Litem on the agenda for a later meeting.

### **VIII. OFRA Commission Retreat**

Chair Flynn-O'Brien discussed the possibility of having a half-day, in-person Commission Retreat with a facilitator to (1) learn about the child welfare process/system, the Open Meetings Act, and the Inspection of Public Records Act, and (2) review Commissioner duties and obligations. Commissioner Bernie Lopez moved to have a 4-hour retreat, Commissioner Conley seconded the motion to have a retreat for the commissioners. No discussion. A roll call vote was taken and the motion passed:

Commissioner Conley – yes  
Vice Chair Davis – yes  
Chair Flynn-O'Brien – yes  
Commissioner Giacci – yes  
Commissioner Herndon – yes  
Commissioner Bernie Lopez – yes  
Commissioner Linda Lopez – not present for vote  
Commissioner Nienow – yes  
Commissioner Pauk – yes  
Commissioner Pierce – abstained

### **IX. Public Input**

Public input was given by a number of virtual attendees; the topic of their comments largely focused on the role of the Guardian ad Litem and attorney performance, though there were some questions about how the public can communicate directly with the Commission.

Chair Flynn-O'Brien explained that emails to the Commission email address are forwarded to all Commissioners without comment or review by OFRA staff.

**X. Adjournment of Meeting.** Commissioner Bernie Lopez moved to adjourn, and Commissioner Giacci seconded. The motion passed unanimously. The meeting adjourned at 1:26pm.