



New Mexico
Office *of the*
Child Advocate

Creation of the OCA

House Bill 5 passes the
New Mexico legislature

March 14, 2025

March 21, 2025

HB5 takes effect

July 1, 2025

State Child Advocate job
application posts

Aug. 5 to Sept.
5, 2025

Sept. 15, 2025

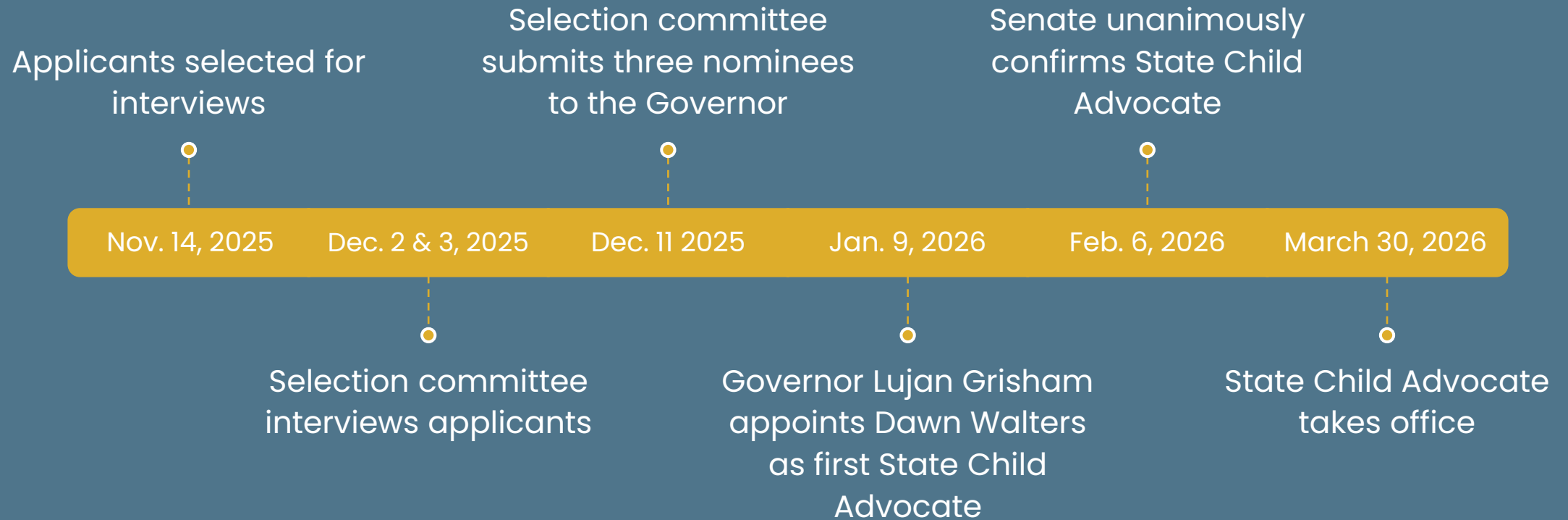
Oct. 31, 2025

Gov. Lujan Grisham signs
HB5

Bipartisan child advocate
selection committee
meets 4 times to create
the job duties and
application

State Child Advocate job
application closes

Creation of the OCA



Bipartisan Selection Committee

- Therese Yanan
 - Selected by the Senate president pro tempore
- Monique Jacobson
 - Selected by the Senate minority floor leader
- Rep. Michelle Paulene Abeyta
 - Selected by the House speaker
- Maralyn Beck
 - Selected by the House minority floor leader
- Diego Arencon
 - Selected by the Governor
- Hon. Alma Roberson and Hon. Jennifer Delaney
 - Selected by the Chief Justice of the New Mexico Supreme Court

OCA's Statutory Responsibilities

1. Receive and Independently Review Complaints
2. Review CYFD Services, Placements, Policies, and Procedures
3. Access Children, Information, and Records
4. Conduct Serious Incident Monitoring
5. Monitor and Improve the Child Welfare System
6. Inform and Report
7. Refer Serious Findings

Mission and Purpose of the OCA

The Office of the Child Advocate was created as a **nonpartisan, independent, impartial** office that promotes the safety, well-being, and rights of children involved with New Mexico's child welfare system by listening to concerns, conducting reviews, resolving individual issues when possible, and identifying systemic improvements that help all children and families.

OCA's First Year Priorities

1. **Build** a recognizable and accessible public identity
2. **Research** and learn from national best practices
3. **Develop** technology and systems necessary to receive, manage, and track complaints and information
4. **Establish** policies, procedures, and criteria necessary to assess and respond to complaints
5. **Structure** organizational chart and team necessary to carry out the Office's duties
6. **Initiate** effective communication and information-sharing practices with CYFD
7. **Partner** and engage with other child-serving agencies, organizations, and entities

NMDOJ Administrative Support

The OCA is administratively attached to the NMDOJ, which has provided essential administrative and operational support while respecting the OCA's independence.

- Budget development for FY26, FY27, and FY28
- Procurement, purchasing, and contracts
- Creation and posting of positions
- Technology and systems
- Leasing and physical office space

What We've Built in 150 Days

Infrastructure

- Designed OCA logo and branding
- Developed organizational structure and staffing plan
- Actively hiring for 7 positions
- Secured tracking database; designed intake form, framework, and workflows
- Website and toll-free hotline in development
- Secured ABQ office space

Operations

- Developed initial policies, procedures, complaint screening tool, and response continuum
- Established public-facing complaint and inquiry email inbox
- Drafted proposed MOU with CYFD
- Continued discussions with CYFD to establish access to records and information

What We've Built in 150 Days

Engagement

- 190+ contacts with constituents, many resulting in advocacy or investigation
- Initiated outreach to child-serving agencies and key stakeholders
- Consulted with child advocate and ombuds offices nationwide re: best practices
- Attended community events and trainings

Professional Development and Training

- Joined U.S. Ombudsman Association and Child & Family Chapter
- Attending new ombuds training and annual conference August 31 to September 4
- Identified training and education resources for onboarding

How the OCA Helps



LISTEN &
DOCUMENT



REVIEW AND
INVESTIGATE



ADVOCATE AND
RESOLVE

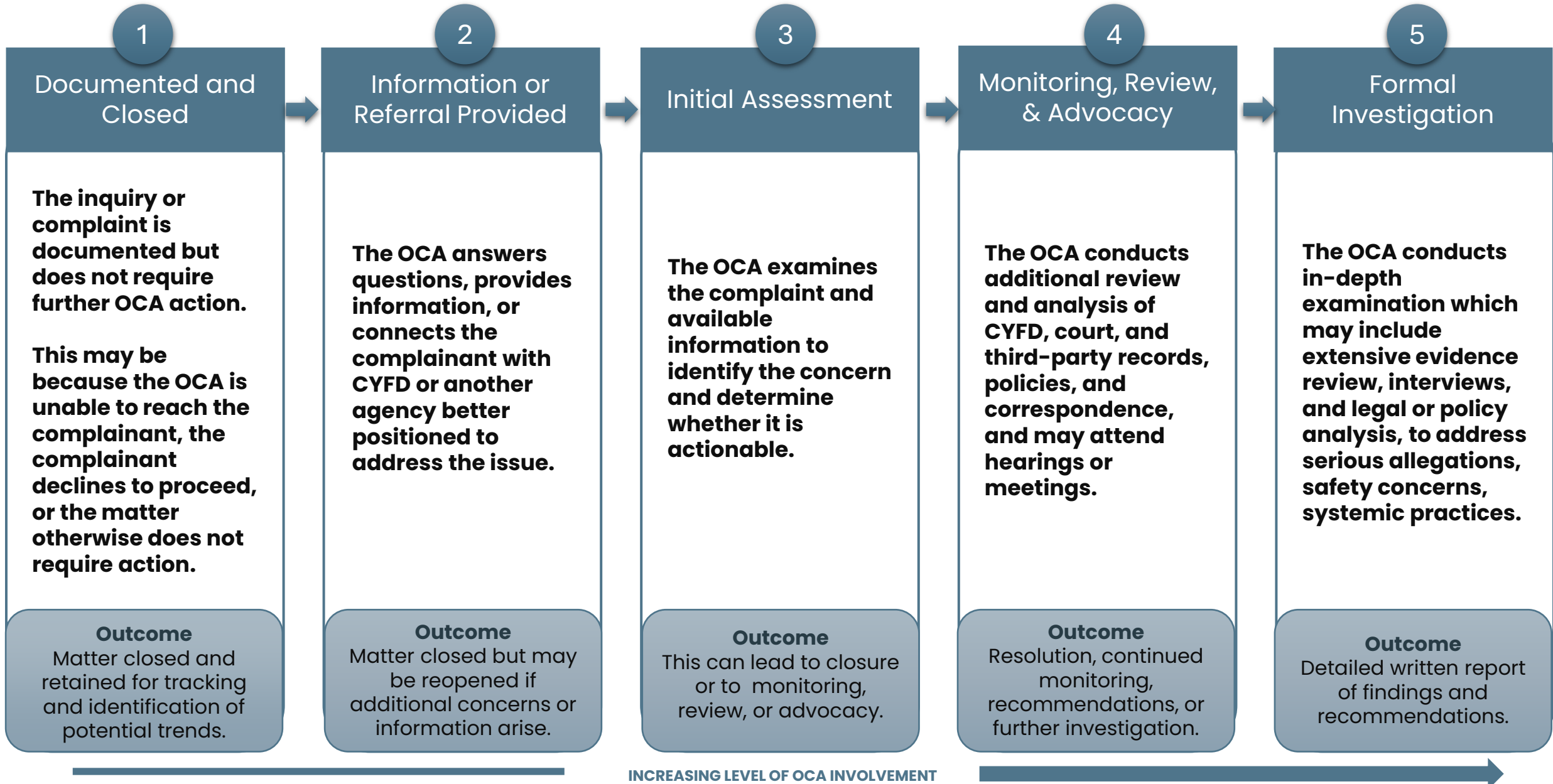


IDENTIFY AND
IMPROVE



EDUCATE AND
RECOMMEND

OCA Response Continuum



FY26 By The Numbers

122 complaints in
FY26

41 parents
34 foster parents
19 relatives

20+ counties
represented

190+ complaints
to date

79 record
requests
17 fulfilled by end
of FY26

Emerging Themes and Friction Points

1. **Consistent Understanding and Implementation**

Children's Code language and purpose and CYFD's role

2. **Investigations Practice**

Timelines, next steps, and resolution; reliance on safety plans and kinship guardianship

3. **Placement & Relative Engagement**

Sudden non-emergency placement changes; delayed relative engagement; rigid approach to relative placement

4. **Communication and Supports**

Lack of clarity and timely responsiveness; insufficient supports following placement, including childcare and essential items

Practice Recommendations



Convene CYFD, NMDOJ, and OCA to review respective reports and align priorities and recommendations



Develop a clear child-welfare responsibilities and expectations guide for families



Implement family finding navigators to support identification and engagement of relatives



Establish strong placement support, including priority childcare liaison and placement essentials kits



Expand interagency training and protocols on issues requiring coordinated responses



Streamline the CYFD records-request process for children and families

Policy Recommendations



Strengthen training on the Children's Code and CYFD's role, including the purpose and intent of the law, reunification, reasonable efforts, and relative placement



Establish a third investigation outcome ("inconclusive") when an investigation is unable to be completed



Clearly define and monitor safety plans, establish expectations and next steps, and do not close an investigation if the child is not in a legally authorized living arrangement



Establish safeguards against sudden non-emergency placement changes and require reasonable efforts to mitigate concerns



Strengthen training on and accountability for compliance with domestic relations and domestic violence subpoenas and orders for CYFD staff to appear

Legislative Recommendations

- Amend the Children's Mental Health Act to clarify consent at age 14+
- Statutorily define and set limits regarding use and duration of safety plans during investigations
- Fund ESSA school of origin transportation
- Fund Kinship Guardianship subsidies (ALTSD pilot, for when children are with relatives outside of CYFD care)
- **Fully fund the OCA and strengthen House Bill 5 so the OCA can fully carry out its statutory responsibilities**

Strengthening HB5

- Direct, real-time electronic record access
- Ability to communicate directly with CYFD staff
- Meaningful cooperation between CYFD and the OCA + responses to OCA recommendations
- Subpoena power (*not limited to fatalities/near fatalities*)
- Authority to hold informal hearings and intervene in abuse/neglect cases
- Expanded critical incident reporting requirements to the OCA

Funding for the OCA



FY28 proposed budget of
\$3.4 million



Reauthorization of FY26
special appropriation

Day 150: What Comes Next

1

Build

Focus on hiring the right team to establish greater capacity

2

Listen

Learn from children, families, foster parents, professionals, and communities

3

Identify

Use individual cases to recognize patterns and systemic barriers

4

Collaborate

Work across agencies and branches of government on solutions

5

Act

Translate what we learn into policy, practice, and legislative recommendations



Independent. Impartial. Child-Focused.