



## Office of Family Representation and Advocacy Commission February 26, 2024

### Revised and Approved Minutes

(These minutes were revised and approved by the Commission at its April 22, 2024 meeting.)

#### Roll Call

##### Members in Attendance:

Chair Monica Zamora, Retired Judge, Court of Appeals  
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  
Bernie Lopez, Parent Advocate  
Senator Linda Lopez, NM State Senate, District 11  
Beth Gillia, JD, Executive Director

##### Members Absent

Representative Gail Chasey, JD, NM House of Representatives, District 18  
Vice Chair Judge John F. Davis, Retired Judge, 13<sup>th</sup> Judicial District  
Pamela Pierce, JD, CEO Silver Bullet Productions

##### OFRA

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

#### I. Call to Order/Welcome

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

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

Director Gillia introduced two new OFRA staff attorneys, Jazzai Jimerson and Kenneth Detro.

## **III. Adoption of Agenda**

Tim Flynn-O'Brien 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 December 18, 2023, Meeting Minutes**

Tim Flynn-O'Brien moved and Senator Linda Lopez seconded the motion to approve the December 18, 2023, Meeting Minutes. There were no objections. The Minutes were approved.

## **VI. OFRA Spotlight**

Each Commission meeting, Director Gillia will introduce and highlight the work of an OFRA employee, contractor, service provider or somebody connected to OFRA, beginning with OFRA's Interdisciplinary Services Division Director, Stacie Ortiz. Ms. Ortiz is a licensed, Masters level Social Worker with a background in licensing treatment foster families, juvenile justice, behavioral health, and as a care coordinator for Blue Cross Blue Shield. All of these experiences are directly relevant and valuable to our clients, but her experience at a managed care organization (MCO) makes her a tremendous asset because she really understands what services are available in our state for our clients.

In the short time that Ms. Ortiz has been with OFRA, she has become a key member of our leadership team. She knows how to work with people. She knows how to build teams; she's a great trainer. In a new environment, filled with lawyers, she didn't hesitate to dive in. She would sit and listen and if something came up, she would raise her hand and add something insightful and forthright.

In addition to carrying a small caseload of clients, Ms. Ortiz' top three priorities for this year are building a strong team of social workers and family peer support navigators for families, which she's doing. The second is to develop meaningful relationships with community partners and educate others about OFRA through community outreach, and she has been doing a tremendous amount of this. Ms. Ortiz and Director Gillia have held meetings with all kinds of partner organizations from MCOs to volunteers, the substitute advisory council, universities (for pipelining and recruitment). She has reached out without hesitation and has embraced who OFRA is and is a terrific ambassador to all of these entities for us. Her third priority is to create a social work internship program, which is now well on its way with both Highlands and NMSU. We anticipate that we'll have master's level social work students starting in the Fall, which we're really excited about.

When preparing for this spotlight, Director Gillia asked Ms. Ortiz for an observation from her time at OFRA and this is what she wrote: "This is one of the strongest and most cohesive leadership teams I've ever worked with during my career. The level of commitment and compassion for the families we serve is remarkable." The entire leadership team feels the same about her as well.

Chairperson Zamora thanked Ms. Ortiz for her energy, motivation, and drive to move things forward. She also highlighted the importance of the internships, which she described as a win for both OFRA and for the students. Chairperson Zamora thanked Ms. Ortiz for recognizing the leadership in OFRA, because the attitude of upper management trickles down and it looks like that's what making this a positive organization that's going to move things forward in the area of child welfare.

Commissioner Lopez suggested that OFRA put Stacie's comments on our website somewhere because it sounds promising to the people OFRA is helping. OFRA agreed to find a spot on the website for this comment.

## **VII. Educational Component: Cornerstone Advocacy**

Director Gillia introduced Leslie Jones, Legal Services Director to introduce Cornerstone Advocacy, which is one of the two fundamental components of our practice model. The other component is Interdisciplinary Legal Services (or a legal team that includes a lawyer, social worker, and family peer support navigator).

Ms. Jones described Cornerstone Advocacy as a model of representation that was developed by the Center for Family Representation (CFR), a private non-profit law firm in New York City. Cornerstone Advocacy is an approach that successfully promotes safe and lasting reunification by focusing on Visiting, Placement, Services, and Conferences, especially in the first 60 days of a case. .

For details, see Ms. Jones' PowerPoint presentation, which is attached.

Chairperson Zamora, Commissioner Flynn-O'Brien, and others expressed a great deal of support and enthusiasm for the model's trauma-informed approach , the emphasis on a child's sense of time, the focus on understanding each client's needs, strengths, and goals, the recognition of the importance of the family, and the need for lawyers to act like lawyers, which this model encourages.

Ms. Jones and other members of the OFRA team had a robust conversation with the Commissioners about:

- conferencing and confidentiality,
- whether information shared in out-of-court conferences could be used against families,
- how clients will be protected by OFRA's interdisciplinary staff in meetings that are not attended by attorneys,
- how this model would work in regions where services are limited,
- how mandatory reporting works for the interdisciplinary legal teams,
- when ICWA representatives might participate in meetings,
- when and how culturally appropriate services will be accessed for Native American clients,
- the importance of OFRA attorneys understanding and arguing that poverty is not the same thing as neglect and advocating for services and concrete supports that address poverty and allow children to be returned home, and

- how each OFRA attorney represents their individual client’s position, and if the client is under 14, their best interests. (Not all OFRA attorneys will take the same position in the same case; it will depend on the goals of each client.)

## **VIII. Director’s Report**

See attached Director’s Report for details of Director Gillia’s report to the Commission.

Commissioner Giacci and others mentioned having difficulties trying to log on to their OFRA email accounts. Director Beth Gillia suggested that OFRA’s CIO Chris Sparno would invite all Commissioners to a troubleshooting/training session for any or all Commissioners to address email issues.

Director Gillia discussed the FY25 budget, which appropriates approximately 14 million dollars or \$1.5M more than was budgeted in FY24. This will allow OFRA to continue to expand, continue to hire, open two offices, and launch the Interdisciplinary Services Model in Albuquerque and Las Cruces. Director Gillia is optimistic, even though the budget is not what was hoped for. She reported that the Legislature overestimated the amount of Title IV-E funds OFRA is likely to receive, so she’s working with Theresa Benavidez, Lisa Fitting, and our counterparts at CYFD to maximize this funding. CYFD is very open and flexible about what and how we invoice. Invoices for the first two quarters have been submitted and OFRA has received just under \$900,000. The third and fourth invoices should be substantially higher.

The Commission then asked about state, federal and private grants. Director Gillia reported that she had applied for one small grant from the Children’s Trust Fund. Although the Trust Fund had expressed great interest, they thought that other funding sources of money would be more appropriate. Director Gillia monitors all the Federal Grant opportunities on a regular basis, and gets updates. She noted some potential grant opportunities in the federal forecast; she is monitoring their release. The Deputy Director will help with grant writing when she comes on board. Director Gillia also reiterated that she’s somewhat hesitant to write grant proposals this year because grants often don’t fund core activities, they fund extra activities. She explained the importance of focusing on core functionality, infrastructure, implementation of OFRA’s model, and developing operational expertise and excellence in OFRA’s first year. She is keeping an eye out for grants that align with the core mission and the core activities of the agency.

Commissioner Corica reflected that grants can serve an additional purpose: raising the agency’s profile with legislators and others highlighting its good work. Director Gillia agreed and remarked that she had an interesting conversation with some of her counterparts in other states about how to build relationships with the media and legislators. She agreed that grants are another way of building knowledge and recognition.

## **IX. Committee Reports**

- **DEI Committee**

Chairperson Zamora reported on the DEI Committee’s process. At the December meeting, Commissioner Giacci circulated her final proposed final draft of the DEI policy. Commissioner Flynn-O’Brien provided feedback to the draft and subsequently joined the DEI Committee. The

Committee met again and Commissioner Giacci stepped down as one of the Co-Chairs on that committee. Chairperson Zamora will Co-Chair with Commissioner Bernie Lopez. The Committee will meet on March 25<sup>th</sup> to finalize what has been circulated, not only the December 18<sup>th</sup> draft, but comments that have been provided by Commissioners. The goal is to finalize the Policy at the next Commission meeting.

Senator Lopez inquired about why Commissioner Giacci stepped down as Co-Chair of the DEI Committee. Commissioner Giacci explained that there a difference of opinion about how the policy should be written. She believes the Committee did a thorough exploration of the issues and created a very rich piece that they could all be proud of. Others thought it should be much more concise. Because of the difference of opinion about the approach, Commissioner Giacci thought she was no longer the best person to serve in that role with the new approach.

Judge Monica Zamora responded and explained her concern that the longer policy document blended policy and procedure in a way that “stepped into OFRA’s realm” inappropriately.

- **Governance Committee**

Chairperson Zamora suggested that the Governance Committee be reinstated to create a process for addressing complaints that may be made about the Executive Director. Vice-Chairperson Davis, Commissioners Flynn-O’Brien and Giacci have agreed to serve on this Committee. Others are welcome to join.

#### **X. New Committees**

- **Frequently Asked Questions Committee**

Chairperson Zamora suggested that the OFRA website have a section for Frequently Asked Questions. This could be used to respond to myths about OFRA’s model, myths about the child and family welfare system generally, how OFRA works, who is entitled to counsel, and more. New questions and answer would be posted whenever a new issue arises. We could start with questions and answers about why and how OFRA requires attorneys to represent parents and children. The Frequently Asked Questions Committee will just be on an as needed basis as issues/questions come up.

#### **XI. Open Meetings Act 2024 Resolution**

Judge Monica Zamora suggested that the Open Meetings Act Resolution should remain the same as in 2023 because the Commission was not making any changes to its schedule or approach to meetings.

Alison Pauk moved, and Monica Corica seconded the motion to approve the terms of the Resolution to meet in the even months as the Commission had been doing. The terms of the Resolution have been approved and the Chairperson and Vice Chairperson Davis will sign the 2024 Resolution.

#### **XII. Update on Youth Representation**

Chairperson Zamora reported that Joanna Delaney is still interested in being a youth Commissioner and that she had submitted her beautifully written letter of interest on the day of the meeting. Chairperson Zamora will submit the letter to the Chief Justice to make the appointment.

### **XIII. Next Scheduled Meeting**

Our next scheduled meeting is April 22. The Commission discussed the possibility of meeting in person for a Special Meeting in May. Chairperson Zamora will have Kathy Garcia contact the Commissioners about possible dates.

### **XIV. Other Business**

Senator Lopez thanked Director Gillia for all the phenomenal work being done by OFRA and encouraged them to keep it up. Director Gillia thanked Senator Lopez and acknowledged the dedication and great teamwork of all of OFRA's staff

There was no other business.

### **XV. Adjournment of Meeting**

Senator Linda Lopez moved and Elena Giacci seconded the motion to adjourn; the motion was approved. The meeting adjourned at 5:23pm.