



State of Minnesota Office of Ombudsperson for Families

State of Minnesota
Office of Ombudsperson for Families
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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:

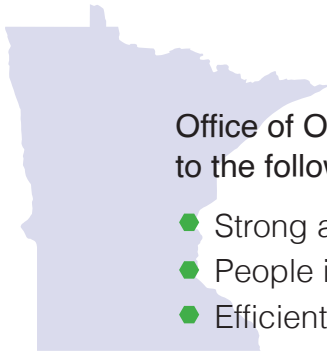
- 1 to reduce racial and ethnic disparities and disproportionality in Minnesota’s child welfare system
- 2 to improve outcomes for children and their families involved in child protection cases
- 3 to ensure that all laws governing the protection of children and their families are implemented in a culturally 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 2019 there were
1,303,157 children in Minnesota
38,298 of those were alleged victims of maltreatment



In 2019, the Office received
3,045 calls for assistance
consulted & resolved **25%** of the case circumstances
75 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

Each Ombudsperson receives advice from a community-specific board.

case study

Spanish-Speaking Families

Two aunts of an 11 month old boy contacted the Ombudsperson for Spanish-Speaking Families for help regarding the placement of their nephew in non-relative foster care. They and another relative were licensed for foster care and were currently caring for their nephew's other siblings. However, the kinship search did not occur until the child was 2 months old, and no relatives had been contacted by the investigating child protection agency (CPA). In addition, a private adoption agency that had stepped in made arrangements for a private adoption without filing for the required proceeding. Following an emergency hearing, the CPA received temporary custody for placement of the child in non-relative foster care. When the mother's parental rights were involuntarily terminated, he remained in non-relative foster care as the CPA began exploring options for permanent placement with several relatives.

After reviewing the information, the Ombudsperson for Spanish-Speaking Families recommended the CPA begin transitioning the child to the home of either the maternal aunt or the paternal aunt. Two years and one month after the child's birth, the paternal aunt adopted him.

case study

African American Families

Complaint: The African American aunt of a three-year-old boy filed a complaint with OBFF while she was in the process of exploring permanency options with an attorney for her nephew. He had been adopted at birth by another relative, who died unexpectedly, and temporarily placed with this aunt and her husband. He found his adoptive mother unconscious, and the aunt wanted him to see his therapist immediately. The county did not respond to the aunt's request for insurance information so the aunt could get him into counselling. The OBFF began a review of the complaint and learned that the county was exploring permanent placement with another non-relative family who had one of the boy's siblings. His aunt had completed a home study, so the OBFF began to investigate why the aunt had not been considered for permanency.

Outcome: OBFF's involvement helped the aunt avoid delays in getting appropriate medical attention and permanency for her nephew. The adoption was completed in a timely manner, and it was determined that the aunt would be eligible for adoption assistance and funds to help cover attorney fees. He is a precocious child with some developmental challenges, but he has adjusted well with his aunt and uncle and has visits with his siblings regularly. He has a loving community of friends and church family. What was in the child's best interest was a permanent home with the aunt and uncle, who are family.

Out-of-Home Care in 2019

White children remain the largest group, both entering care and continuing in care in 2019. However, **disproportionality remains a significant concern** for children in out-of-home placement.



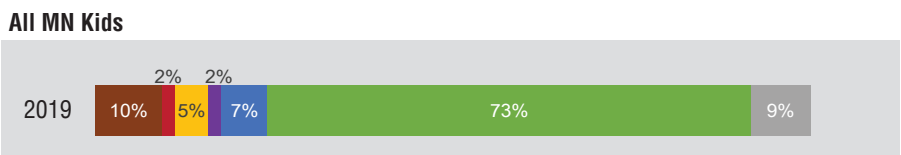
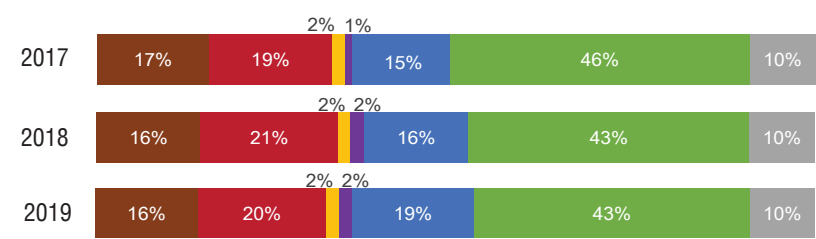
Compared to white children, based on child population estimates

American Indian children were **16.8x** 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 **5.8x** more likely to experience care

African American children were **2.6x** more likely to experience care

Minnesota Children in Out-of-Home Care 2019



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
- African American Wellbeing Unit
- Alliance for Racial Equity in Child Welfare
- Black Child Development Institute of MN
- Child Well-Being Network
- Cultural and Ethnic Communities Leadership Council (CECLC)
- DHS Children's Justice Act (CJA) Task Force
- Family First Prevention Services Act (FFSPA)
- Family Preservation and Wellness Subcommittee of the Metropolitan Urban Indian Directors Group (MUID)
- George Foundation – Building Resilience
- Government Alliance on Race & Equity MN Team
- Indian Child Welfare (ICWA) Education Day Committee
- Minnesota Supreme Court Children's Justice Initiative (CJI)
- Mitchell Hamline School of Law to Transform Child Protection
- 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

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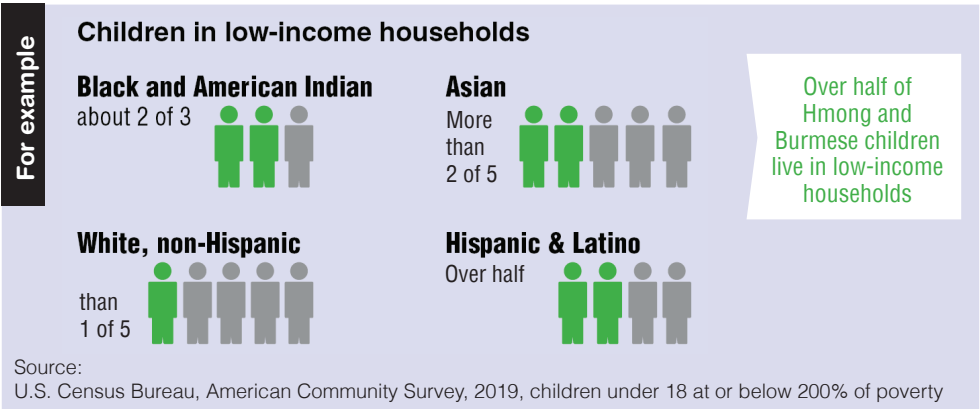
For more information about child welfare in Minnesota, visit the child welfare publications page at www.dhs.state.mn.us

RACE	2017		2018*		2019**		All MN Kids, 2019	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
African American/Black	2,348	17%	2,752	16%	2,433	16%	127,680	10%
American Indian	2,617	19%	3,465	21%	3,070	20%	22,510	2%
Asian/Pacific Islander	262	2%	352	2%	268	2%	71,688	5%
Unknown/Declined	146	1%	304	2%	237	2%	31,866	2%
Two or more races	2,049	15%	2,705	16%	2,888	19%	96,671	7%
White	6,191	46%	7,233	43%	6,701	43%	954,395	73%
Total	16,593	100%	16,811	100%	15,597	100%	1,304,810	100%
Hispanic (any race)	1,292	10%	1,689	10%	1617	10%	118,820	9%

*includes 323 duplicates
**includes 300 duplicates

Minnesota's children are treated unequally

Minnesota ranked #3 in child well-being according to the 2019 annual national Annie E. Casey Kids Count profile. This measure is a composite of 16 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.



Ombudsperson for Families

Is an independent state agency strengthening family connections through child welfare design that creates racial equity in services and improves outcomes for all children of color.

Results

Measure	2018	2019	2020
Complaints and Inquiries received*	1,668	3,045	1,601
Consultations/resolutions	616	752	705
Investigations	85	75	64

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

Steady call volume increase

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 DHS statistics, there was an increase of over 10,000 reports received annually between 2012 and 2015. In 2016, these reports continued to increase by 25% before leveling off in 2017, a trend that continued through 2019. (Minnesota's Child Maltreatment Report, 2019)

All of the changes put forth by the Minnesota Legislature and the Task Force greatly affected the number of telephone calls and complaints to the Office of Ombudsperson for Families (OBFF), as illustrated in the above graph. Consequently, the OBFF provided more consultations and case resolutions to complainants, as well as more investigations of CHIPS cases. The statewide ripple effect of the increases in calls has not only affected the social services agencies, the courts, the state Guardian ad Litem Program and other major stakeholders, but has also underscored the limited resources of the OBFF. The number one reason for the maltreatment reports continues to be alleged neglect—22,982 (60%), followed by alleged physical abuse—10,112 (26.4%) and alleged sexual abuse—5,620 (14.7%). (Minnesota's Child Maltreatment Report, 2019)

The Family First Prevention Services Act of 2018 (FFPSA) marked a significant policy shift toward child welfare finance reform for certain time-limited prevention services to keep children in their homes and with their families whenever safe and possible. The OBFF participated in several workgroups designed to assist MN DHS in drafting a five-year plan. The workgroups included identifying candidacy; description of the types of prevention services and programs expected to improve outcomes for children and families, and how those services/programs will be monitored; and defining quality residential treatment programs (Q RTP) as promising, supported or well-supported practices. MN's FFPSA Five-Year Prevention Plan is near completion and will be submitted to the federal government later this year. MN's Title IV-E state plan for FFPSA specialized settings-Q RTP was approved and became effective October 2021.

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

