

1 A MEMORIAL

2 REQUESTING THE LEGISLATIVE FINANCE COMMITTEE TO CREATE A TASK  
3 FORCE TO SUPPORT AND ENHANCE THE RESTRUCTURING OF THE  
4 CHILDREN, YOUTH AND FAMILIES DEPARTMENT.

5  
6 WHEREAS, there are no sides when it comes to child  
7 welfare, and it is imperative to have a strong system of care  
8 that effectively serves vulnerable children and their  
9 families; and

10 WHEREAS, the system of care must meet the needs of  
11 children and families in a manner that encompasses the best  
12 interests of the children and families it serves; and

13 WHEREAS, the children, youth and families department was  
14 created by the legislature in 1992 in response to the efforts  
15 of First Lady Alice King to consolidate all services for  
16 children and families under one cabinet secretary and to  
17 carry out as its primary responsibilities the effective  
18 administration of protective services for children and  
19 families; supervision and services for delinquent youth and  
20 youth who are at risk of becoming delinquent offenders and  
21 improvement of their ability to thrive in their communities;  
22 and the administration of a behavioral health system for all  
23 children in New Mexico; and

24 WHEREAS, over the past three decades, the children,  
25 youth and families department has grown significantly and has

1 assumed numerous other obligations and responsibilities,  
2 which has diminished its effectiveness and focus on its  
3 primary areas of service; and

4 WHEREAS, the *Kevin S.* settlement agreement provides a  
5 framework for the establishment of a clear and disciplined  
6 strategy to attain sustainable system improvements,  
7 obligating the children, youth and families department to  
8 carry out its services in a disciplined, transparent,  
9 collaborative and verifiable manner in order to enhance its  
10 effectiveness and enable it to be transparent and accountable  
11 to the governor, the legislature, the judiciary,  
12 stakeholders, communities and the public; and

13 WHEREAS, the development and support of the children,  
14 youth and families department workforce and support of foster  
15 families and service providers are key to a healthy and  
16 effective child welfare system; and

17 WHEREAS, identifying an organizational structure that  
18 will best fulfill the children, youth and families  
19 department's primary responsibilities is critical to system  
20 improvement; and

21 WHEREAS, in recent years, numerous studies have examined  
22 systemic problems and weaknesses in the child welfare system  
23 and in the children, youth and families department, including  
24 assessments by Casey Family programs, the Collaborative  
25 Safety LLC report, the House Bill 10 task force and the

1 Kevin S. settlement agreement annual reports; and

2 WHEREAS, Governor Lujan Grisham has issued Executive  
3 Order 2023-020 to improve the effectiveness of the children,  
4 youth and families department; and

5 WHEREAS, to the fullest extent possible, Executive Order  
6 2023-020 must be supported and enhanced in order to attain a  
7 child welfare system that meets the needs of New Mexico's  
8 children and families;

9 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE  
10 STATE OF NEW MEXICO that the legislative finance committee be  
11 requested to create a task force composed of the following  
12 members:

13 A. a member appointed by the governor;

14 B. a member appointed by the speaker of the house  
15 of representatives;

16 C. a member appointed by the minority floor leader  
17 of the house of representatives;

18 D. a member appointed by the senate president pro  
19 tempore;

20 E. a member appointed by the minority floor leader  
21 of the senate;

22 F. a member appointed by the chief justice of the  
23 supreme court;

24 G. a member representing the Kevin S. settlement  
25 agreement;

1 H. a member representing service providers;

2 I. a member representing foster families;

3 J. a youth representative;

4 K. a member representing juvenile justice  
5 stakeholders;

6 L. a tribal member with lived experience of the  
7 effects of the federal Indian Child Welfare Act of 1978, the  
8 Indian Family Protection Act or other, similar provisions of  
9 the Children's Code; and

10 M. an at-large representative; and

11 BE IT FURTHER RESOLVED that the task force work to  
12 augment and enhance the governor's efforts to improve the  
13 child welfare system through Executive Order 2023-020; and

14 BE IT FURTHER RESOLVED that the task force examine the  
15 organizational structure and operations of the children,  
16 youth and families department and make recommendations for  
17 necessary changes, including:

18 A. agency mission, vision and values compared with  
19 national best practices in child welfare administration;

20 B. agency organizational structure compared with  
21 statutory framework and national best practices in child  
22 welfare administration;

23 C. implementation of the multilevel response  
24 system known as differential or alternative response,  
25 compared with statutory framework and national best practices

1 in child welfare administration;

2 D. examination and definition of a data-driven  
3 process to identify children and families at risk for  
4 maltreatment and related outcomes;

5 E. the availability of, needs for and best  
6 practices in wrap-around services for children and families;

7 F. the existing network of services, including  
8 prevention, early intervention and intervention services;

9 G. the availability of, needs for and best  
10 practices in services and safety for child-welfare-involved  
11 families, including hard-to-place children;

12 H. best practices in safety, permanency and  
13 well-being for children and families, including hard-to-place  
14 children;

15 I. the qualifications of and recruitment practices  
16 for frontline workers, including investigators, permanency  
17 workers and juvenile justice field staff;

18 J. the current use of and potential to leverage  
19 federal funding;

20 K. best practices in equity considerations;

21 L. staffing and facility needs at juvenile justice  
22 facilities;

23 M. the needs and best practices for and  
24 availability and implementation of evidence-based and  
25 trauma-informed programming in juvenile justice community and

1 facility settings, including restorative justice,  
2 multisystemic therapy, functional family therapy and  
3 cognitive behavioral therapy; and

4 N. juvenile crime trends and best practices for  
5 prevention, early intervention and rehabilitation; and

6 BE IT FURTHER RESOLVED that the task force be requested  
7 to make recommendations to the legislature and the governor  
8 by November 15, 2024 for consideration during the first  
9 session of the fifty-seventh legislature; and

10 BE IT FURTHER RESOLVED that the task force have  
11 sufficient administrative support to enable it to meet at  
12 least monthly and move its work forward in a structured,  
13 consistent, public and transparent manner; and

14 BE IT FURTHER RESOLVED that copies of this memorial be  
15 transmitted to the governor, all members of the legislature,  
16 the legislative finance committee, the legislative health and  
17 human services committee and the secretary of children, youth  
18 and families.

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