



Office of Family Representation and Advocacy Commission

August 26, 2024 Meeting on Zoom

Notes Prepared September 5, 2024

Approved October 28, 2024

Roll Call

Members in Attendance

Chair Monica Zamora, Retired Judge, Court of Appeals
Vice Chair Judge John F. Davis, Retired Judge, 13th Judicial District
Ms. Monica R. Corica, JD, Civil Legal Services Attorney
Hectar Diaz, Ph.D, NMSU School of Social Work
Tim Flynn-O'Brien, JD, Retired Civil Rights and Tort Attorney
Elena Giacci, Trainer and Advocate
Alison Pauk, JD, CCIC Director, NM Administrative Office of the Courts
Beth Gillia, JD, Executive Director
Joanna DeLaney – Youth
Mary Nienow, PhD, NMSU School of Social Work

Members Absent

Representative Gail Chasey, JD, NM House of Representatives, District 18
Bernie Lopez, Parent Advocate
Senator Linda Lopez, NM State Senate, District 11
Pamela Pierce, JD, CEO Silver Bullet Productions

I. Call to Order/Welcome

Judge Monica Zamora, Commission chair, called the meeting to order at 3:32pm.

II. Announcements (Informational)

Dr. Mary Nienow, Director of NMSU School of Social Work, was introduced as a new Commissioner, taking over the seat occupied by Dr. Diaz.

Director Gillia announced that she met with Senator Linda Lopez about possible changes to OFRA's enabling statute that will be pursued in the next legislative session, including, for example establishing rule making authority and extending student loan forgiveness to include OFRA's attorneys, among other things.

III. Adoption of Agenda

John Davis moved, and Monica Corica seconded the motion to adopt the agenda. The agenda was adopted.

IV. Public Input

There was no public input.

V. Approval of the June 24, 2024, Meeting Minutes

Monica Corica moved, and Tim Flynn-O'brien seconded the motion to approve the June 24, 2024, Meeting Minutes. There were no objections. The Minutes were approved.

VI. FY24-FY26 Budget

FY24 Budget

At the time of the meeting, the FY24 ledger had not closed yet, so discussion of final FY24 finances was premature. It is clear that OFRA will have a reversion, but the amount is not yet known. One bit of good news: OFRA was budgeted \$1.5 million in Title IV-E funds, but collected over \$2M, so cleared over \$500,000 more than expected, even with a reversion.

Preparation for the FY24 audit is underway and OFRA leadership is communicating regularly with the auditor to ensure the audit will go smoothly.

FY25 Budget

Director Gillia explained the Balance Summary Sheets (see attachment), explaining that the *Original Budget Summary* demonstrates the funds authorized and appropriated by the legislature. The *FY25 Budget Summary with BARS* shows how we have adjusted the original budget, moving funding from the 200s category (personnel) and 400s (all expenses other than personnel and contracts) to cover the cost of all contracts, the bulk of which are contracts with attorneys.

Director Gillia also reviewed OFRA's different funding streams: state general funds, transfers from CYFD of federal Title IV-E funds, Z code funds (one time funding), and Gro funding (temporary funding for promising programs).

Across funding streams, the Legislature appropriated and authorized a total of \$13,858,300 for use in FY25. After adjusting the budget to ensure adequate funding for contract attorneys, our FY25 budget can be summarized by funding source:

- **State General Funds** (recurring, one time, and Gro Funds): **\$10,648,200**
- **Interagency Transfers** (Federal IV-E reimbursements): **\$3,210,100**.

The budget can also be summarized by type of expenditure:

- **Personnel: \$3,598,571.38**
- **Contracts: \$9,311,343.60**
- **All other expenses: \$948,385.05**

Director Gillia reviewed our staffing expectations for FY25, explaining that we filled 21 of 49 authorized positions in FY24 and expect to have 37.9 positions filled by end of FY25, with 33.9 positions in Albuquerque, and 4 in Las Cruces. These positions will balance our need for administrative support and legal team staff who will work directly with clients.

Director Gillia and the Commissioners then discussed other expenses (IT, software, case management/data collection systems, evaluation supports, social work supports for staff wellness and case consultation, expert witnesses, translators and interpreters, rent, and more).

The Commissioners and Director Gillia then had a robust conversation about programmatic matters, including the role of the Access Coordinator, where staff meet clients, managing safety risks and preparation for meetings in the community, the audit, caseloads, training, confidentiality, and much more.

FY26 Budget Request

Director Gillia asked the Commission to approve a budget of approximately \$17,250,858.83, which is about 19% more than we are spending this year. The requested budget will:

- Reduce the cost of contract attorneys because we are prioritizing hiring,
- will fund the Albuquerque office and an office in Las Cruces office, and
- increase staffing to as many as 52 positions (total of 49 authorized positions plus 3 in an expansion request), and
- increase staff-related expenses (expanded training, conference fees, travel expenses to oversee Las Cruces office, expanded technology costs, etc.).

We are also requesting separate expansion funds for a pre-petition consultation program in four counties. We are seeking a full-time Social Worker, Family Peer Support Navigator, and Attorney for people being investigated by CYFD in Las Cruces, Roswell, Farmington, and Albuquerque. We expect to serve 900 clients in these counties over the course of the year. If this prevention program is funded, the attorney will consult regarding legal issues that place the family at risk of having their children removed. The attorney will identify legal issues and make appropriate referrals to help resolve identified issues in order to keep children out of state custody. The social worker will do a similar consultation for social issues facing the family and make appropriate referrals. The navigator will help the family members follow through on referrals by making warm handoffs and providing support.

The FY26 budget request falls into the following categories:

- **200s/Salaries: \$5,846,500.60.**
- **300s/Contracts: \$8,548,557**
- **400s /All other expenses: \$639,551.23.**

John Davis moved to approve the FY26 budget request, and Elena G. seconded the motion. All Commissioners voted in favor with no opposition. The FY26 budget request was approved.

VII. FY24 Annual Report

This conversation was deferred to the next meeting.

VIII. Next Scheduled Meeting

Our next scheduled meeting is October 28, 2024.

IX. Other Business

There was no other business.

X. Adjournment of Meeting

Tim Flynn O'brien moved, and Alison Pauk seconded the motion to adjourn; the motion was approved. The meeting adjourned at 5:08pm