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**Office of Ombudsperson for Families**

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**AT A GLANCE**

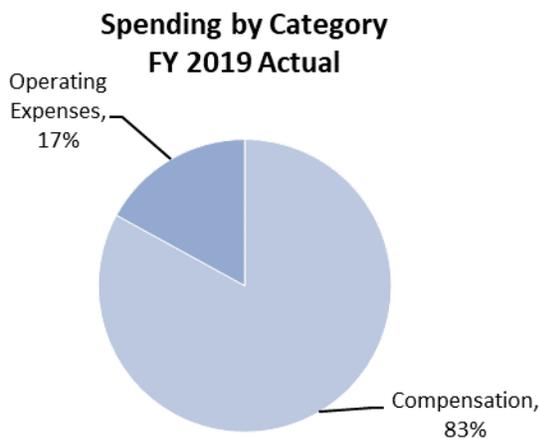
- In 2018, Minnesota’s child population was 1,302,615. Of the total child population, 38,872 children were alleged victims of child maltreatment.
- Minnesota ranked #4 in the nation in overall child well-being (2019 KIDS COUNT Data Book). For the first time since 2010, Minnesota saw an overall reduction in the number of children experiencing out-of-home-care, by 0.6% from 2017 to 2018. However, recent increases in children involved in child protection and a growing drug epidemic are contributing to more children staying in care longer. The rates of children experiencing out-of-home care have increased only for those who identify as two or more races. Rates for American Indian, African American/black, and white children have decreased; the rate for Asian/Pacific Islander children remained the same. American Indian children were 18.2 times more likely, African American children were more than 2.9 times, and those identified as two or more races were 5.1 times more likely than white children to experience care, based on Minnesota population estimates from 2017 (Minnesota’s Out-of-home Care and Permanency Report, 2018).
- For FY 2019, approximately 94% of the Agency’s spending is budgeted from the General Fund and 6% from the Special Revenue Fund.
- Four full-time Ombudspersons operate independently, but in collaboration with the Minnesota Indian Affairs Council, Council for Minnesotans of African Heritage, Council on Asian-Pacific Minnesotans, and the Minnesota Council on Latino Affairs. Each Council appoints a volunteer community-specific board that is advisory to the Ombudspersons.

**PURPOSE**

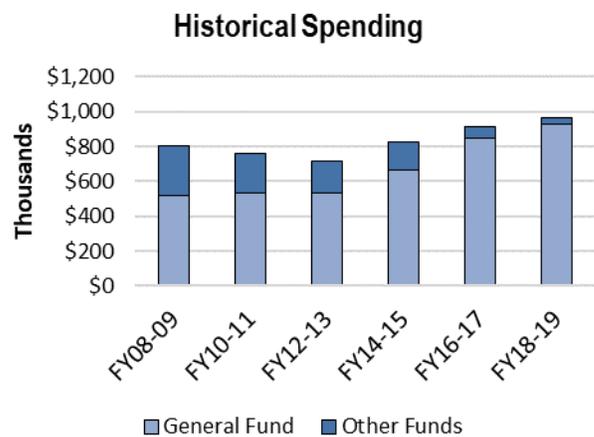
The Office of Ombudsperson for Families (OBFF) is an independent state agency whose goals are: (1) to reduce racial and ethnic disparities and disproportionality in Minnesota’s child welfare system; (2) to improve outcomes for children and their families involved in child protection cases; (3) to ensure that all laws governing the protection of children and their families are implemented in a culturally and linguistically competent manner; and (4) to ensure that laws protecting children and families are adhered to in decision-making processes. We work to resolve complaints from families who have been negatively impacted by child welfare social service agencies.

Our mission is to ensure that children and families are protected by law in all child placement proceedings conducted by public and private agencies and organizations.

**BUDGET**



Source: Budget Planning & Analysis System (BPAS)



Source: Consolidated Fund Statement

## Characteristics of Children in Out-Of-Home Care

Number and percentage by race/ethnicity of children in care in 2017 and 2018

<i>Race/Ethnicity</i>	<i>2017 Enterers</i>	<i>2017 %</i>	<i>2017 Continuers</i>	<i>2017 %</i>	<i>2018 Enterers</i>	<i>2018 %</i>	<i>2018 Continuers</i>	<i>2018 %</i>
African American/Black	1,374	18.4 %	1,390	14.8%	1,127	16.7%	1,625	16.1%
American Indian	1,240	16.6%	2,269	24.1%	1,031	15.3%	2,434	24.2%
Asian Pacific Islander	150	2.0%	199	2.1%	150	2.2%	202	2.0%
Two or more races	1,076	14.4%	1,468	15.6%	1,088	16.1%	1,617	16.1%
Unknown/declined	176	2.4%	97	1.0%	195	2.9%	109	1.1%
White*	3,466	46.3%	3,990	42.4%	3,150	46.7%	4,083	40.5%
<b>Total</b>	<b>7,482</b>	<b>100%</b>	<b>9,413</b>	<b>100%</b>	<b>6,741</b>	<b>100%</b>	<b>10,070</b>	<b>100%</b>
Hispanic (any race)	772	10.3%	886	9.4%	693	10.3%	996	9.9%

Source: Minnesota Department of Human Services

\*White children remain the largest group, both entering and continuing in care in 2018, accounting for 46.7% of enterers and 40.5% of continuers. African American/Black children comprised the second largest number and percentage of enterers, at 16.7%, and American Indian comprised the second largest group of continuers, at 24.2%.

## STRATEGIES

To accomplish its mission, OBFF uses the following strategies:

- **Investigation** - Through case investigations, the Ombudspersons make recommendations on cases regarding non-compliance with state or federal laws and policies. These cases include, but are not limited to: possible bias, discrimination, lack of culturally appropriate services, and inadequate linguistic and cultural sensitivity.
- **Taking Complaints** - Complaints include a person making a specific claim against a county child welfare agency, or its agent; a public or private child placing agency, or its agent; the courts; the Guardian Ad Litem Program; and others. A person may call to complain about current laws, policies, and practices.

Specific examples of types of complaints include, but are not limited to the following: Violations of the Indian Child Welfare Act; children are not placed with their families or relatives; relatives and families are not being considered for permanency placement; no transportation to visitations; cannot get into treatment in a timely manner; inadequate housing; lack of understanding of the court process/system; the public defender (parents' attorney) not being helpful; and the child protection workers' lack of cultural sensitivity. [Note: OBFF does not provide direct services or programs, nor do the Ombudspersons have enforcement over their recommendations.]

- **Monitoring** – (a) Monitor agency compliance with all laws governing child protection and placement that impact children of color and American Indian children; (b) document and monitor court activities in order to heighten awareness of diverse belief systems and family relationships; (c) ensure experts from the appropriate community of color, including tribal advocates, are used as court advocates and are consulted in placement decisions that involve children of color and American Indian children; (d) ensure Guardians ad Litem and other individuals from communities of color and American Indian are used in court proceedings to advocate on behalf of children of color and American Indian children; and (e) provide training programs for bilingual workers.

- Public Policy Development** - Through public policy development, the Ombudspersons work to effect policy changes when current policies do not reflect best practices. Examples of some of the initiatives on which the Ombudspersons have worked include: Minnesota Supreme Court Children’s Justice Initiative (CJI); Minnesota Department of Human Services Children’s Justice Act (CJA) Task Force; Minnesota Child Welfare Training System (MNCWTS); Ramsey County Citizen Advisory Panel; and Hennepin County Child Protection Task Force. These initiatives and task forces have had an ongoing and positive impact on reducing racial disparities and disproportionality in child welfare; and improving outcomes for children and their families involved in child protection cases.

## RESULTS

<i>Name of Measure</i>	<i>2017 Report</i>	<i>2018 Report</i>	<i>2019 Report</i>
Complaints and Inquiries received*	2,290	2,439	2,586
Consultations/resolutions	918	879	1,068
Investigations	111	131	122

\*This measure tracks the number of calls/complaints to OBFF to make inquiries, to lodge a complaint, or request information about the child protection system and how to navigate it.

Governor Mark Dayton’s Task Force on the Protection of Children met from September 2014 through March 2015 and developed 93 recommendations for improvements to the State of Minnesota’s Child Protection System. The Minnesota Legislature quickly acted on several of the Task Force’s recommendations, which resulted in an increased number of cases being screened in at the county level. According to the 2016 Department of Human Services Out-of-home Care and Permanency Report Summary, there has been an increase of over 15,000 reports received annually.

Additional statistics calculated that screened-out reports decreased from 70.3% in 2014 to 67.5% in 2015. This means that an additional 3% of reports were screened-in for assessment or investigation.

All of the changes put forth by the Minnesota Legislature and the Task Force affected greatly the number of telephone calls and complaints to the OBFF, which is illustrated in the above graph. Due to the increase, the OBFF provided more consultations and case resolutions to complainants, as well as the number of Child in Need of Protection or Services (CHIPS) cases that were investigated. The statewide ripple effect of the increases in calls have affected the social services agencies, the courts, the state Guardian ad Litem Program, other major stakeholders, and OBFF itself. For instance, the number one reason for the call volume increase is parental drug abuse followed by alleged neglect, respectively, 2,091 (27.1%) and 1,894 (24.5%). (Minnesota’s Out-of-home Care and Permanency Report, 2016).

In addition, on January 1, 2015, the Northstar Care for Children law took effect. This new law consolidated and simplified three child welfare programs: Family Foster Care, Kinship Assistance (which replaced Relative Custody Assistance), and Adoption Assistance to support families caring for children who must be removed from the home for reasons of child protection, delinquency or disability. This also resulted in an increased number of telephone calls to OBFF.

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M.S. 257.0755 (<https://www.revisor.mn.gov/statutes/?id=257.0755>) provides the legal authority for the Office of Ombudsperson for Families

# Ombudsperson for Families

# Agency Expenditure Overview

(Dollars in Thousands)

	Actual FY18	Actual FY19	Actual FY20	Estimate FY21	Forecast Base		Governor's Recommendation	
					FY22	FY23	FY22	FY23

## Expenditures by Fund

1000 - General	454	472	621	816	723	723	733	744
2001 - Other Misc Special Revenue	5	36	0					
<b>Total</b>	<b>460</b>	<b>508</b>	<b>621</b>	<b>816</b>	<b>723</b>	<b>723</b>	<b>733</b>	<b>744</b>
Biennial Change				470		9		40
Biennial % Change				49		1		3
Governor's Change from Base								31
Governor's % Change from Base								2

## Expenditures by Program

Ombudspersons for Families	460	508	621	816	723	723	733	744
<b>Total</b>	<b>460</b>	<b>508</b>	<b>621</b>	<b>816</b>	<b>723</b>	<b>723</b>	<b>733</b>	<b>744</b>

## Expenditures by Category

Compensation	372	421	423	452	521	525	531	546
Operating Expenses	85	87	189	360	198	194	198	194
Other Financial Transaction	3		9	4	4	4	4	4
<b>Total</b>	<b>460</b>	<b>508</b>	<b>621</b>	<b>816</b>	<b>723</b>	<b>723</b>	<b>733</b>	<b>744</b>

## Full-Time Equivalent

	4.50	5.00	4.81	4.80	6.00	6.00	6.00	6.00
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(Dollars in Thousands)

	Actual FY18	Actual FY19	Actual FY20	Estimate FY21	Forecast Base		Governor's Recommendation	
					FY22	FY23	FY22	FY23
<b>1000 - General</b>								
Balance Forward In		6		93				
Direct Appropriation	460	466	714	723	723	723	733	744
Cancellations		0						
Balance Forward Out	6		93					
<b>Expenditures</b>	<b>454</b>	<b>472</b>	<b>621</b>	<b>816</b>	<b>723</b>	<b>723</b>	<b>733</b>	<b>744</b>
Biennial Change in Expenditures				511		9		40
Biennial % Change in Expenditures				55		1		3
Governor's Change from Base								31
Governor's % Change from Base								2
Full-Time Equivalents	4.50	5.00	4.81	4.80	6.00	6.00	6.00	6.00

**2001 - Other Misc Special Revenue**

Balance Forward In	234	321	378	470	562	654	562	654
Transfers In	92	92	92	92	92	92	92	92
Balance Forward Out	321	378	470	562	654	746	654	746
<b>Expenditures</b>	<b>5</b>	<b>36</b>	<b>0</b>					
Biennial Change in Expenditures				(41)		0		0
Biennial % Change in Expenditures				(100)				
Governor's Change from Base								0
Governor's % Change from Base								

(Dollars in Thousands)

	FY21	FY22	FY23	Biennium 2022-23
<b>Direct</b>				
<b>Fund: 1000 - General</b>				
FY2021 Appropriations	723	723	723	1,446
Forecast Base	723	723	723	1,446
Change Items				
Operating Adjustment		10	21	31
<b>Total Governor's Recommendations</b>	<b>723</b>	<b>733</b>	<b>744</b>	<b>1,477</b>

## Office of Ombudsperson for Families

### FY 2022-23 Biennial Budget Change Item

#### Change Item Title: Operating Adjustment

Fiscal Impact (\$000s)	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
General Fund					
Expenditures	0	10	21	21	21
Revenues	0	0	0	0	0
Other Funds					
Expenditures	0	0	0	0	0
Revenues	0	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	0	10	21	21	21
<b>FTEs</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

#### Recommendation:

The Governor recommends additional funding of \$10,000 in FY 2022 and \$21,000 in each subsequent year from the general fund to maintain the current level of service delivery at the Office of Ombudsperson for Families. This represents a 2% increase in FY 2022-2023 to the agency's biennial base budget in the general fund.

#### Rationale/Background:

The operating increases recommended in FY 2022 and FY 2023 fund a portion of the projected cost increases in the upcoming biennium. Each year, the cost of doing business rises—including growing costs for employer-paid health care contributions and other salary and compensation-related costs. Other operating costs, like rent and lease, fuel and utilities, IT and legal services also grow. This cost growth puts pressure on agency operating budgets that remain flat from year to year without enacted increases.

#### Proposal:

The Governor recommends increasing agency operating budgets to support the delivery of current services. This increase is below the assumed level of inflation, acknowledging continued efficiencies achieved by agencies. For the Office of Ombudsperson for Families, this funding will cover employee compensation growth and cost increases in rent and IT services.

#### Results:

This proposal is intended to allow the Office of Ombudsperson for Families to continue to provide current levels of service and information to the public.