



children's
defense fund
ohio



Current and former foster youth must be involved in design to emphasize youth-centered service delivery

Current Safeguards Are Failing

- Prolonged abuse; risk of loss of life.
- Lack of follow-through when youth reach out to local child abuse hotlines.
- Lack of compliance with the Preventing Sex Trafficking and Strengthening Families Act re: youth AWOLs.

Separate from ODJFS

- Independent and autonomous agency with oversight specific to child welfare
- Not part of the state's division of child and family services
- Possessing regulatory powers

Population Served

- Youth experiencing abuse in bio, foster, adoptive, kinship, respite, residential and group home placements
- This office needs to be youth-specific, and separate from whatever mechanism is established to support foster caregivers

Office Design

- To ensure that this office is designed by and for foster youth
- Available statewide for youth to reach out and share concerns related to their safety and well being
- Independent investigations taking place within a speedy timeframe

Ombudsman Offices in Other States

State	Population Served	Location	Daily Operations	Appointment
Alaska and Arizona	All governmental agencies, including child welfare services (<i>broad</i>)	Part of the legislative branch, and able to operate independently and autonomously.	Investigate complaints, access to confidential information, submits reports and recommendations to legislature.	Selected by a legislative committee for a five-year term, may be reappointed.
Arkansas	Tries to serve both youth and foster parents (<i>conflict</i>)	Located within the Department of Human Services (<i>conflict</i>)	No statutory authority. Receives and investigates complaints, writes reports.	Appointed by the Executive Director of the Public Defender's Commission.
California	Operates within the state child welfare office (<i>conflict</i>)	Exists within the State Department of Social Services – current efforts are being made to house it elsewhere.	Investigate complaints, access to confidential information, submits reports and recommendations to legislature.	Appointed by the Child Welfare Director for a four-year year (<i>conflict</i>), may be reappointed.
Colorado	Their goal is to improve the experiences of youth and families impacted by the child protective system (<i>has created conflicts</i>)	Established in the Judicial branch. Independent from state and county agencies. Able to operate autonomously, with oversight specific to child welfare.	Investigate complaints, access to confidential information, submits reports and recommendations to legislature.	Initially administered by a contract with a public and/or private agencies; but this office is now directly under the Judiciary Department.
Connecticut	Tries to resolve disputes of youth, foster parents, adoptive parents and service providers (<i>conflict</i>)	Located within the Government Accountability Office. Able to act independently of any state department.	Investigates complaints, reviews institutions, recommends policy changes, has access to confidential information, provides annual and public reports.	Appointed by the Governor with approval by the General Assembly to serve a four-year term and may be reappointed.
Delaware	Oversees CASA programs and refers youth to GALs	The Office of the Child Advocate is a non-judicial agency of the court.	Serves as an attorney to provide legal representation of children.	Appointed by the Executive Committee of the Child Protection Accountability Division.

State	Population Served	Location	Daily Operations	Appointment
Florida	Technical assistance: listens to youth, takes complaints and explains policies.	Autonomous entity within the state agency providing child welfare services (<i>how do they avoid conflict of interest</i>)	Limited authority. Unable to respond to emergencies or investigate complaints about a Guardian ad Litem.	Lack of clarity as to how this person is chosen.
Georgia	Concerns can be filed by parents, grandparents, service providers, law enforcement, and citizens regarding the safety of children.	Located within the Governor's Office of Planning and Budget. Operates autonomously and independently.	Provides independent oversight of persons, organizations, and agencies responsible for providing services to or caring for children who are victims.	Appointed through a nominating process by the Governor.
Indiana	Online complaint process that can be filed by any member of the public. Not youth friendly or promoted to youth.	Housed in the Department of Administration. Oversees the Department of Child Services and acts independently of DCS.	Investigates complaints, recommends policy changes, has access to confidential information, provides annual and public reports.	Appointed by the Governor. Required to be an attorney with at least two years of working with child abuse and neglect.
Maine	Complaint process that can be filed by any member of the public via email or phone. Not promoted to youth. Language on site assumes adults.	Operates as an independent and autonomous program within the Executive branch. Contracted to a nonprofit organization to oversee the Office of Child and Family Services.	Investigation of complaints, reviews and makes recommendations for system changes, access to confidential records, provides annual and public reports.	Contract to a nonprofit organization by the Governor. The Ombudsman may not be actively involved in state politics.
Massachusetts	Concerns can be filed by consumers, foster and adoptive parents, advocates, and concerned citizens. Not youth friendly.	Independent office within the Executive Branch of State Government to oversee the safety of children and youth served by the child welfare or juvenile justice system.	Investigation of complaints, reviews and makes recommendations for system changes, access to confidential records, provides annual and public reports.	Appointed by the Governor and nominating committee, term ends when Governor's term does

State	Population Served	Location	Daily Operations	Appointment
Michigan	Concerns can be filed by clients, foster and adoptive parents, advocates, or the public (<i>conflict</i>)	Housed in the Department of Technology, Management and Budget as an independent agency.	Investigation of complaints, reviews and makes recommendations for system changes, access to confidential records, provides annual and public reports.	Appointed by the Governor with consent of the Senate.
Missouri	Concerns can be filed by child, relatives, foster parents or service providers. Not youth-friendly; access designed for adults.	Part of the Executive Branch Office of Administration. Operates as an independent agent of accountability regarding child protective services.	Investigation of complaints, reviews and makes recommendations for system changes, mediation with school districts, access to confidential records, provides annual and public reports.	Appointed jointly by the Governor and the Chief Justice of the Missouri Supreme Court, with the consent of the Senate. Serves for six years.
New Hampshire	Concerns can be filed by clients, employees, or members of the public. Not youth-friendly; access designed for adults.	Independent agency, administratively attached to the Department of Administrative Services to oversee the Division of Children, Youth and Families.	Investigates complaints about DCYF related to children in foster care, congregate care, juvenile justice, or those with an open child welfare care. Has no authority to overturn a DCYF decision.	Appointed for a four-year term. Required to have a degree in law, social work or public health.
Rhode Island	Only available weekdays between 8:30 am – 4 pm. Abuse victims are directed to contact the child abuse hotline or to call 911.	The Office of the Child Advocate is an independent, autonomous agency to protect the rights and interests of children in state care.	Annual report to Governor, reviews complaints, has access to confidential information, able to take civil action against state on behalf of a child. Does not provide emergency response to cases of abuse or neglect.	Appointed by the Governor, with Senate consent, for a five-year term. Law degree required.
South Carolina	Online complaints can be submitted by the public via an impersonal form.	Operates independently within the Governor's Office of Executive Policy but has no statutory authority.	Provides arbitration and mediation services and does research regarding constituent concerns.	Appointed by the Governor.
Tennessee	Third-party resolution mechanism for children, kinship caregivers and foster parents (<i>conflict</i>)	Operates independently within Commission of Children and Youth.	Takes referrals, accesses confidential records, makes recommendations.	Appointed by Governor for a 3-year term.

Texas	Messaging on website that specifically informs youth of their rights and invites them to share their concerns.	Operates independently and reports directly to the Governor and Legislature.	Advocates or children in custody, including investigation of complaints, access to confidential records, provides annual and public reports, and reviews facilities.	Appointed by the Governor with consent from the Senate to serve a two-year term. May serve up to 3 terms.
Utah	Requires youth to contact their caseworker, regional office and state office before seeking help.	Created an independent office within the Department of Human Services (<i>conflict</i>)	Receives and investigates complaints. Has access to confidential records. Makes recommendations. Provides annual reports.	Appointed to serve by the pleasure of the Executive Director of the Department of Human Services (<i>conflict</i>)
Washington	Online complaints can be submitted by the public via an impersonal form. Nothing youth specific.	Established within the Office of the Governor. Reports directly to the Governor. Independent and autonomous with oversight specific to child welfare.	Investigation of complaints, reviews and makes recommendations for system changes, access to confidential records, provides annual and public reports, and makes child fatality review recommendations.	Appointed by the Governor for a 3-year term. Required to have experience in child and family law and policy.

Best Practices:

- **Able to operate autonomously and independently, with statutory authority.** Other states, including California, have recognized that when the Ombudsman office operates underneath the department responsible for the state’s foster care program, this structure creates direct conflicts of interest. The ombudsman has no independent authority to recommend policy or program improvements because the department director controls all aspects of the program’s operation and allocation of resources.
- **Youth access and youth-friendly messaging:** Most state’s websites were geared toward adult professionals. This included having complicated complaint forms, some of which needed to be printed, filled out, and then scanned or faxed. Texas was the exception; their wording specifically informs youth of their rights and lets them know how to submit concerns.
- **Ability to call in 24/7:** It would also be helpful if public schools made it possible for children or teens experiencing abuse to report during a school day.