



# State of Minnesota Office of Ombudsperson for Families

State of Minnesota  
Office of Ombudsperson for Families

1450 Energy Park Drive, Suite 106  
St. Paul, MN 55108-5227  
Toll free: 1-888-234-4939

mission

Ensuring that children and families are protected by law in all child placement proceedings conducted by public and private agencies and organizations

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
- 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.



Office of Ombudsperson for Families contributes to the following statewide outcomes:

- Strong and stable families and communities
- People in Minnesota are safe
- Efficient and accountable government services



At a glance

In 2015 there were

1,282,412 children in Minnesota

31,634 of those were alleged victims of maltreatment



In 2015, the Office received

1,972 calls for assistance

consulted & resolved 44% of the case circumstances

58 investigations conducted

Four full-time Ombudspersons

Operate independently, but in collaboration with:

- Minnesota Indian Affairs Council
- Council for Minnesotans of African Heritage
- Council on Asian Pacific Minnesotans
- Minnesota Council on Latino Affairs

There are four community-specific boards that comprise the full board that advises the Office.

case study

Spanish-speaking Families

A Spanish-speaking mother of three children requested help from the Ombudsperson after she received an allegation of medical neglect against her youngest son. He had been admitted to the hospital for feeding problems and failure to thrive. As part of her case plan, Child Protection referred the mother to a mental health services provider for a psychological assessment. The social worker contacted the provider twice over two months to schedule a first appointment for the mother. The social worker claimed she was overworked and did not have time to continue making calls. Almost three months passed before the mother was able to get her appointment for the psychological assessment. The Ombudsperson advocated on behalf of the mother to help her get connected to services more quickly so she could begin the work required by the county in order to regain custody of her son. Also, she recommended that the agency utilize more reasonable efforts in cases like this one.

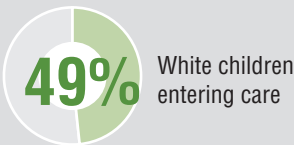
case study

American Indian Families

An American Indian mother and father were introduced to the Ombudsperson through an Indian Child Welfare Act (ICWA) advocate. The parents' three school-aged children were in placement for the third time due to neglect, and the county was seeking to terminate the parents' rights. The Ombudsperson met with the tribe and the county and was in regular contact with the children's parents, their ICWA advocates, their attorneys, and the child welfare county supervisor. She encouraged the parents to seek employment and work hard to demonstrate their commitment to caring for their children. The father found employment and the parents worked to save money. Two months after the Ombudsperson met with the parents, the County amended the permanency petition and allowed the children to return home on a trial home visit. Four months after the children were reunified with their parents, the Court dismissed the case and the father was able to regain his driver's license after previously losing it due to DUI fines. The family now has two vehicles because the mother works as a domestic violence/sexual assault advocate and the family is on the path to purchasing a house.

Out-of-Home Care in 2015

White children remain the largest group, both entering care and continuing in care in 2015. However, **disproportionality remains a significant concern** for children in out-of-home placement.



Compared to white children, based on child population estimates

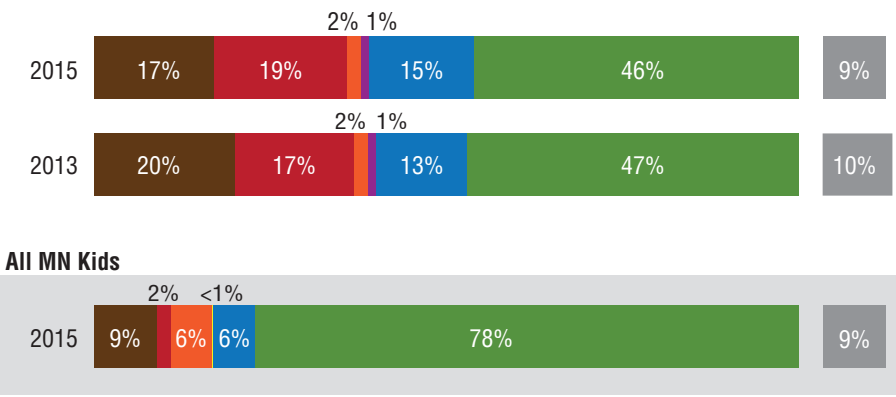
American Indian children were **16.9x** more likely to experience care

Minnesota is #1 in the Nation for the removal of American Indian children.

Children identified as **two or more races** were **4.7x** more likely to experience care

African-American children were over **3.4x** more likely to experience care

# Minnesota Children in Out-of-Home Care 2013, 2015



## Strategies

To accomplish its mission, the office of Ombudsperson for Families uses the following strategies:

**Investigation**

Investigate decisions, acts, and other matters of an agency, program, or facility providing protection or placement services to children of color and American Indian children, including cases that do not comply with state or federal laws and policies.

**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; and others.

Specific examples of types of complaints received and resolved include, but are not limited to the following: Social worker/supervisor will not return call; ineffective counsel, or no attorney provided; violations of the Indian Child Welfare Act and the Minnesota Indian Family Preservation Act; the social worker and/or Guardian ad Litem do not speak the parents’ language, nor are interpreter services being provided; child protection workers lack cultural sensitivity and are disrespectful.

**Monitoring**

Ensure that court officials, public policy makers, and service providers are trained in cultural diversity; also, that guardians ad litem and other individuals from communities of color are recruited, trained, and used in court proceedings to advocate on behalf of children of color.

**Public Policy Development**

Through public policy development, the Ombudspersons work to effect policy changes when current policies do not reflect best practices. The following initiatives reflect how we utilize the strategies in our work:

- African American Babies Coalition
- African American Leadership Council
- Alliance for Racial Equity in Child Welfare
- Black Child Development Institute of MN
- Cultural and Ethnic Communities Leadership Council (CECLC)
- DHS Children’s Justice Act (CJA) Task Force
- Family Preservation and Wellness Subcommittee of the Metropolitan Urban Indian Directors Group (MUID)
- George Foundation – Building Resilience
- Government Alliance on Race & Equity MN Team
- Hennepin County Child Protection Task Force
- Indian Child Welfare (ICWA) Education Day Committee
- Minnesota Supreme Court Children’s Justice Initiative (CJI)
- Minnesota Task Force on Financing the Future of Child Welfare
- Minnesota’s Best Practices for Assessment and Investigations
- Network for the Development of Children of African Descent
- Ramsey County Children’s Justice Initiative Team
- Ramsey County Citizen Advisory Panel
- Ramsey County Ending Racial Disparities Task Force
- Statewide Racial Disparities Initiatives (Ongoing from 2000)

## Staff

**Ann Hill**  
Ombudsperson for African American Families  
Phone: (651) 642-0897  
Email: Ann.Hill@state.mn.us

**Bauz L. Nengchu, MPA**  
Ombudsperson for Asian-Pacific Families  
Phone: (651) 643-2514  
Email: Bauz.Nengchu@state.mn.us

**Muriel Gubasta, J.D.**  
Ombudsperson for Spanish Speaking Families  
Phone: (651) 643-2537  
Email: Muriel.Gubasta@state.mn.us

**Jill Kehaulani Esch, Esq.**  
Ombudsperson for American Indian Families  
Phone: (651) 643-2523  
Email: Jill.Esch@state.mn.us

For more information about child welfare in Minnesota, visit the child welfare publications page at [www.dhs.state.mn.us](http://www.dhs.state.mn.us)

RACE	2013		2015		All MN Kids, 2015	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
African American/Black	2,296	20%	2,348	17%	112,509	9%
American Indian	1,979	17%	2,617	19%	25,025	2%
Asian	265	2%	248	2%	77,955	6%
Pacific Islander	<10	<1%	13	<1%	1,119	<1%
Unknown/Declined	135	1%	146	1%	--	--
Two or more races	1,452	13%	2,049	15%	70,036	6%
White	5,380	47%	6,191	46%	997,743	78%
Total	11,510	100%	13,612	100%	1,284,387	100%
Hispanic (any race)	1,072	9%	1,292	10%	111,175	9%

## Minnesota’s children are treated unequally

Minnesota ranked #1 in child wellbeing 2 years in a row according to the annual National Annie E. Casey Kids Count profile. This measure is a composite of 12 indicators in the areas of education, economic well-being, health, and family and community. However, **Minnesota continues to have some of the nation’s largest racial disparities** across these domains.

For example

**Children in low-income households**

**Black and American Indian** nearly 3 in 4

**Hispanic & Latino** nearly 2 in 3

**Asian** almost half

**White** fewer than 1 in 4

These poverty rates for children of color are among the highest in the country.

Children of color are also more likely to be uninsured compared to White children, and similar disparities exist in education.

**The Minnesota Office of Ombudsperson for Families** exists to help give families of children of color a voice in the child welfare system, to help combat these persistent disparities within the child welfare system and across all areas of child wellbeing.

## Results

Name of Measure	2013	2014	2015	Sparkline
Complaints and Inquiries received*	592	808	1,972	<div></div>
Consultations/resolutions	284	310	861	<div></div>
Investigations	19	29	58	<div></div>

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

**Why did the call volume more than double?**

Executive Order 14-15, dated September 22, 2014, created the Governor’s Task Force on the Protection of Children to advise the Governor and Legislature on system and practice improvements in the child protection system at all levels of government within the State of Minnesota. The Task Force was ordered to provide initial recommendations and convey its findings in a report to the Governor’s Office, the Legislature and the public by December 31, 2014, and final recommendations by March 31, 2015. At the same time, counties were making fast changes to their screening and intake process. These significant policy changes resulted in an increased number of cases being screened in at the county level, which in turn led to more complaints to the Office of Ombudsperson for Families on open child protection cases.

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, Kingship 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 the Office of Ombudsperson for Families.

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

## Budget

