

Office of Ombudsperson for Families

2026 Evaluation Report

Program Evaluation Division
Office of the Legislative Auditor
State of Minnesota

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Members of the Legislative Audit Commission:

Minnesota's Office of Ombudsperson for Families (OBFF) was established to help ensure that children and families of color involved in the child protection system are treated fairly and appropriately. As part of the office's broad responsibilities, statutes permit OBFF to investigate complaints about matters pertaining to the child protection system and require OBFF to monitor whether various entities comply with child protection laws as they affect children of color.

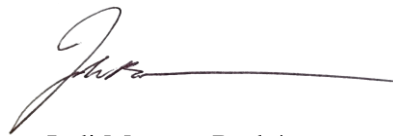
Individuals we spoke with expressed strongly the need for an office—such as OBFF—to be a resource for people of color involved in the child protection system. However, we found that OBFF does not fulfill all duties required by law and that current mechanisms to oversee OBFF are ineffective and insufficient. Ultimately, OBFF's impact in recent years on children and families of color involved in the child protection system—or the child protection system overall—is unclear. We make several recommendations to OBFF and the Legislature to address these and other issues.

Our evaluation was conducted by Caitlin Badger (project manager), Stephanie Besst, and Roman Morris. OBFF staff cooperated fully with our evaluation, and we thank them for their assistance.

Sincerely,



Judy Randall
Legislative Auditor



Jodi Munson Rodríguez
Deputy Legislative Auditor



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Office of Ombudsperson for Families

The Office of Ombudsperson for Families (OBFF) does not consistently follow requirements in law and lacks adequate oversight. Ultimately, OBFF's impact in recent years is unclear.

Report Summary

Role in Child Protection

Racial and ethnic disparities in Minnesota's child protection system have persisted for decades. Individuals we spoke with expressed strongly the need for an office—such as OBFF—to be a resource for people of color involved in the child protection system. However, we found that:

- The ombudspersons do not fulfill all duties required by law and spend considerable time on activities that are not required. (p. 26)
- Although the Legislature established OBFF to serve communities of color, the office also serves children that are not members of the communities identified in law. (p. 31)
- Each ombudsperson has significant discretion as to how they fulfill their duties in law, and they have adopted different approaches to doing so. (p. 25)
- Many individuals we spoke with across Minnesota's child protection system were unfamiliar with OBFF. (p. 29)
- OBFF's impact in recent years on families of color involved in the child protection system—or the child protection system overall—is unclear. (p. 33)
- OBFF has limited resources given its broad duties in law; however, it has not spent its full appropriations in recent years. (p. 34)

Recommendation ► The Legislature should amend statutes, as necessary, to ensure that OBFF's duties align with the Legislature's policy priorities and align those duties with the office's resources. (p. 37)

Recommendation ► OBFF should fulfill all duties required by law. (p. 39)

Background

OBFF is meant to ensure that children and families of color involved in the child protection system are treated fairly and appropriately. Among other responsibilities, statutes require OBFF to monitor whether various entities—such as certain state agencies, courts, and county social service agencies—comply with child protection and placement laws as they affect children of color. Statutes also permit OBFF to investigate complaints about matters pertaining to the child protection system and make recommendations in response to its findings.

By law, OBFF has three ombudspersons. Each ombudsperson serves children and families belonging to specific communities of color: the African and African-American communities, Asian-Pacific community, or Spanish-speaking community.

Statutes also establish three community boards with responsibility for appointing the ombudsperson for their respective community. Statutes further require the boards to advise and assist their respective ombudsperson in fulfilling their duties.

Oversight and Accountability

Current mechanisms to ensure that OBFF effectively fulfills its mission and duties are ineffective and insufficient.

- Most of OBFF’s community boards did not meet regularly in accordance with law. The boards have had persistent issues with board member attendance, and rarely—if ever—advised the ombudspersons, as required by law. (pp. 43, 44)

Recommendations ► OBFF’s community boards should:

- Meet in accordance with requirements in law and ensure consistent attendance among members.
- Fulfill their duties as required by law. (p. 48)
- OBFF does not have a designated leader, making it more difficult to hold the office accountable for its performance. (p. 49)

Recommendation ► The Legislature should amend law to establish a single leader of OBFF. (p. 51)

Complaint Handling

The scope of OBFF’s investigations into complaints about the child protection system is limited.

- OBFF has few complaint management policies or procedures. The office handled complaints inconsistently and did not follow best practices when handling complaints. (pp. 13, 16, 18)

Recommendations ► OBFF should establish complaint management policies and procedures to be used by all staff; ensure a consistent approach when conducting investigations, including following best practices; and provide information about its complaint handling practices on its website. (p. 20)

- Because OBFF does not adequately document its complaint handling, complaint outcomes are unknown. (p. 22)
- OBFF does not collect adequate data on complaint handling, which impedes its ability to identify complaint trends and address issues in the child protection system systematically. (p. 22)

Recommendation ► OBFF should utilize a complaint management system. (p. 21)

Recommendation ► OBFF should collect and analyze complaint data to identify complaint trends and more systematically address issues in the child protection system. (p. 24)

Summary of the Office of Ombudsperson for Families Response

In a letter dated January 26, 2026, OBFF’s ombudspersons Hill, Gubasta, and Zuniga said that the recommendations from OLA’s report “could lead to better fulfillment of the OBFF’s statutory duties and addressing complaints,” which the ombudspersons identified as aligning with the office’s mission of “reducing racial disparities in Minnesota’s Child Protection System.” The ombudspersons agreed with OLA’s recommendations and said the office has either begun to implement or will work on implementing most of the recommendations. For example, they reported that OBFF is in the process of developing complaint handling policies and procedures and has begun to implement a case management system. The ombudspersons also agreed with OLA’s recommendations to establish a single leader of OBFF and to strengthen the community boards’ oversight of the office. Overall, the ombudspersons stated that OLA’s evaluation “will help guide us through our reorganization plans and we appreciate [OLA’s] analysis.”

Table of Contents

1	Introduction
3	Chapter 1: Background
3	Overview of Ombudspersons
4	Office of Ombudsperson for Families
9	Staffing and Finances
11	Chapter 2: Complaint Handling
11	Requirements in Law
12	Complaint Process
21	Complaint Outcomes and Trends
25	Chapter 3: Approach to Duties and Role in Child Protection
25	Approach to Duties
29	Role in Child Protection
32	Discussion
36	Recommendations
41	Chapter 4: Oversight and Accountability
41	Overview
42	Community Boards
49	Internal Accountability
55	List of Recommendations
57	Office of Ombudsperson for Families Response



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Introduction

Thousands of Minnesota children and their families are involved in the child protection system each year.¹ While these children and families come from a wide variety of backgrounds, a disproportionate number are children and families of color.² To help ensure that children and families of color are treated fairly and appropriately during their involvement with the child protection system, the Legislature established Minnesota's Office of Ombudsperson for Families (OBFF).³

In 2025, the Legislative Audit Commission directed the Office of the Legislative Auditor to evaluate OBFF. We focused our evaluation on the following questions:

- **To what extent has the Office of Ombudsperson for Families fulfilled its statutory duties?**
- **How well does the Office of Ombudsperson for Families address complaints?**

During our evaluation, we reviewed relevant state law and OBFF documents and interviewed OBFF's ombudspersons and staff. We also interviewed members of OBFF's community boards, observed board meetings, reviewed board meeting documents, and surveyed community board members.⁴

To better understand how effectively OBFF has fulfilled its duties, we interviewed individuals involved in Minnesota's child protection system, including representatives of the following entities: the Judicial Branch; Minnesota's Department of Children, Youth, and Families; members of certain taskforces or workgroups of which the ombudspersons are members; and more. Further, we interviewed staff members of community organizations focusing on the wellbeing of communities of color in Minnesota, with a focus on organizations that have served families of color involved in the child protection system. We also received feedback on OBFF from

¹ Children and families often become involved in the child protection system as a result of a child maltreatment report. For the purposes of this report, the "child protection system" refers to a range of entities, including state agencies like the Department of Children, Youth, and Families; county social service agencies and other service providers; and the courts.

² *Minnesota Statutes* 2025, 257.076, subd. 3, defines the term "communities of color" as "Hispanic-Latino, Asian-Pacific, African, and African-American communities." We use the term and other variations, such as "children of color," to refer to the communities the Office of Ombudsperson for Families is to serve according to law, including children and families of two or more races or ethnicities. Although we use this term to be consistent with law, it is important to note that Hispanic, Latino, and Spanish-speaking individuals can be of any race, including white, and individuals can be multiracial and/or multiethnic. We recognize viewpoints differ about how certain identities should be categorized and described.

³ *Laws of Minnesota* 1991, chapter 292, art. 3, sec. 20, codified as *Minnesota Statutes* 2025, 257.0755.

⁴ We reviewed agendas and meeting minutes for OBFF's community and joint boards (when available) for all board meetings occurring between January 1, 2022, and October 31, 2025.

We surveyed all community board members for each of OBFF's three community boards, as of July 2025. We received a response from 7 of the 11 board members, for a response rate of 64 percent. We received at least one response from each board.

representatives of a county social services association and from members of the public through a public input survey.⁵

We also reviewed the practices of four other ombudsperson offices in Minnesota to better understand how OBFF's work compares to similar offices in the state.⁶ In doing so, we reviewed each office's statutes; interviewed staff from each office; and reviewed policies or other guidance, reports, and other relevant documents for each office.

Finally, to further evaluate OBFF's complaint handling, we reviewed a sample of OBFF's recent complaint files and analyzed OBFF's complaint data.⁷ We also identified best practices for handling complaints based on publications by national and international entities, including ombudsperson associations.⁸

Our evaluation focused solely on the Office of Ombudsperson for Families. We did not evaluate the Office of Ombudsperson for American Indian Families, which the Legislature established as a separate office in 2021.⁹ We also did not evaluate the decisions or actions made on individual child protection cases by OBFF or others in the child protection system.

⁵ We identified initial survey participants based on (1) our review of Minnesota entities involved in or serving individuals who may be involved in the child protection system, and (2) information provided by OBFF about relevant stakeholders. We used a nonrandom "snowball" sampling approach in which we asked survey recipients to share the survey with others interested in providing feedback. We received 14 responses.

⁶ We reviewed the following offices: Office of Ombudsman for Long-Term Care, Office of Ombudsman for Mental Health and Developmental Disabilities, Office of Ombudsperson for American Indian Families, and Office of the Foster Youth Ombudsperson.

⁷ We requested files for the five most recent investigations or consultations completed by each ombudsperson and the five most recent complaints for which OBFF did not investigate or consult, as of July 2025. We reviewed files for 36 complaints. One of the complaints we reviewed included concerns from multiple complainants about the same issue.

We analyzed data for all submissions received via OBFF's online complaint form between January 1, 2023, and December 31, 2024.

⁸ We reviewed documents produced by the United States Ombudsman Association, the American Bar Association, the International Ombuds Association, and others.

⁹ *Laws of Minnesota* 2021, First Special Session, chapter 7, art. 14, sec. 1, codified as *Minnesota Statutes* 2025, 3.9215.

Chapter 1: Background

Over the course of their experience with the child protection system, children and families in Minnesota may interact with various county and state agencies, state courts, and others. These government entities make important and challenging decisions about how the government will act to protect children from maltreatment. Ombudspersons—such as Minnesota’s Office of Ombudsperson for Families (OBFF)—can be a resource for individuals who may have been affected by government actions or decisions.

Key Findings in This Chapter

- The Office of Ombudsperson for Families is meant to ensure that children and families of color that are involved in the child protection system are treated fairly and appropriately.
- The Office of Ombudsperson for Families’ duties in law are broad.

In this chapter, we begin by describing the role of ombudspersons working in the public sector. Next, we provide an overview of OBFF, including information about its duties in law and its community oversight boards. We conclude the chapter with a discussion about OBFF’s staffing and funding.

Overview of Ombudspersons

In the public sector, ombudspersons work to guarantee that laws are administered in ways that are fair and consistent. Their general aim is to ensure that government and government-regulated agencies respect citizens’ rights.

Examples of Minnesota Ombudsperson Offices

Office of Ombudsman for Long-Term Care:

Serves people needing or receiving long-term care by investigating complaints, providing education, and more.

Office of Ombudsman for Mental Health and Developmental Disabilities:

Promotes high standards of care for people receiving services for mental health, developmental disabilities, or chemical dependence.

Office of Ombudsperson for American Indian Families:

Investigates complaints about entities’ compliance with laws governing the protection and placement of American Indian children in the child protection system.

Office of the Foster Youth Ombudsperson:

Prioritizes concerns from young people about their rights, care, safety, and placement in foster care.

The State of Minnesota has numerous ombudsperson offices, many of which support individuals in specific circumstances. For example, Minnesota’s Office of Ombudsman for Mental Health and Developmental Disabilities serves individuals receiving certain services, as shown in the box to the left. The state also has an ombudsperson office for foster youth and people receiving long-term care, among others.

Typically, ombudspersons address complaints about the actions taken by a specific entity, such as a government agency.

As part of their duties, ombudspersons typically investigate complaints from individuals and recommend changes to government policies and practices. For example, an ombudsperson may receive a complaint from an individual about a public agency that provides them services. The ombudsperson may then investigate the agency’s actions and determine how to address the complaint. Based on their

investigation, the ombudsperson may make recommendations to the agency about how to change policies or practices that may be impinging on individuals' rights.¹

Ombudsperson offices tend to be independent of the entities they review. In Minnesota, the majority of ombudspersons established in state law are appointed by the Governor or a related board, rather than the agency they investigate. For instance, the Office of Ombuds for Corrections—which is responsible for investigating decisions, acts, and other matters involving the Department of Corrections (DOC)—is appointed by the Governor, rather than the DOC commissioner. The ombudsperson's independence helps to ensure both that the ombudsperson's actions are based on a fair review of facts and that others accept the ombudsperson's recommendations.

Office of Ombudsperson for Families

Minnesota has three state ombudsperson offices focused on serving children and families involved in the child protection system: The Office of the Foster Youth Ombudsperson, the Office of Ombudsperson for American Indian Families, and OBFF.²

The Office of Ombudsperson for Families is meant to ensure that children and families of color that are involved in the child protection system are treated fairly and appropriately.

The Legislature established OBFF to help ensure that the entities working with children and families of color in the child protection system follow the law and act in a manner sensitive to cultural needs and differences. Specifically, OBFF strives to ensure that the practices of government and government-regulated agencies are “fair, reasonable, and appropriate.”⁴ More broadly, OBFF seeks to improve outcomes for children and families of color and reduce racial and ethnic disparities in the child protection system, as seen in the box to the right.

OBFF Mission

- To reduce racial and ethnic disparities and disproportionality in Minnesota's child welfare system
- To improve outcomes for children and families involved in child protection cases
- To ensure that all laws governing the protection of children and their families are implemented in a culturally and linguistically competent manner
- To ensure that laws protecting children and families are adhered to in decision-making processes

— OBFF Website³

¹ While ombudspersons may suggest changes, they typically do not have authority to require entities to comply with their recommendations.

² The Ombudsperson for American Indian Families was formerly part of OBFF. In 2021, the Legislature established the Office of Ombudsperson for American Indian Families as its own independent office. *Laws of Minnesota 2021*, First Special Session, chapter 7, art. 14, sec. 1, codified as *Minnesota Statutes 2025*, 3.9215.

³ Office of Ombudsperson for Families, “About Us: Mission,” <https://mn.gov/ombudfam/about-us/mission/>, accessed October 14, 2025.

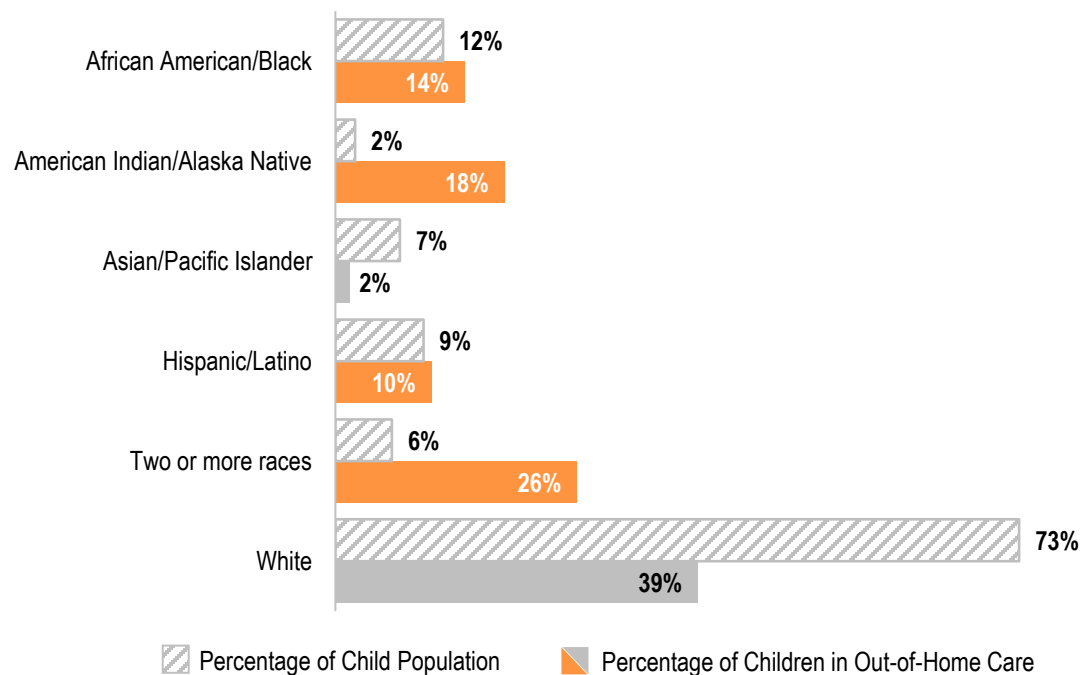
⁴ OBFF, “About Us: Mission.”

Issues with disparities in the child protection system persist to this day. As we discussed in greater detail in our 2022 report, *Child Protection Removals and Reunifications*, studies have repeatedly highlighted racial and ethnic disparities in Minnesota’s child protection system.⁵ More recent data from the Department of Children, Youth, and Families (DCYF) show that these disparities have continued across multiple metrics. Exhibit 1.1 shows an example of ongoing disparities for children of color in Minnesota in out-of-home care.⁶ For example, children of two or more races comprised only 6 percent of Minnesota’s total child population in 2023, but they represented more than one-quarter of children who experienced out-of-home care that year.

Exhibit 1.1

Most Communities of Color Were Over-Represented in Out-of-Home Care in Minnesota in 2023.

Percentage of Minnesota’s Child Population Compared to the Percentage of Minnesota Children in Out-of-Home Care, by Race/Ethnicity



Notes: Hispanic/Latino children could be of any race. If a child identified with more than one race, DCYF included them in the “Two or more races” category.

Source: Department of Children, Youth, and Families, *Minnesota’s Out-of-Home Care and Permanency Report, 2023* (2025), <https://edocs.dhs.state.mn.us/lfserver/Public/DHS-5408PA-ENG>, accessed October 31, 2025, 16.

⁵ Office of the Legislative Auditor, Program Evaluation Division, *Child Protection Removals and Reunifications* (2022), 20–22.

⁶ Also referred to as “foster care,” out-of-home care refers to the 24-hour substitute care a child receives when placed outside of the home due to a child protection or related matter.

Statutory Duties

OBFF has three ombudspersons, each serving children and families belonging to specific communities of color. Currently, OBFF’s ombudspersons are the Ombudsperson for African American Families, the Ombudsperson for Asian Pacific Families, and the Ombudsperson for Spanish Speaking Families.

The Office of Ombudsperson for Families’ duties in law are broad.

State law assigns OBFF various duties, some of which are required, and some of which are optional. For instance, as shown in Exhibit 1.2 on the following page, statutes require that the ombudspersons work with the state courts on various activities.⁷ On the other hand, statutes permit—rather than require—the ombudspersons to conduct investigations of the decisions, acts, or other matters of entities that provide child protection and placement services to children of color.⁸

OBFF’s duties in law require them to interact with many entities involved with different aspects of the child protection system. For instance, statutes require each ombudsperson to “monitor agency compliance with all laws governing child protection and placement, as they impact on children of color.”⁹ Statutes define “agency” broadly, as shown in the box to the right, meaning that OBFF must monitor whether a broad swath of individuals and entities are complying with law.¹⁰ Each ombudsperson must also work with the state courts across a wide spectrum of individuals, including court officials and guardians ad litem.¹¹



Monitoring Agency Compliance

State law defines “agency” as:

- Any individual, service, or program providing child protection or placement services in coordination with or under contract with any entity specified below,
- The divisions, officials, or employees of the Department of Human Services,
- The divisions, officials, or employees of the Department of Health, and
- Local district courts or a designated county social service agency that provides child protection and placement services.

— **Minnesota Statutes 2025, 257.076, subd. 2**

⁷ *Minnesota Statutes 2025, 257.0762, subd. 1(b).*

⁸ *Minnesota Statutes 2025, 257.0762, subd. 2.*

⁹ *Minnesota Statutes 2025, 257.0762, subd. 1(a).*

¹⁰ *Minnesota Statutes 2025, 257.076, subd. 2.*

¹¹ *Minnesota Statutes 2025, 257.0762, subd. 1(b).*

Exhibit 1.2

Duties of the Office of Ombudsperson for Families

Required Duties	<p>The ombudspersons must:</p> <ul style="list-style-type: none"> • Monitor agency compliance with all laws governing child protection and placement, as they impact children of color. • Work with state courts to ensure that: <ul style="list-style-type: none"> ○ Court officials, public policy makers, and service providers are trained in cultural diversity. ○ Experts from the appropriate community of color are used as court advocates and are consulted in placement decisions that involve children of color. ○ Guardians ad litem and other individuals from communities of color are trained, recruited, and used in court proceedings to advocate on behalf of children of color. ○ Training programs for bilingual workers are provided. • Report to the Governor at the end of each year regarding the “exercise of the ombudsperson’s functions during the preceding year.” <p>Representatives of the Office of Ombudsperson for Families must be members of DCYF’s citizen review panels.^a</p>
Permitted Duties	<p>The ombudspersons may investigate decisions, acts, and other matters of an agency, program, or facility providing protection or placement services to children of color and make recommendations to address any problems identified.</p> <p>The Ombudsperson for African American Families may be a member of DCYF’s African American Child and Family Well-Being Advisory Council.</p>
Other Entities’ Duties Related to OBFF	<p>DCYF must consult the ombudspersons, among others, as it:</p> <ul style="list-style-type: none"> • Establishes guidelines and protocols for social service agencies involved in out-of-home placements. • Reviews and revises the Minnesota Assessment of Parenting for Children and Youth tool. <p>The ombudspersons may be contacted by:</p> <ul style="list-style-type: none"> • Social service agencies for certain information about children involved in child protection. • Social service agencies for assistance in recruiting foster care providers. • Siblings of children entering foster care.^b

^a These panels examine policies and procedures for child protection and evaluate agencies’ effectiveness in providing child protection services.

^b Statutes require that information about the Office of Ombudsperson for Families be included with the Foster Care Sibling Bill of Rights.

Community Boards

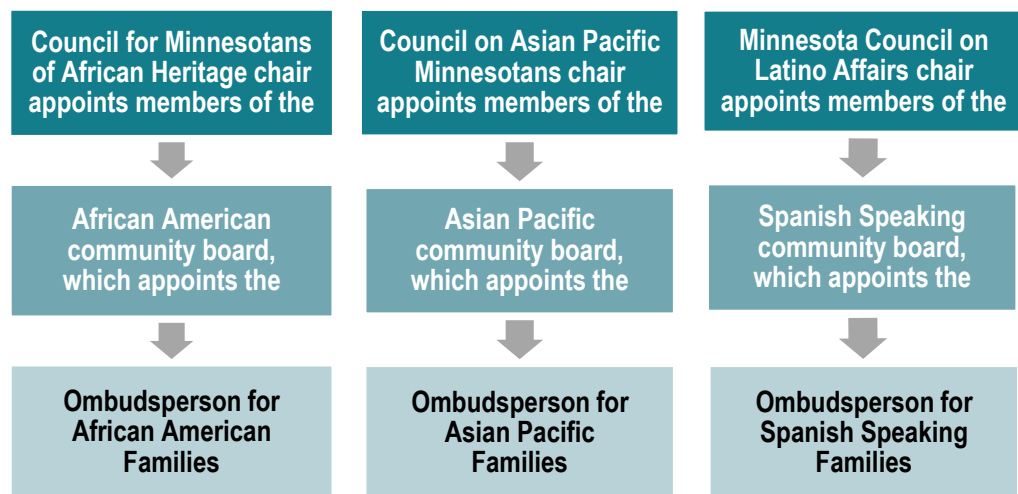
Statutes establish community boards that are responsible for appointing each ombudsperson and advising and assisting the ombudspersons in fulfilling their duties.

Statutes establish three community boards to support and oversee each ombudsperson in their work.¹² These three boards—the African American community board, the Asian Pacific community board, and the Spanish Speaking community board—appoint the ombudsperson for their corresponding community and must “advise and assist” the ombudsperson in developing policies, plans, and programs to carry out the ombudsperson’s work, among other requirements.¹³ Each ombudsperson must “operate independently from but in collaboration with” their community board.¹⁴

By law, board members are appointed by the chair of their corresponding state council, as shown in Exhibit 1.3.¹⁵ Each board consists of five members who are appointed to four-year terms.¹⁶ Statutes require the boards to meet periodically, both individually and together as one joint board.¹⁷

Exhibit 1.3

Community Board Members are Appointed by the Chair of the Corresponding Council.



Source: *Minnesota Statutes* 2025, 257.0768, subds. 1 and 4.

¹² *Minnesota Statutes* 2025, 257.0768.

¹³ *Minnesota Statutes* 2025, 257.0768, subd. 4.

¹⁴ *Minnesota Statutes* 2025, 257.0755, subd. 1.

¹⁵ *Minnesota Statutes* 2025, 257.0768, subd. 1.

¹⁶ *Minnesota Statutes* 2025, 15.0575, subd. 2; and 257.0768, subds. 1 and 5.

¹⁷ *Minnesota Statutes* 2025, 257.0768, subds. 3 and 6.

Staffing and Finances

Staffing

In addition to its three ombudspersons, OBFF has four employees whose work supports the office as a whole, as shown in the box below. OBFF's investigator and intake specialist, for instance, help all three ombudspersons with OBFF's complaint investigations.

OBFF Support Staff

Deputy Ombudsperson: Supervises other support staff and directs operational aspects of the office, such as budget planning.

Intake Specialist: Assists complainants with the complaint process and receives, reviews, and documents complaints.

Investigator: Investigates, resolves, and reports on complaints received by OBFF.

Office Manager: Provides administrative, clerical, and financial management support to the office.

— Office of Ombudsperson for Families
Position Descriptions

OBFF's staffing has increased recently. Between Fiscal Year 2022 and 2024, the office averaged about five full-time-equivalent (FTE) employees.¹⁸ After adding two staff members in 2025, OBFF reported having seven FTE employees as of October 2025.

¹⁸ A full-time-equivalent (FTE) employee is an employee who works 40 hours per week. For example, one employee who works 30 hours each week is counted as 0.75 FTE. State of Minnesota, *2026–27 Biennial Budget, Ombudsperson for Families* (January 2025), <https://mn.gov/mmb-stat/documents/budget/2026-27-biennial-budget-books/governors-recommendations-january/ombudsperson-for-families.pdf>, accessed March 16, 2025.

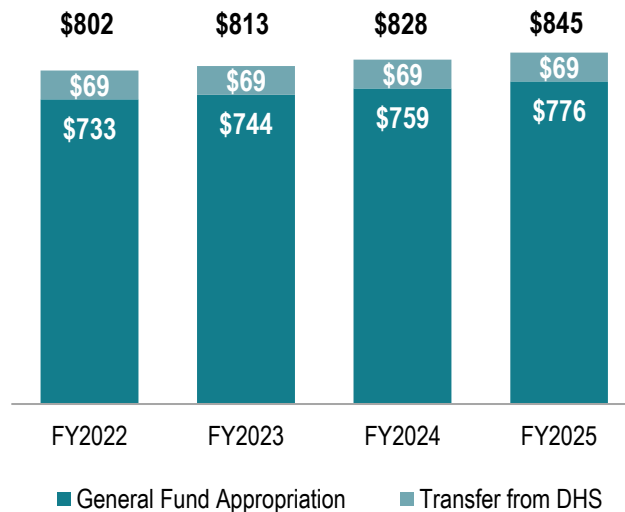
Finances

OBFF is entirely state funded. As Exhibit 1.4 shows, the Legislature appropriated \$776,000 to the office from the General Fund for Fiscal Year 2025. The office also receives a yearly transfer of \$69,000 from the Department of Human Services (DHS).¹⁹

Exhibit 1.4

Office of Ombudsperson for Families, Funding for Fiscal Years 2022–2025

(In Thousands)



Note: Totals above are not adjusted for inflation.

Source: Office of the Legislative Auditor, analysis of state financial data.

According to state financial data, OBFF spent about \$640,100 in Fiscal Year 2024 and \$719,000 in Fiscal Year 2025. Payroll was the office’s greatest expense, as shown in Exhibit 1.5.

Exhibit 1.5

Office of Ombudsperson for Families, Expenditures for Fiscal Years 2024 and 2025

Expense Category	Fiscal Year 2024	Fiscal Year 2025
Payroll	\$561,700	\$622,300
Purchased Services	67,200	83,300
Other	11,200	13,500
Total	\$640,100	\$719,100

Source: Office of the Legislative Auditor, analysis of state financial data.

¹⁹ *Minnesota Statutes* 2025, 257.0769, subd. 1(b), authorizes the transfer from a DHS account that exists to “develop and implement special projects that maximize reimbursements and result in the recovery of money to the state.” *Minnesota Statutes* 2025, 256.01, subd. 2(n).

Chapter 2: Complaint Handling

As we discussed in Chapter 1, typically, a central aspect of an ombudsperson's role is to address complaints. In doing so, an ombudsperson typically investigates the issues raised in the complaint and recommends any needed changes to policies or practices based on their findings. In this chapter, we look more deeply at how the Office of Ombudsperson for Families (OBFF) handles the complaints it receives from children and families involved in the child protection system.

Key Findings in This Chapter

- State law does not require the Office of Ombudsperson for Families to investigate complaints.
- The scope of the Office of Ombudsperson for Families' complaint investigations is limited.
- Because the Office of Ombudsperson for Families does not adequately document its complaint handling, complaint outcomes are unknown.

Requirements in Law

State law does not require the Office of Ombudsperson for Families to investigate complaints.

Statutes allow, but do not require, OBFF to address complaints about the decisions or actions of entities that provide child protection services. According to statutes, “each ombudsperson has the authority to investigate decisions, acts, and other matters of an agency, program, or facility providing protection or placement services to children of color.”¹

Similar to OBFF, several other Minnesota ombudsperson offices are also permitted, as opposed to required, to address complaints. For instance, statutes state that the Ombudsman for Mental Health and Developmental Disabilities “may investigate the quality of services provided to clients.”² The Office of the Foster Youth Ombudsperson may “investigate, upon a complaint or upon personal initiative, any action of an agency.”³ While none of the offices we reviewed are required to investigate complaints, staff at these offices told us that addressing complaints is a key part of their work.⁴

Similar to these other ombudsperson offices, OBFF has chosen to receive and investigate complaints, even though it is not required to do so. We describe OBFF's process for handling complaints in the next section.

¹ *Minnesota Statutes* 2025, 257.0762, subd. 2.

² *Minnesota Statutes* 2025, 245.94, subd. 1(d).

³ *Minnesota Statutes* 2025, 260C.82, subd. 2(a)(4).

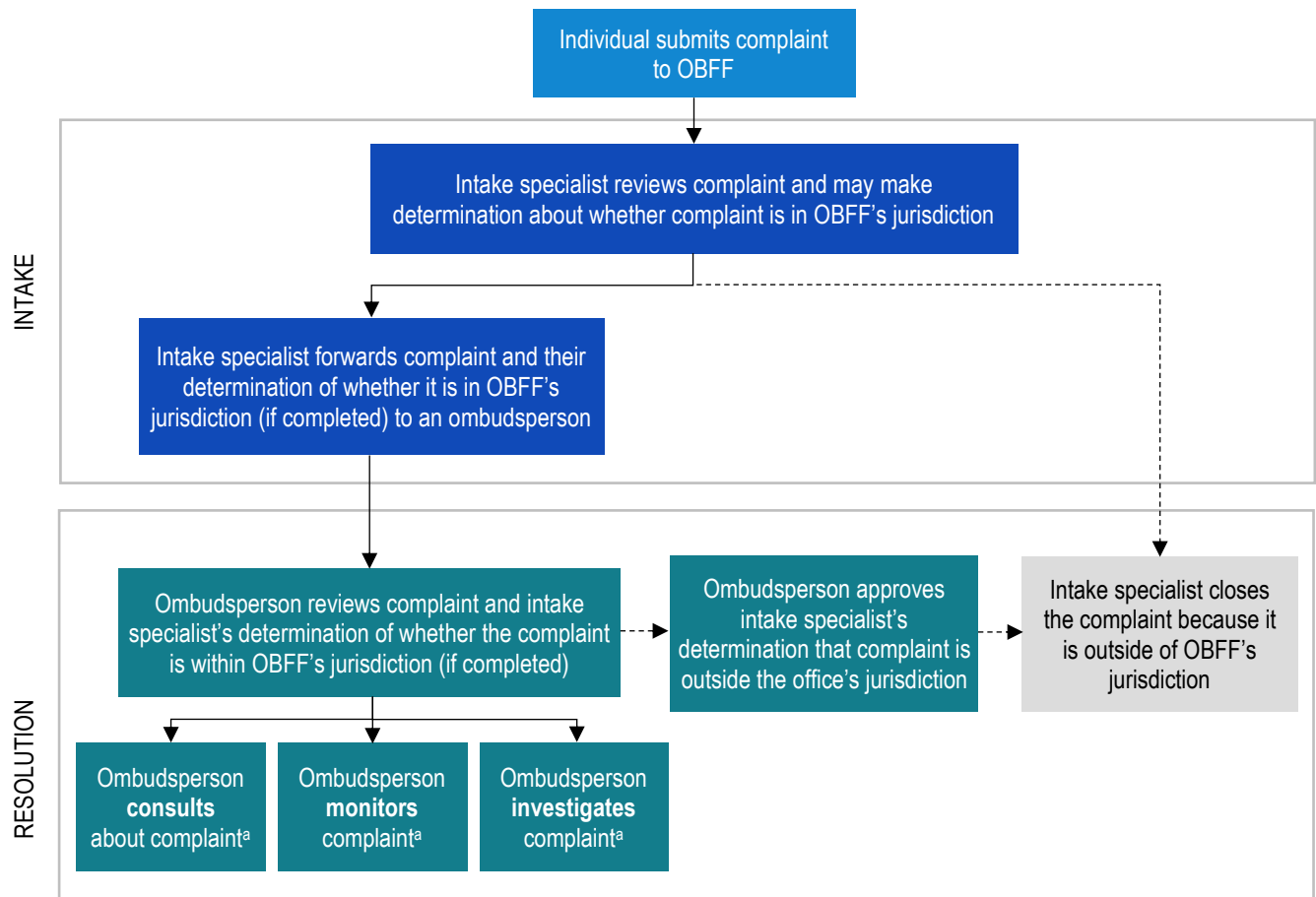
⁴ Although the Office of Ombudsman for Long-Term Care is not required to investigate complaints, it must “gather information and evaluate any act, practice, policy, procedure, or administrative action of a long-term care facility, acute care facility, home care service provider, or government agency that may adversely affect the health, safety, welfare, or rights of any client.” *Minnesota Statutes* 2025, 256.9742, subd. 1(1).

Complaint Process

OBFF's complaint process typically begins when an individual submits a complaint about the decisions or actions of an entity that provides child protection services. While OBFF's complaint handling process varies from one complaint to the next, we provide a general overview of its process in Exhibit 2.1.⁵

Exhibit 2.1

Overview of the Office of Ombudsperson for Families Complaint Handling Process



Note: Dashed arrows represent the different pathways OBFF may use to close complaints outside of its jurisdiction.

^a As we discuss later in this chapter, the ombudspersons define these actions differently.

Sources: OBFF descriptions of complaint process and Office of the Legislative Auditor review of a sample of OBFF complaint files.

⁵ OBFF hired a complaint investigator in fall 2025. The process outlined in this report does not reflect the role OBFF's new investigator may play in OBFF's complaint handling.

Although OBFF may receive complaints through different means, OBFF's website directs complainants to submit their complaint via an online complaint form. The form directs the complainant to provide various information, including who is involved in the complaint, the nature of the complaint, and more. OBFF reported receiving 540 complaints and inquiries in 2023.⁶

After receiving a complaint, OBFF's intake specialist reviews the complaint to determine whether it is within OBFF's jurisdiction and to gather additional information. Specifically, the intake specialist tries to identify any child protection court cases that correspond to the complaint and gathers court documents pertaining to those cases. If a complaint is outside of OBFF's jurisdiction, the intake specialist may close it by providing the complainant with relevant resources, as applicable, or referring the complainant elsewhere, such as to a different ombudsperson office. The intake specialist may also forward the complaint to one of OBFF's ombudspersons for review, regardless of whether the complaint is within the office's jurisdiction.

After the intake specialist forwards a complaint to an ombudsperson, the ombudsperson typically either closes the complaint or takes one of three actions: (1) investigates the complaint, (2) monitors the complaint, and/or (3) consults with the complainant or others.⁷ OBFF reported that it conducted 33 investigations and "consulted and resolved 383 of the case circumstances" in 2023.⁸

The Office of Ombudsperson for Families has few complaint management policies or procedures and maintains little documentation of how it handles complaints, all of which makes it difficult to determine whether the office has complied with legal requirements.

Although Exhibit 2.1 shows OBFF's general process for handling complaints, OBFF has few policies or procedures outlining how the office is to manage or address complaints or ensure that staff take a consistent approach across all complaints. For instance, the office has no policies outlining the criteria for acting upon or closing a complaint, how to determine which ombudsperson should review a complaint, when and how to communicate with a complainant, or how staff are to document their work related to complaints.

In addition to limited policies and procedures, OBFF did not adequately document how it addressed individual complaints. In recent years, OBFF lacked a functional system to store complaint data and documents. A staff member told us the office purchased a complaint management system in 2021 but that it was never functional.⁹ In reviewing a

⁶ Office of the Ombudsperson for Families, *State of Minnesota Office of Ombudsperson for Families* (2024), 2. OBFF does not define "complaints" or "inquiries" and does not delineate between complaints and inquiries in its annual reports.

⁷ OBFF's ombudspersons neither define these actions consistently, nor do they take consistent steps in fulfilling them. We further discuss the ombudspersons' actions throughout this chapter.

⁸ OBFF, *Ombudsperson for Families* (2024), 1.

⁹ OBFF continued to pay for this system through Fiscal Year 2024 despite the office not using it to manage complaints.

sample of complaint files, we found that they frequently lacked key details.¹⁰ For instance, complaint files often lacked OBFF’s rationale for how it addressed a complaint, and some files lacked the initial complaint. Many lacked documentation of the actions the ombudsperson took to review the complaint or were missing evidence that it appeared the ombudsperson had reviewed.

OBFF’s lack of policies and poor documentation made it difficult to evaluate how effectively the office has handled complaints. For instance, it was challenging to evaluate how well OBFF has resolved complaints when staff infrequently documented their actions. We also could not determine whether OBFF followed a number of best practices when addressing complaints. For example, we could not evaluate whether the office reviewed and investigated complaints in a timely manner, because files did not always indicate when the complainant first contacted OBFF or when OBFF began or concluded its activities on the complaint.

OBFF’s lack of policies and poor documentation also made it difficult to determine the extent to which the office is handling complaints in accordance with law. While OBFF has discretion as to whether it investigates complaints, when the office chooses to do so, statutes outline certain actions the office must take, as shown in the box to the right. Statutes, for instance, direct the ombudspersons to focus on certain issues when selecting matters for review.¹¹ There was no evidence in the complaint files we reviewed that OBFF staff considered these criteria when determining which complaints to review; however, it is possible that staff may have done so but not documented their efforts. Statutes also direct the ombudspersons to “inform other interested agencies” when selecting issues to review “to avoid duplicating other investigations or regulatory efforts.”¹² There was likewise no evidence in the complaint files we reviewed of the ombudspersons informing other agencies of their decisions to review specific complaints.¹³

OBFF Complaint Handling: Statutory Requirements

- After reviewing a complaint, the ombudspersons must “inform the complainant, agency, facility, or program.”
- In selecting matters for review, the ombudspersons must inform other interested agencies in order to avoid duplicating other investigations or regulatory efforts.
- When selecting matters for review, the ombudspersons should focus, in particular, on the actions of an agency, facility, or program that may:
 - Be contrary to law or rule.
 - Be unreasonable, unfair, oppressive, or inconsistent with a policy or order.
 - Result in the abuse or neglect of a child.
 - Disregard the rights of a child or other person served by the agency or facility.
 - Be inappropriately unclear or inadequately explained.

**— Minnesota Statutes 2025,
257.0763–0764**

¹⁰ We requested files for the five most recent investigations or consultations completed by each ombudsperson and the five most recent complaints for which OBFF did not investigate or consult, as of July 2025. We reviewed files for 36 complaints. One of the complaints we reviewed included concerns from multiple complainants about the same issue.

¹¹ *Minnesota Statutes 2025, 257.0763(a).*

¹² *Minnesota Statutes 2025, 257.0763(b).*

¹³ Statutes do not specify what entities may be “interested agencies” with regard to this requirement. It is possible that there were no relevant “interested agencies” in the complaint files we reviewed; however, the lack of documentation in OBFF’s complaint files prevented us from confirming this was the case.

Complaint Handling Efforts

While statutes outline a few requirements for OBFF’s investigations, they largely empower the ombudspersons to handle complaints in the manner they see fit. Statutes state that each ombudsperson has the power to “prescribe the methods by which complaints are to be made, reviewed, and acted upon,” and to “determine the scope and manner of investigations to be made.”¹⁴ Statutes also empower the ombudspersons to take certain actions when conducting investigations, as shown in the box to the right. For example, the ombudspersons may request and review agency data and documents, visit facilities under an agency’s control, and more.¹⁵

OBFF Investigatory Powers

In conducting investigations, the ombudspersons may:

- Access and review relevant information held by an agency, as well as agency records and documents.
- Enter and inspect premises under an agency’s control.
- Subpoena agency personnel and compel nonagency individuals to provide information.

— *Minnesota Statutes 2025, 257.0762, subd. 2*

The scope of the Office of Ombudsperson for Families’ complaint investigations is limited.

Despite their investigatory abilities granted by law, the ombudspersons primarily reviewed only court case documents to investigate complaints. In the complaint files we reviewed, there was little evidence of the ombudspersons interviewing those involved in a complaint, reviewing county social services or other documents that were not a part of the court record, or attending court hearings. Sometimes, but not regularly, we saw evidence of the ombudspersons or OBFF’s intake specialist emailing a complainant or a county worker for additional information.



I have a concern that this office does not do enough investigations. ... They take complaints but no full investigations.

— **Public input survey respondent**

OBFF’s investigatory actions were limited compared to the other ombudsperson offices we reviewed. As part of our evaluation, we reviewed the laws and practices for four other ombudsperson offices in the state.¹⁶ In addition to reviewing records pertaining to the complaint, the other ombudsperson offices reported communicating or meeting with parties—such as the complainant, agency staff, or others—as part of their investigations. One of these other ombudsperson offices emphasized doing so through site visits, for instance, while another told us it frequently attends court hearings in addition to communicating with relevant parties. Although at least one of these ombudsperson offices indicated that the actions they take to investigate a complaint vary based on the complaint’s specifics, the offices’ investigatory processes were generally more robust than OBFF’s.

¹⁴ *Minnesota Statutes 2025, 257.0762, subd. 2.*

¹⁵ *Minnesota Statutes 2025, 257.0762, subd. 2(4)–(7).*

¹⁶ We reviewed the following offices: Office of Ombudsman for Long-Term Care, Office of Ombudsman for Mental Health and Developmental Disabilities, Office of Ombudsperson for American Indian Families, and Office of the Foster Youth Ombudsperson.

Furthermore, OBFF has decided to limit the scope of complaints it will address. While statutes permit OBFF to investigate all “decisions, acts, and other matters of an agency, program, or facility providing protection or placement services to children of color,” OBFF has chosen to address only complaints that involve a child protection case that is active in the courts.¹⁷ Even among these complaints, OBFF has further limited the scope of complaints it reviews; two of the ombudspersons told us they do not typically address complaints pertaining to cases that have reached the point at which the court has scheduled a hearing to terminate an individual’s parental rights.¹⁸

While law permits OBFF to determine the scope of its investigations, the office’s narrow approach to the types of complaints it addresses means that it does not investigate or monitor a range of issues. For instance, OBFF would not investigate complaints about broader child protection issues that are not linked to a specific child protection case, such as if a drug and alcohol counselor complained that their clients told them their county child protection workers are culturally biased. As another example, before a child protection case is filed in court, parents may receive services to address their family’s needs while allowing the child to remain in the home.¹⁹ If a parent complained that they were not receiving adequate services to address their family’s needs, OBFF would not investigate the complaint until there was an open child protection case in court.

The Office of Ombudsperson for Families handled complaints inconsistently.

Based on conversations with OBFF staff and our review of OBFF’s complaint files, we found that OBFF’s complaint handling work varied across several key factors. As a result, two complainants with similar complaints could have significantly different experiences depending on which ombudsperson received their complaint, among other factors. We discuss some of the key inconsistencies below.

Accepting complaints for review. In the files we reviewed, OBFF did not use consistent criteria to determine whether it would address a complaint—through an investigation or consultation, for instance—or close it immediately without taking action. In one instance, an ombudsperson decided to monitor a complaint, while another ombudsperson did not act on other complaints involving the same situation. One ombudsperson closed several



I have worked with several of the members of the Ombudsperson's office. Some are very diligent and responsive. Others are not. I think on the whole that the office could be more responsive to parents on individual cases (this would include better documentation of the investigation done and results).

— Public input survey respondent

¹⁷ *Minnesota Statutes* 2025, 257.0762, subd. 2.

¹⁸ A court may terminate parental rights when it determines that a parent has not followed their case plan or fixed the underlying problems regarding their child’s neglect or maltreatment. An ombudsperson noted that OBFF does not have authority to order a court to change its decision.

¹⁹ Examples of services for parents include chemical dependency treatment, parenting classes, counseling, and more.

complaints without taking action, even though the complaints appeared to fall within the scope of complaints OBFF has elected to review.²⁰ Because the ombudsperson did not consistently specify why they would not address these complaints, it was difficult to assess what criteria—if any—the ombudsperson used to justify closing the complaints.

Ombudsperson role. The ombudspersons varied in the extent to which they reviewed complaints or relied on OBFF’s intake specialist to do so. The complaint files we reviewed indicated that one ombudsperson consistently reviewed complaints, whereas another ombudsperson largely relied on the intake specialist to review (and often close) complaints. The extent to which the third ombudsperson was involved in reviewing complaints varied from one complaint to the next. For many of the complaints—especially those that were closed immediately without further action—there was little to no indication that two of the three ombudspersons reviewed complaints themselves or approved the intake specialist’s decisions to close complaints. While statutes permit the ombudspersons to delegate some of their duties—including complaint reviews—two ombudspersons did not appear to review or have regular oversight of actions taken on numerous complaints in their purview.²¹

Complaint assignments. In discussing OBFF’s structure, the author of the bill establishing the office explained that communities of color expressed strongly that families involved in the child protection system needed to be able to speak with someone who knows their specific culture. An OBFF staff person told us that when the intake specialist forwards a complaint to an ombudsperson for review, the specialist sends it to the ombudsperson who serves the community to which the child or family involved in the complaint belongs.²² For example, for a complaint involving an African American child, the intake specialist would forward the complaint to the Ombudsperson for African American Families. However, we found this was not consistently the case. For instance, in the complaints we reviewed, the Ombudsperson for African American Families reviewed a complaint about a child who was Asian and white and another involving a Hispanic child.

²⁰ Specifically, these complaints involved open child protection cases and nothing in the file indicated that the cases had reached the point of terminating parental rights.

²¹ *Minnesota Statutes* 2025, 257.0761, subd. 2.

²² When the community associated with a complaint is unclear or those involved in a complaint are not members of the specific communities the ombudspersons serve according to law, a staff member said that the intake specialist assigns the complaint to the ombudsperson on call to receive complaints for the given week. OBFF staff told us the ombudspersons rotate weekly to be on call. An ombudsperson commented that many families today are multiracial, multiethnic, and multicultural.

Complaint Handling Best Practices

As part of our efforts to determine how effectively OBFF handles complaints, we reviewed academic literature and complaint handling standards from various professional ombudsperson organizations to identify best practices for investigating complaints.²³ We include a sample of the best practices we identified in the box below.

Selected Best Practices for Ombudspersons When Addressing Complaints

It is best practice for ombudsperson offices to:

- Communicate to complainants:
 - That the complaint was received.
 - What to expect from the complaint process, including timelines.^a
 - The reason(s) a complaint will not be investigated, or the conclusion or resolution of the complaint.
- Determine what response to a complaint is appropriate depending on specific factors, such as the type and complexity of the complaint.
- Address complaints in a timely manner.
- Keep a full record of complaints, actions to address complaints, and complaint outcomes.
- Prevent the disclosure of information provided in confidence, to the extent allowed by law.
- Ensure that staff who handle complaints do not have conflicts of interest.

Note: While the sources we reviewed identified many of these as best practices for ombudspersons specifically, some sources identified certain items above as best practices for any organization that receives complaints.

^a According to best practices, ombudspersons offices should also provide information to the public about how they handle complaints and what to expect from the complaint process.

— Office of the Legislative Auditor

The Office of Ombudsperson for Families did not follow best practices when handling complaints.

In reviewing OBFF's complaint files, we found several areas in which the office did not follow best practices for complaint handling. OBFF, for example, did not consistently follow best practices pertaining to communicating with complainants or the public. We discuss key best practices that OBFF did not consistently follow below.

Complaint process transparency. OBFF did not consistently provide information to complainants about the office's complaint handling process, including information on OBFF's jurisdiction, investigation timelines, or potential complaint outcomes. Likewise, OBFF provides limited information to the general public about how the office addresses complaints or what to expect from the process.

²³ We reviewed documents produced by the United States Ombudsman Association, the American Bar Association, the International Ombuds Association, and others.

Complainant communication. OBFF frequently did not notify complainants that it had received their complaint. In many cases, OBFF’s initial contact with a complainant was to close their complaint within days of the complainant submitting it. There was no documentation that OBFF had communicated at all with 9 of the 37 complainants in the files we reviewed.

Complaint resolution. OBFF inconsistently informed complainants as to how, if at all, it addressed their complaints. However, when OBFF notified complainants that it was closing their complaint without looking into it, the office often provided tailored resources or advice to complainants suggesting next steps they could take outside of OBFF.

Complainant confidentiality. Unlike some other ombudsperson offices, statutes do not classify OBFF’s complaint data as not public information; however, the ombudspersons do not have to voluntarily forward complainant information to other parties. In reviewing OBFF’s complaint files, we found instances of the office forwarding complaint information directly to county social service agencies without taking efforts to keep confidential the identity of the complainant or details of the complaint that could reasonably lead to identifying the complainant.²⁴



It is unclear to me how they work to address complaints – information on their website is lacking in this regard....

I have also heard unfortunate experiences from community members for years who have contacted or attempted to contact OBFF...not receiving calls or responses back, or responses that show a lack of understanding of the concerns expressed or system dynamics involved.

— Public input survey respondent

Complaint records. As we discussed earlier in this chapter, OBFF did not maintain a full record of complaints or its actions to address complaints.

Recommendations

Although OBFF is not required to address complaints, we believe there is value in it doing so. Many individuals we spoke with described various reasons why conducting complaint investigations is an important function of the office.²⁵ In Minnesota, OBFF is the primary independent state entity for many individuals to contact with concerns about the actions of entities in the child protection system. Without OBFF, these individuals are largely left to bring their complaints to those providing child protection services, such as county social services staff, who may be the subject of the complaint. By addressing complaints, OBFF can also better understand issues affecting children and families of color involved in the child protection system and make recommendations to remedy them. However, OBFF needs to significantly improve its complaint handling if it is to continue accepting and investigating complaints.

²⁴ In contradiction to law and the office’s practices, OBFF’s website states that it treats complaints as confidential.

²⁵ Throughout our evaluation, we interviewed individuals across various aspects of Minnesota’s child protection system, including representatives of the Judicial Branch, employees of state agencies, members of certain taskforces or workgroups of which the ombudspersons are members, staff members of community organizations that have served families of color involved in the child protection system, and more.

RECOMMENDATIONS

The Office of Ombudsperson for Families should:

- **Establish complaint management policies and procedures to be used by all staff.**
 - **Ensure a consistent approach when conducting investigations, including following best practices.**
 - **Provide information about its complaint handling practices on its website.**
-

Even though state law allows the ombudspersons to take different approaches to address complaints, we think it is important that everyone who comes to OBFF with a complaint have a similar experience. The exact steps to investigate a complaint may vary depending on the nature of the specific complaint; however, complainants should be able to expect that OBFF's overall approach to a complaint, such as whether the office investigates or closes it, is consistent regardless of which staff person receives the complaint. Even with officewide complaint policies and procedures, the ombudspersons can still apply community-specific considerations when evaluating complaints.

If OBFF continues to receive and address complaints, it should establish policies and procedures that outline how staff are to manage and address complaints. In creating these policies and procedures, OBFF should ensure that they incorporate best practices for complaint handling and detail how staff are to fulfill complaint-related requirements in law. In addition, the office should establish a formal process to review how staff manage complaints to ensure staff are complying with expectations. Doing so can help to ensure staff decisions are based on the same criteria and documented in a uniform manner, particularly as OBFF expands the number of staff members involved in investigations.²⁶

If OBFF determines that revisions to law are necessary in order for the office to follow best practices or more effectively address complaints, OBFF should propose statutory changes to the Legislature. For example, OBFF should work with the Legislature to ensure that statutes permit the office to adequately prevent the disclosure of complainant information provided to OBFF in confidence.

Once OBFF has established complaint management policies and procedures, it should provide information on its website about its complaint handling practices. At a minimum, OBFF should explain how it investigates complaints, provide a comprehensive list of the types of complaints it does and does not investigate, and describe potential outcomes for complaints. In addition to being a best practice, doing so will provide important transparency about OBFF's processes and will better enable complainants to determine whether to submit a complaint to OBFF or seek other remedies.

²⁶ OBFF recently hired an investigator and has expressed interest in hiring additional staff to support complaint handling efforts.

RECOMMENDATION

The Office of Ombudsperson for Families should utilize a complaint management system.

If OBFF continues to receive and address complaints, the office should manage and document complaints with a complaint management system. After not having a functional system since at least 2021, OBFF secured a new case management system in late 2025. OBFF should ensure that the system meets its data and document management needs and consistently use the system to manage complaints moving forward. OBFF should also create policies and procedures detailing the complaint information that it will store in the system and who will be responsible for maintaining those data.

Complaint Outcomes and Trends

Statutes state that “if, after reviewing a complaint or conducting an investigation..., the ombudsperson determines that the complaint has merit or the investigation reveals a problem, the ombudsperson may recommend” that the entity under investigation take certain actions, as outlined in the box to the right.²⁷ While the entity under investigation is not required to comply with OBFF’s recommendations, statutes require the entity to inform the ombudsperson about the “action taken on the recommendation or the reasons for not complying with it,” if OBFF requests an update.²⁸ Statutes also permit the ombudspersons to issue reports when they find problems.²⁹

OBFF Recommendations

The ombudspersons may recommend that an agency, facility, or program:

- Consider the matter further.
- Modify or cancel its actions.
- Alter a rule, order, or internal policy.
- Explain the action in question.
- Take other action as authorized by law.

— **Minnesota Statutes 2025,
257.0765(a)**

In the following section, we discuss the outcomes of OBFF’s complaint handling efforts, the data OBFF collects about complaint handling activities, and the extent to which OBFF uses those data to inform its work.

²⁷ *Minnesota Statutes 2025, 257.0765(a).*

²⁸ *Minnesota Statutes 2025, 257.0765(b).*

²⁹ *Minnesota Statutes 2025, 257.0766, subd. 1.*

Complaint Outcomes

Because the Office of Ombudsperson for Families does not adequately document its complaint handling, complaint outcomes are unknown.

OBFF does not collect data on its investigation findings or whether it substantiated the complaint. Instead, to determine the results of OBFF's complaint handling efforts, one would need to review each individual complaint file. Even then, the files may not include all the information necessary to understand OBFF's actions. For instance, none of the complaint files we reviewed clearly indicated whether the office substantiated any of the issues raised in the complaints.

In addition to not knowing whether OBFF substantiated complaints, we also do not know what actions the ombudspersons or the agencies took to address any issues the ombudspersons identified. OBFF does not collect data on how complaints were resolved, and there was limited documentation within the complaint files we reviewed regarding how the ombudspersons investigated, monitored, or consulted on individual complaints. In a few of the complaint files we reviewed, the ombudsperson asked counties for updates about the case; however, there was no documentation of the counties revising their practices or making changes as a result of the ombudspersons' complaint handling efforts.³⁰ While statutes allow the ombudspersons to issue formal reports when they find issues, none of the files we reviewed included any such reports.³¹

Complaint Trends

Recording and analyzing complaint data could provide useful insights about the prevalence of issues affecting children and families of color in the child protection system. Such information could allow OBFF to identify trends across the state and help it to address issues in a systematic manner. Further, tracking the office's response to complaints could help to ensure that it addresses complaints in a consistent, timely, and appropriate manner.

The Office of Ombudsperson for Families does not collect adequate data on complaint handling, which impedes its ability to identify complaint trends and address issues in the child protection system systematically.

The data OBFF collects on complaints are limited, particularly with regard to how it handles complaints. As we discussed above, OBFF lacks data on which complaints it substantiated, how it addressed those complaints, and how the entity under investigation addressed OBFF's findings. OBFF also does not collect data about whether a complaint was investigated, who investigated the complaint, or what actions staff took as part of the investigation, among other key metrics.

³⁰ Among the complaints we reviewed, it is possible that the ombudspersons did not identify any issues that necessitated changes to agency practices. As noted above, OBFF does not collect data or otherwise clearly document whether it substantiated complaints.

³¹ *Minnesota Statutes* 2025, 257.0766, subd. 1.

When OBFF does collect data about complaints, the usefulness of the data is limited. Although OBFF can calculate how many submissions it received via its online complaint form, in reviewing OBFF's complaint data, we found that some of the submissions were not complaints about entities providing child protection services.³² For example, submissions requested information about the rights of siblings involved in foster care, alleged abuse by a parent, or reported school enrollment issues for a child in foster care. However, the office lacks a mechanism for systematically identifying which submissions are actually complaints. Further, some complaints came to OBFF via phone or email and did not go through the online intake form, meaning that OBFF's complaint submission data likely does not reflect the full extent of the complaints it received.

As a result of OBFF's limited and unreliable data, it is unclear how many complaints the office has received. We noted earlier that OBFF reported receiving 540 total complaints and inquiries in 2023.³³ In contrast, our review of complaint submission data showed that the office received 140 submissions through its online complaint form in 2023. Given the state of OBFF's complaint data, it is not possible to determine the true number of complaints OBFF received that year.

OBFF's data limitations also mean that the total number of complaints it addressed is unclear. As we discussed in Exhibit 2.1, after OBFF's intake specialist reviews a jurisdictional complaint and forwards it to an ombudsperson, the ombudsperson typically takes one of three actions: (1) consults about the complaint, (2) monitors the complaint, or (3) investigates the complaint. However, OBFF lacks uniform definitions of these efforts to address complaints. The office does not have a standard point at which an investigation begins, and the ombudspersons do not consistently define the actions or criteria that would constitute consulting about a complaint versus monitoring a complaint versus investigating a complaint. OBFF reported that, in 2023, it conducted 33 investigations and "consulted and resolved 383 of the case circumstances" it received; however, it is unclear what these actions constituted and it is not possible to verify these totals.³⁴

OBFF's limited complaint data make it more challenging for the office to identify trends in child protection issues affecting children and families of color. Currently, the office cannot systematically look across complaints to identify commonly reported issues, whether certain issues are occurring within a particular community, or whether issues are prevalent across the state. This makes it difficult for the office to monitor entities' compliance with child protection laws, as required by statute, and impedes any efforts to strategically effect change beyond the individual families who submit complaints.

An ombudsperson at OBFF told us that they use other information to identify trends in child protection issues. As examples, the ombudsperson pointed to their participation in task forces and continuing education and their review of national data. We appreciate the value of different sources of data; however, the ombudspersons' inability to look across the entirety of the complaints they receive to learn what issues appear throughout Minnesota or across communities is a missed opportunity.

³² We analyzed data for all submissions received via OBFF's online complaint form between January 1, 2023, and December 31, 2024.

³³ OBFF, *Ombudsperson for Families* (2024), 2.

³⁴ OBFF, *Ombudsperson for Families* (2024), 1.

Recommendation

Since OBFF does not collect data about complaint outcomes, we do not know whether the office has identified issues, the nature of those issues, or how it addressed them. Without this information, we cannot evaluate how effectively OBFF addresses complaints or the office's ultimate impact on the actions of entities providing child protection services to children and families of color.

OBFF's lack of data also makes it challenging to determine the extent to which the office is effecting broader changes across the child protection system through its complaint work. We frequently heard from other ombudsperson offices that reviewing data on the complaints they receive helps them to understand and identify broader issues. For instance, one office has processes to analyze its investigations to identify trending issues, which it then discusses in a report alongside recommendations and areas for improvement.

RECOMMENDATION

The Office of Ombudsperson for Families should collect and analyze complaint data to identify complaint trends and more systematically address issues in the child protection system.

If OBFF continues to receive and address complaints, it needs to significantly improve the extent and quality of its complaint-related data. Among other key metrics, OBFF should collect data on whether it investigated the complaint, whether it substantiated the complaint, the actions it took to address any issues it found during the investigation, and the actions the entity under investigation took in response to OBFF's findings. The office should also establish common definitions for key complaint handling activities, including clarifying what constitutes an investigation, a consultation, and complaint monitoring. Doing so will help the office to more accurately monitor and report on its work.

We also recommend that OBFF use its complaint handling data to identify trends and more systematically address child protection issues affecting children and families of color. Identifying patterns in the types of issues reported, the communities impacted, and the counties involved, among other metrics, would allow the office to address similar issues together instead of through separate, individual complaints. Additionally, the office could take measures to lessen the likelihood of future complaints. For example, the office could contact state agencies, specific judicial districts, or specific counties to recommend training topics based on trending compliance issues.

Chapter 3: Approach to Duties and Role in Child Protection

While complaint handling is typically the central aspect of an ombudsperson’s role, the responsibilities of the Office of Ombudsperson for Families (OBFF) are more expansive. In this chapter, we discuss OBFF’s approach to fulfilling the full scope of its statutory duties before further exploring OBFF’s role in the child protection system. We then discuss the office’s impact on the child protection system in recent years, OBFF’s current resources, and conclude with recommendations for improvements.

Key Findings in This Chapter

- Each ombudsperson has significant discretion as to how they fulfill their duties in law, and they have adopted different approaches to doing so.
- The ombudspersons do not fulfill all duties required by law and spend considerable time on activities that are not required.
- The Office of Ombudsperson for Families’ impact in recent years on families of color involved in the child protection system—or the child protection system overall—is unclear.
- The Office of Ombudsperson for Families has limited resources given its broad duties in law; however, it has not spent its full appropriation in recent years.

Approach to Duties

Key OBFF Duties in Law

Required Duties:

- Monitor compliance with all laws governing child protection and placement, as they impact children of color.
- Work with state courts to ensure that court officials and others are trained in cultural diversity, experts from the appropriate community of color are used as court advocates, and more.

Permitted Duties:

- Investigate decisions, acts, and other matters of entities providing protection or placement services to children of color.

— **Minnesota Statutes**
2025, 257.0762

Statutes assign the ombudspersons various duties, some of which they must fulfill, and some of which are optional.¹ In Chapter 2, we discussed the ombudspersons’ efforts with regard to one of their optional duties—conducting investigations. In the following section, we discuss OBFF’s approach to the full scope of its statutory duties.

Each ombudsperson has significant discretion as to how they fulfill their duties in law, and they have adopted different approaches to doing so.

Despite the breadth of OBFF’s duties in law, state law contains minimal guidance about how the ombudspersons are to fulfill them. For example, state law requires each ombudsperson to “monitor agency compliance with all laws governing child protection and placement, as they impact children of color.”² Although statutes specify certain laws to monitor “in particular,” there is no description of how the ombudspersons are to monitor compliance.³ Statutes likewise do not provide any indication of how the ombudspersons

¹ A full list of OBFF’s statutory duties can be found in Exhibit 1.2.

² *Minnesota Statutes* 2025, 257.0762, subd. 1(a).

³ *Minnesota Statutes* 2025, 257.0762, subd. 1(a).

are to work with the courts to fulfill their court-related duties, and statutes leave it to the ombudspersons to determine whether and generally how to investigate complaints about entities providing child protection services.

Further, OBFF has developed few internal policies or procedures to guide staff's work. As we discussed in Chapter 2, OBFF has established virtually no internal guidance regarding complaint handling. OBFF has also not established internal guidance as to how the ombudspersons should monitor compliance with child protection laws or how they should work with the courts.

In practice, we found that the ombudspersons take somewhat different approaches to their work. We discussed in Chapter 2 how the ombudspersons do not take a consistent approach to handling complaints. The ombudspersons also described significant differences with regard to how they monitor compliance with child protection laws. One ombudsperson said they review child protection cases and complaints to monitor agency compliance. Another ombudsperson said that they primarily monitor agency compliance through legislation or their participation on task forces and boards. The third ombudsperson described participating in workgroups and doing "peer-to-peer" work with a county and a philanthropic organization to monitor agency compliance.

The ombudspersons do not fulfill all duties required by law and spend considerable time on activities that are not required.

Although state law provides little guidance about how the ombudspersons should do their work, it nonetheless outlines certain duties that the ombudspersons must fulfill. For example, each ombudsperson must work with state courts to ensure that "training programs for bilingual workers are provided."⁴ However, the ombudspersons told us about several ways in which they do not consistently fulfill their duties required by law.

Work with the courts. All three ombudspersons described taking limited actions to fulfill some of their court-related duties and not fulfilling others at all. For example, statutes require the ombudspersons to work with state courts to ensure that "experts from the appropriate community of color...are used as court advocates and are consulted in placement decisions that involve children of color"; two ombudspersons said that they have not recently done so.⁵ The ombudspersons explained that OBFF's efforts to fulfill its court-related duties are primarily limited to serving on the Children's Justice Act Task Force or being part of the Children's Justice Initiative.⁶

⁴ *Minnesota Statutes* 2025, 257.0762, subd. 1(b)(4).

⁵ *Minnesota Statutes* 2025, 257.0762, subd. 1(b)(2).

⁶ The Children's Justice Initiative is a collaboration between Minnesota's Judicial Branch; the Department of Children, Youth, and Families; and the Department of Human Services, with a goal of improving outcomes for children who have been abused or neglected. Members of the Children's Justice Act Task Force focus on children's justice related to child maltreatment and are professionals with knowledge and experience relating to the criminal justice system and child maltreatment.

Citizen Review Panels. State law requires the Department of Children, Youth, and Families (DCYF) to establish citizen review panels.⁷ OBFF representatives are required by law to serve as panel members; however, they do not currently do so.⁸ Two ombudspersons stated that they were members of citizen review panels prior to the COVID-19 pandemic, while one ombudsperson has never served on a review panel. Contrary to the requirement in law, one ombudsperson told us that “OBFF can have membership on the [review panels], but we’re not required to do so.”

Compliance monitoring. Although their approaches differed somewhat, each ombudsperson described taking a limited approach to monitoring agency compliance with child protection laws. One ombudsperson, for instance, described monitoring child protection court cases and reviewing complaints as means of monitoring agency compliance; however, this ombudsperson said they were not currently monitoring any

cases. None of the ombudspersons proactively monitor compliance with child protection laws, for instance, by selecting a sample of child protection cases within one county to review for compliance issues or by analyzing county child protection data.

While the ombudspersons have not consistently fulfilled their required duties, they spend considerable time on activities not required by law. As we discussed in Chapter 2, the ombudspersons periodically handle complaints regarding the child protection system, a duty that statutes permit, but do not require, them to fulfill.¹⁰ Additionally, OBFF reported that developing public policy “to effect policy changes when current policies do not reflect best practices” is a key component of their work.¹¹ As part of their public policy work, the ombudspersons primarily described their participation in various workgroups. For instance, one ombudsperson reported serving as a member of the African American Babies Coalition, while another reported serving as the co-chair of the State of Minnesota’s Employees of Asian Descent Employee Resource Group. Statutes neither require OBFF to develop public policy, nor require OBFF to participate on the workgroups on which they currently serve. However, the ombudspersons told us that participating in

Groups in Which One or More OBFF Ombudspersons Currently Participate

- African American Babies Coalition
- African American Child Wellbeing Advisory Council
- African American Child Wellbeing Unit
- Black Mamas Matter Alliance
- Child Wellbeing Network – AspireMN
- Children’s Justice Act Taskforce^a
- Children’s Justice Initiative^a
- City of Saint Paul Human Rights and Equal Employment Opportunity Commission
- Cultural and Ethnic Communities Leadership Council^a
- Governor’s Office – Asian American and Pacific Islander Community Leaders Roundtable
- Minnesota African American Family Preservation and Child Welfare Disproportionality Act Statewide Work Group
- Minnesota Employees of Asian Descent – State of Minnesota Employee Resource Group
- National Association for the Advancement of Colored People – Healing Circles

^a Multiple ombudspersons reported being a member of this group.

— OBFF Ombudspersons⁹

⁷ *Minnesota Statutes* 2025, 142A.03, subd. 10(a). DCYF’s citizen review panels examine policies and procedures for child protection and evaluate agencies’ effectiveness in providing child protection services.

⁸ *Minnesota Statutes* 2025, 142A.03, subd. 10(b).

⁹ Katie Heilman, OBFF, secure file transfer protocol upload to OLA, July 17, 2025; Muriel Gubasta, OBFF, email to Caitlin Badger, “OLA data request for the ongoing evaluation of OBFF,” July 28, 2025; and Beth Chaplin, OBFF, secure file transfer protocol upload to OLA, July 30, 2025.

¹⁰ One ombudsperson described how handling complaints can help OBFF to monitor entities’ compliance with child protection laws.

¹¹ State of Minnesota, *2026–27 Biennial Budget, Office of Ombudsperson for Families* (January 2025), <https://mn.gov/mmb-stat/documents/budget/2026-27-biennial-budget-books/governors-recommendations-january/ombudsperson-for-families.pdf>, accessed March 16, 2025, 2.

workgroups helps them to fulfill their duties to monitor compliance with child protection laws and to work with the courts.

Individuals we spoke with indicated that ombudspersons should assist individual families and seek broader changes to the child protection system.

Several individuals we spoke with across the child protection system commented that OBFF’s duties in law were appropriate for the office’s purpose.¹² For instance, a member of the Children’s Justice Act Task Force explained that, while they thought complaint investigations should be a priority for OBFF, there is a “symbiotic” relationship between addressing complaints and working with the courts to prevent issues from becoming a complaint in the first place. OBFF’s community board members who responded to our survey also agreed that the duties and powers in state law align with the duties they would expect the ombudspersons to fulfill.¹³

While several individuals we spoke with agreed that OBFF’s duties in law were appropriate, many suggested ways in which OBFF’s duties should be refined. Many suggested requiring the office to fulfill duties that are currently optional or otherwise expanding OBFF’s duties, while some suggested ways in which OBFF should hone its approach to fulfilling its duties. Many individuals described the need for OBFF to take a multifaceted approach to its work so that it can meet the needs of individual families as well as improve the child protection system overall. We provide additional information on priorities for OBFF’s work below.

Outreach and engagement. Although OBFF is not currently required to undertake outreach or engagement, many individuals discussed the importance of OBFF doing so. Individuals commented on the need for OBFF to reach out to both community organizations and government agencies involved in the child protection system. Some individuals emphasized the importance of reaching out to community members—particularly members of communities of color—in order to build awareness of and trust in the office. Doing so, one individual explained, will increase the likelihood that families will share concerns about their child protection experiences with OBFF.



There's also an ongoing need to ensure the office remains visible and accessible to the communities most in need of their services. ... As the Office continues to evolve, investing in community education and expanding outreach will be key to increasing awareness of its role and impact.

— Public input survey respondent

¹² Throughout our evaluation, we interviewed individuals across various aspects of Minnesota’s child protection system, including representatives of the Judicial Branch, employees of state agencies, members of certain taskforces or workgroups of which the ombudspersons are members, staff members of community organizations that have served families of color involved in the child protection system, and more.

¹³ We surveyed all community board members for each of OBFF’s three community boards, as of July 2025. We received a response from 7 of the 11 board members, for a response rate of 64 percent. We received at least one response from each board.

Complaint handling. Although statutes do not currently require OBFF to handle complaints, several individuals expressed that part of the office’s role should be addressing families’ complaints about their experiences with child protection.¹⁴ Some individuals suggested that OBFF should use its work related to child protection complaints to inform the broader work of the office to monitor compliance with child protection laws and make recommendations for improvements.

Taskforces. While the ombudspersons’ involvement in task forces can be useful to communicate the experiences and perspectives of the communities OBFF serves, several individuals we spoke with identified limitations of task forces. Although the ombudspersons tend to prioritize participation on task forces, individuals we spoke with generally did not identify this as something that should be a primary focus of OBFF’s work.

Overall, individuals that we spoke with stressed that OBFF’s duties should involve addressing issues in the child protection system both at the family level and at a systemic level. A judge, for example, explained that while OBFF should address families’ complaints, OBFF’s assertions have more weight and credibility when they are based on patterns rather than “one-off” judgements. The judge commented that it is important for OBFF to use its complaint work to take a systemic view of the child protection system. A member of the Department of Human Service’s (DHS’s) Cultural and Ethnic Communities Leadership Council commented that, while it is good to address issues that occur at a smaller, individual level, if OBFF is going to decrease disparities in the child protection system, it should be proactively identifying trends and working with the Legislature to improve child protection laws in order to prevent the issues from occurring in the first place.¹⁵

Role in Child Protection

The child protection system in Minnesota is large and fragmented, involving many state and local entities—from state courts, to state agencies, to law enforcement, to county social services offices, to service providers, and more. In the following section, we discuss OBFF’s role in the child protection system and describe some key challenges facing the office.

Individuals we spoke with strongly expressed the need for an office to be a resource for people of color involved in the child protection system; however, many were unfamiliar with the Office of Ombudsperson for Families, specifically.

Several individuals expressed the importance of having an office, such as OBFF, to act as an independent and neutral entity that can receive complaints or concerns regarding the child protection system and address issues. A staff person at a community organization that works with families of color in the child protection system commented, for instance,

¹⁴ As we discussed in Chapter 2, OBFF currently investigates complaints on a limited basis.

¹⁵ The Cultural and Ethnic Communities Leadership Council’s purpose is to advise DHS’s commissioner on reducing disparities and inequities that affect racial and ethnic groups within DHS programs.

that it is important for families to feel confident that someone is listening to their concerns and that the person taking their complaint is working on the family's behalf, rather than for the county or a state agency. Similarly, the director of a research center on child welfare commented that OBFF "centers" the perspective of the family rather than the county, and that it is important for families to have an office where they can bring their complaints outside of the county or the court.

Some individuals also commented on the value of having an office that can elevate the perspectives of those who have not always had a recognized voice in the child protection system, such as families of color. A judge, for instance, commented that hearing from individuals with personal experience in the child protection system has been a "great resource" for the courts, and an office such as OBFF could organize parents of color to provide input into improving the child protection system. A member of the Children's Justice Act Task Force commented that, without an office such as OBFF, the task force would lose insight into the impact of the child protection system on families' wellbeing.



The Office of Ombudsperson for Families plays a critical role in elevating the voices of families involved in the child welfare system. Their work has helped shine a light on systemic issues that often go unaddressed, particularly for communities disproportionately affected by state intervention. Their independence from the child protection system allows them to advocate more effectively for fairness and transparency. Additionally, the office has been a valuable partner in policy conversations, often bringing forward perspectives grounded in lived experience.

— Public input survey respondent

Although individuals commented widely on the value of an office such as OBFF, many individuals with whom we spoke—including members of workgroups on which the ombudspersons serve and individuals working for the Judicial Branch and state and county government—had limited to no knowledge of OBFF specifically. For example, a judge told us they had never heard of OBFF and that the office is not on the radar of judges across the state. A representative of an organization serving county social services administrators told us that they have not engaged with OBFF and were unable to identify members who were familiar enough with OBFF to provide feedback on its work. Similarly, none of the individuals we spoke with at community organizations that have served families of color involved in the child protection system were familiar with OBFF.

When individuals we spoke with had interacted with OBFF, several spoke positively of the ombudspersons. Several members of the workgroups on which the ombudspersons serve described how the ombudspersons are engaged members of those groups and are dedicated to improving the child protection system. Employees of both the Judicial and Executive Branch stated that the ombudspersons are passionate about their work and spoke highly of the ombudspersons' knowledge of child protection.



The Office of Ombudsperson for Families has been a tremendous partner in the work of the Children's Justice Act Task Force. The Ombudspersons come to meetings regularly and actively participate in project activities.

— Public input survey respondent

Statewide Presence

As a statewide office, OBFF is responsible for fulfilling its statutory duties and serving children and families of color across the state.

Numerous individuals we spoke with were concerned that the Office of Ombudsperson for Families' presence across the state was inadequate.

From members of OBFF's community boards, to employees in the Judicial and Executive branches, and more, individuals we spoke with expressed concern that OBFF did not have an adequate presence outside of the Twin Cities area. A member of one of OBFF's community boards, for instance, commented that families across the state should be able to access the ombudspersons more easily and expressed concern that distance impedes OBFF's prompt intervention in some complaints. A staff member of the Guardian ad Litem Board expressed concern that some guardian ad litem staff outside of the Twin Cities metropolitan area have never interacted with OBFF.

When we discussed this concern with the ombudspersons, they acknowledged that they have had a limited presence in Greater Minnesota in recent years. The ombudspersons explained that they did more outreach and engagement prior to the COVID-19 pandemic, but, according to one ombudsperson, they do not have time to travel around the state doing "public service announcements."

Communities Served

Although the Legislature established the Office of Ombudsperson for Families to serve communities of color, the office also serves children that are not members of the communities identified in law.

OBFF's duties in law explicitly focus on serving children of color. For instance, the ombudspersons must monitor compliance with child protection laws "as they impact on children of color," and OBFF may conduct investigations regarding services "to children of color."¹⁶ Statutes also specify who falls within the communities of color OBFF is meant to serve. Specifically, "communities of color" include the Hispanic-Latino, Asian-Pacific, African, and African-American communities.¹⁷

Despite the statutory focus of OBFF's duties on children of color, OBFF also serves children who do not belong to those communities of color listed in law. An ombudsperson explained that, over the last ten years, OBFF has seen an increase in white families reaching out for assistance. The ombudspersons confirmed that they handle complaints involving white children, and that their process for doing so is the same as if the complaint involved a child belonging to one of the communities the ombudspersons are to serve according to law.

¹⁶ *Minnesota Statutes 2025*, 257.0762, subds. 1(a) and 2.

¹⁷ *Minnesota Statutes 2025*, 257.076, subd. 3.

Although the ombudspersons serve children who do not belong to the communities of color listed in law, the frequency with which they do so is unclear. We reviewed data on the 255 complaints submitted to OBFF in 2023–2024.¹⁸ Of the 425 children listed in the complaints, complainants identified approximately one-half as white.¹⁹ However, OBFF’s data on the race and ethnicity of children it serves are unreliable. Because OBFF does not collect race and ethnicity data separately, its data may undercount the share of children belonging to any one racial or ethnic category. For instance, a child could be both white and Hispanic, but because OBFF’s complaint intake form does not require the complainant to indicate both identities, the complainant could identify the child only as white. In doing so, the office’s data would incorrectly indicate that the child does not belong to one of the communities OBFF is to serve by law.

When we asked why OBFF was assisting families from communities outside of those listed in law, OBFF’s ombudspersons said that a representative from the Minnesota Attorney General’s Office recommended that they do so. With the exception of the Office of Ombudsperson for American Indian Families, which serves American Indian children and families involved in child protection, Minnesota generally does not have another independent ombudsperson office to assist families with complaints about the child protection system.²⁰ In other words, families that are not American Indian and do not belong to one of the communities that statutes direct OBFF to serve do not have a designated ombudsperson to review their concerns about the decisions or actions of entities providing child protection services.

Discussion

When the Legislative Audit Commission directed us to evaluate OBFF, it asked us to determine how effectively OBFF has fulfilled its statutory duties and how well OBFF has handled complaints. As we discussed throughout this chapter and the previous one, OBFF is not consistently fulfilling its duties required by law, and its complaint handling requires significant improvement.

In conversations with OBFF staff, they often told us they were constrained in what they could accomplish because of limited resources. For example, when discussing OBFF’s efforts to monitor agency compliance with child protection laws, one ombudsperson commented that the office does not “have time and resources to really monitor the way

¹⁸ We analyzed data for all submissions received via OBFF’s online complaint form between January 1, 2023, and December 31, 2024. Because OBFF lacks a mechanism for delineating between complaints and inquiries or other requests received through its online form, as we discussed in Chapter 2, some of the submissions included here may not be complaints. We excluded submissions that did not identify specific children as part of the submission.

¹⁹ Complainants self-reported the racial and/or ethnic identity of the child. If the complainant reported that a child was of multiple races or ethnicities, we considered the child to be multiracial or multiethnic. Because OBFF does not collect race and ethnicity data separately, we included children reported as being Hispanic or Latino in their own category. We used a similar approach to that used by the U.S. Census when categorizing race and ethnicity; however, we recognize viewpoints differ about how certain identities should be categorized and described.

²⁰ The Office of the Foster Youth Ombudsperson also serves children and families involved in the child protection system; however, it focuses on responding to concerns from and on behalf of foster youth, specifically. *Minnesota Statutes* 2025, 260C.80–260C.83.

we should.” Several individuals we spoke with outside of OBFF also remarked that the office does not have sufficient resources. The director of a research center on child welfare, for instance, commented that OBFF is not staffed adequately to do justice to all of its responsibilities in law.

In addition, OBFF staff explained that the office has faced challenges as a result of structural and staffing changes and the COVID-19 pandemic. For instance, they explained that the Office of Ombudsperson for American Indian Families’ split from OBFF in 2021 was challenging and took considerable time to manage. An ombudsperson also commented that staff resignations and leaves of absence in 2021–2022 posed challenges given OBFF’s size.

In the section that follows, we discuss OBFF’s effect on children and families of color involved in child protection and on the child protection system broadly. We also discuss the extent to which the office could be reasonably successful given its current staffing and resources.

The Office of Ombudsperson for Families’ impact in recent years on families of color involved in the child protection system—or the child protection system overall—is unclear.

In general, OBFF’s accomplishments in recent years, and the effects those accomplishments have had on child protection in Minnesota, are unclear. With regard to effecting change at a systemic level, as we discussed earlier in this chapter, the ombudspersons take a limited approach to monitoring compliance with child protection laws and working with the courts, when they do so at all. With regard to effecting change for individual families, as we discussed in Chapter 2, OBFF takes a limited approach to addressing families’ complaints and reported conducting only 33 investigations in 2023.

When we asked the ombudspersons to share OBFF’s accomplishments in recent years, most of the child protection-related accomplishments they reported revolved around advocating for policy changes and participating in workgroups. For example, they reported advocating for OBFF to have direct access to Minnesota’s Social Services Information System and working with other state entities on aspects of implementing the federal Family First Prevention Services Act.²¹ They also reported conducting community outreach and providing information to the Legislature—among other related activities—on the Minnesota African American Family Preservation and Child Welfare Disproportionality Act.²² While we do not dispute there can be value in these activities, OBFF’s role in moving these initiatives forward, and the effect of these efforts on children and families of color in the child protection system, is difficult to measure and remains unclear.

²¹ Minnesota’s Social Services Information System contains child protection data and helps support the delivery and management of child protection services. The Family First Prevention Services Act allows states to use federal funding for prevention services for children at risk of being placed out of the home. Family First Prevention Services Act of 2018, Public Law 115–123, February 9, 2018.

²² The Minnesota African American Family Preservation and Child Welfare Disproportionality Act increased certain child protection standards, particularly as they relate to children who are overrepresented in the child protection system. *Minnesota Statutes* 2025, 260.61–260.693.

The majority of the accomplishments the ombudspersons reported pertained to administrative activities we would expect any agency to undertake as part of its day-to-day operations. For instance, they reported revising the office’s letterhead, making updates to the office’s website, completing a job reclassification process for the ombudspersons, and developing job descriptions. We acknowledge that these tasks take time and effort; however, they do not speak to OBFF’s accomplishments with regard to its duties in law or its impact on the child protection system or families of color.

Individuals we spoke with across the child protection system were likewise unsure of what OBFF has accomplished in recent years or how it has impacted the child protection system. A Guardian ad Litem Board staff member, for instance, told us that it is hard to determine whether OBFF’s impact has been positive, neutral, or negative, and that OBFF could do a better job of showing its impact. Many of the people we spoke with were unclear as to OBFF’s accomplishments generally. For example, some individuals—including a member of one of OBFF’s community boards—assumed that the ombudspersons spent significant time investigating complaints, when, in reality, this has been a small part of the office’s work.



...the only public reports I can see that they put out are annual reports, which share very little information about the activities or specific accomplishments of their office. ... The board minutes on the website...do not include any reports from the ombudspersons or on the activities of the office.... Their monthly newsletters have improved in frequency and amount of content, although the content shared is rarely related to the activities of their office regarding what they are doing in line with their statutory duties. All of these examples can erode public trust of a state agency.

— Public input survey respondent

The Office of Ombudsperson for Families has limited resources given its broad duties in law; however, it has not spent its full appropriations in recent years.

As we discussed in Chapter 1, the ombudspersons’ duties in law touch on many entities in the child protection system, from county social services, to state agencies, to the state courts, and more. Further complicating OBFF’s work, several of the entities statutes direct OBFF to engage with take different approaches to their work. For instance, Minnesota’s counties can, and do, take different approaches to providing child protection services. If OBFF was to monitor county compliance with child protection laws, as statutes require, OBFF would need to monitor the practices of each of Minnesota’s 87 counties separately to account for those differences. Likewise, Minnesota’s 10 judicial districts—and the courts within them—may take somewhat different approaches to their work, making it challenging for OBFF to fulfill its required court-related duties. With only seven full-time-equivalent staff and a budget of \$845,000 in Fiscal Year 2025, working effectively across such a wide array of entities with varying practices poses significant challenges for OBFF.

Tracking compliance with child protection laws on a family-by-family basis would also be unrealistic for an office of OBFF's size. DCYF reported that county social services entities "screened in" child maltreatment reports for at least 12,100 children of color in 2023.²³ In the same year, DCYF reported that there were at least 4,300 children of color in out-of-home care.²⁴ From 2020 through 2024, the Judicial Branch reported that an average of at least 1,395 child in need of protection or services cases involving children of color were filed annually.²⁵

Despite OBFF's relatively limited resources, we found that the office has not consistently spent all of its funding in recent years. Of the slightly more than \$1.5 million the Legislature appropriated to OBFF from the General Fund for the 2024–25 biennium, OBFF did not spend about \$176,000 (11 percent). OBFF had even more General Fund appropriations left over at the end of the 2022–23 biennium. At the end of that biennium, OBFF transferred \$400,000 (27 percent) of its General Fund appropriations to the state's Information and Telecommunications Account.²⁶ As of October 2025, over \$395,000 of those funds remained for OBFF's use.

In addition, OBFF has not spent any of the funds it received from DHS in recent years. As we discussed in Chapter 1, statutes direct DHS to transfer \$69,000 annually to OBFF.²⁷ As of August 2025, OBFF's balance in this account was over \$700,000. OBFF has not used funds from this account since Fiscal Year 2020.

An OBFF staff member provided several reasons why the office has not used its full appropriations in recent years, as detailed below.

²³ Department of Children, Youth, and Families, *Minnesota's Child Maltreatment Report, 2023* (2025), <https://www.lrl.mn.gov/docs/2025/mandated/251621.pdf>, accessed November 11, 2025, 14. County child protection staff review child maltreatment reports to determine whether allegations meet the statutory threshold for child maltreatment. If reports meet the threshold, staff "screen in" the reports for further assessment or investigation.

Totals from DCYF reports include children who are African American/Black, Asian/Pacific Islander, or two or more races. DCYF reported that county social services staff screened in maltreatment reports involving an additional 3,700 Hispanic or Latino children. DCYF does not report the race of these children, so we did not include them in the totals above so as to not potentially count the same children twice. Additionally, because the Office of Ombudsperson for American Indian Families generally handles complaints involving American Indian families, we did not include American Indian children.

²⁴ Department of Children, Youth, and Families, *Minnesota's Out-of-Home Care and Permanency Report, 2023* (2025), <https://edocs.dhs.state.mn.us/lfservlet/Public/DHS-5408PA-ENG>, accessed October 31, 2025, 16.

²⁵ Court Research Office, State Court Administrator's Office, "District Court Cases Filed by Race, total cases filed, 2020 to 2024," email to Roman Morris, September 26, 2025. Because the Office of Ombudsperson for American Indian Families generally handles complaints involving American Indian families, we did not include American Indian children.

²⁶ The Information and Telecommunications Account is commonly known as the "Odyssey Investment Fund." At the end of each biennium, state agencies may transfer appropriations that would otherwise expire to the account for information technology projects. In addition to the funds OBFF transferred to the account, OBFF board meeting minutes indicated that OBFF returned \$59,000 of its roughly \$1.5 million appropriation to the General Fund for the 2022–23 biennium. OBFF Joint Meeting of Community-Specific Boards, *Meeting Minutes*, September 19, 2023.

²⁷ *Minnesota Statutes* 2025, 257.0769, subd. 1(b).

Salary savings. An OBFF staff member told us that OBFF spent less money than anticipated on salaries due to a staff departure and unfilled positions. In 2019, the Legislature appropriated additional funding to OBFF to hire three more staff—one person to assist with complaint intake and two investigators. Although OBFF has employed a staff member to assist with intake for several years, the office did not hire an investigator until fall 2025—more than five years after the Legislature increased its funding.²⁸

Complaint management system. As we discussed in Chapter 2, OBFF did not have a functional system to manage complaints for at least several years. An ombudsperson stated that OBFF would likely use unspent General Fund appropriations from the Information and Telecommunications Account to implement a complaint management system; however, an OBFF staff member stated that “it has taken them some time to be able to implement that.”²⁹

Recommendations

By design, ombudspersons are meant to function independently and free from outside control or influence. Their independence “enables the Ombudsman to function as an impartial and critical entity that reports findings and makes recommendations based solely on a review of facts and law, in the light of reason and fairness.”³⁰ When the Legislature established OBFF, they gave the ombudspersons significant latitude to determine how to fulfill their duties. This latitude helps to ensure that the ombudspersons can fulfill their responsibilities free from outside influence and helps to enable them to address the unique needs of the communities they serve.

Although independence is a key characteristic of an effective ombudsperson, the broad discretion granted to OBFF also risks the ombudspersons spending time and resources on activities that may not align with the Legislature’s vision for the office. For instance, as we discussed at the beginning of this chapter, although not directed to do so in law, the ombudspersons spend significant time participating in various workgroups. While the ombudspersons told us that participating in workgroups helps them to fulfill their duties to monitor compliance with child protection laws and to work with the courts, some of the workgroups in which the ombudspersons participate are not clearly relevant to their duties in law. One ombudsperson, for example, reported being a



I have seen [the ombudsperson] from OBFF engage very actively in...workgroups. [The ombudsperson] seems to be actively involved in community engagement efforts—however, these seem to be more broad efforts that are appropriate for an entity like [one of the ethnic Councils], rather than community engagement with and/or on behalf of [the ombudsperson's] community specific to child welfare. Beyond this, it is unclear how the office is fulfilling its statutory duties.

— Public input survey respondent

²⁸ OBFF also hired a deputy ombudsperson in February 2025. Minnesota Management and Budget instituted a hiring freeze from April 2020 to July 2021 in response to the COVID-19 pandemic.

²⁹ OBFF secured a new case management system in late 2025.

³⁰ United States Ombudsman Association, *Governmental Ombudsman Standards* (2003), <https://www.usombudsman.org/usoa-governmental-ombudsman-standards/>, accessed May 22, 2025, 1.

member of the City of Saint Paul’s Human Rights and Equal Employment Opportunity Commission. Given OBFF’s limited resources and failure to consistently fulfill its required duties, we question whether participating in a city equal employment opportunity commission is the most effective way to improve outcomes for Minnesota’s children and families of color in the child protection system.

Below, we provide several recommendations regarding OBFF’s duties in law. As the Legislature considers how OBFF can best meet its intended purpose, we encourage the Legislature to consider how to best balance the need for OBFF to retain a certain level of autonomy while also providing sufficient direction to ensure the office meets the Legislature’s goals.

RECOMMENDATION

The Legislature should amend statutes, as necessary, to ensure that the Office of Ombudsperson for Families’ duties align with the Legislature’s policy priorities and align those duties with the office’s resources.

We recommend that the Legislature review OBFF’s duties in law and revise them, as necessary, to ensure that they align with the Legislature’s goals for the office and are indicative of how the Legislature would like OBFF to spend its time and resources. For instance, many individuals we spoke with described various reasons why handling complaints is an important aspect of OBFF’s role in the child protection system; yet, statutes do not require OBFF to address complaints. The Legislature may, for instance, want to consider requiring OBFF to address complaints pertaining to the child protection system rather than simply permitting it to do so.³¹

As the Legislature revises OBFF’s duties, it should be sure to consider how OBFF’s duties should be unique from, complementary to, or overlapping with other state entities that work in the child protection system. For instance, statutes assign DCYF’s African American Child and Family Well-Being Unit several duties that are very similar to OBFF’s current duties in law, or duties that one might assume OBFF would undertake.³² We recommend that OBFF’s duties in law reflect the unique role that the Legislature intends for OBFF to serve.

Once the Legislature ensures that OBFF’s duties in law correspond with the Legislature’s vision for the office, the Legislature should ensure that the office’s resources align with its duties. Even if OBFF had spent its full appropriations in recent years, its current resources would likely be insufficient to effectively execute the full scope of the office’s duties in law. We recommend that the Legislature change the

³¹ Given the significant issues with OBFF’s complaint handling that we discussed in Chapter 2, the Legislature should exercise caution in requiring OBFF to conduct complaint investigations before the office makes substantial improvements to its current practices.

³² For example, statutes require the Unit to use case review data to ensure compliance with the Minnesota African American Family Preservation and Child Welfare Disproportionality Act and provide reports identifying child protection trends “to assist with developing policy and practice recommendations to support eliminating disparity and disproportionality.” *Minnesota Statutes* 2025, 260.692.

scope of OBFF's required duties, explicitly direct OBFF to prioritize certain duties over others, alter the office's total resources, or take a combination of some or all of these actions.

As the Legislature reviews and revises the scope and nature of OBFF's duties as it sees fit, we recommend that the Legislature also:

Consider more explicitly specifying how OBFF should fulfill its duties.

We agree that the ombudspersons must have adequate discretion to operate independently of outside influence and address the unique needs of the communities they serve. However, we question whether some of OBFF's current activities truly fulfill the spirit of the law and the Legislature's vision for OBFF. As the Legislature reviews and revises OBFF's duties in law, we recommend that it consider more explicitly specifying how OBFF should fulfill its duties. Doing so will help to ensure that OBFF focuses its resources and will better enable the Legislature to monitor OBFF's performance.

Clarify whether OBFF should handle complaints from families that are not members of the communities the ombudspersons serve by law. OBFF has broad duties and limited resources and has failed to consistently fulfill its duties required by law. Despite that, OBFF has spent time and resources addressing complaints from families that are not members of the communities of color statutes direct the ombudspersons to serve.

We are sympathetic to the need for all families in the child protection system to have an independent entity to which they can bring their complaints. Under current law, there is not a designated ombudsperson to serve certain families. At the same time, serving families that are not members of the communities of color outlined in law does not align with OBFF's purpose to improve outcomes for families of color involved in child protection.

While some individuals we spoke with expressed a need for ombudsperson services for all families involved in the child protection system, others said that OBFF should focus on serving communities of color only. Several individuals emphasized the need to have ombudspersons assigned to serve specific communities, explaining that it is beneficial to have an ombudsperson who is familiar with the community's unique culture and needs.

If the Legislature expects OBFF to serve all families involved in the child protection system, it should update the office's statutory duties accordingly and allocate the office sufficient resources to do so. If the Legislature intends for OBFF to focus only on communities of color, as is currently stipulated by law, the Legislature should consider identifying another neutral entity to which families that are not served by OBFF can bring their concerns.



Case Study: Ombudsperson Outreach Practices

Regional ombudspersons. The Office of Ombudsman for Mental Health and Developmental Disabilities has 14 regional ombudspersons based throughout the state who address complaints and engage in client advocacy and education. The office told us the regional ombudspersons have region-specific relationships and knowledge, such as an understanding of local resources available to the office's clients.

Ombudsperson volunteers. The Office of Ombudsman for Long-Term Care uses ombudsperson volunteers who advocate for clients, help office staff to resolve complaints, and provide education on a volunteer basis. The office told us its volunteers help expand the office's reach by being present in long-term care facilities.

Consider requiring OBFF to conduct community outreach across the state. OBFF differed from some of the ombudsperson offices we reviewed in that law does not require it to conduct community outreach.³³ The Office of the Foster Youth Ombudsperson, for example, is required by law to “provide outreach, resources, and assistance to youth in foster care.”³⁴ As shown in the box to the left, other offices use regional ombudspersons and/or ombudsperson volunteers that help to increase their reach.

People we spoke with had several suggestions about how OBFF could be more present throughout the state. A member of one of OBFF's community boards suggested that OBFF hire regional ombudspersons who focus on specific geographic areas of the state. Staff at community organizations that have served families of color involved in the child protection system commented that partnering with community organizations could help to increase awareness of OBFF among community members. Similarly, a Guardian ad Litem Board staff member commented that partnering with community members could help to increase trust in OBFF

and suggested that OBFF train “community navigators” to share information about and refer people to OBFF.

Ensuring that the public is aware of OBFF is important for several reasons. Some individuals we spoke with explained that, if families involved in the child protection system do not know OBFF exists, they would not know that they can file complaints with OBFF. This in turn makes it more difficult for OBFF to identify practices or patterns within the child protection system that are negatively affecting communities of color. As the Legislature reviews and revises OBFF's duties in law, it should consider whether to require OBFF to conduct community outreach or engagement.

RECOMMENDATION

The Office of Ombudsperson for Families should fulfill all duties required by law.

Before investing time and resources in activities not required by law, OBFF should ensure that it has fulfilled its statutory requirements. If the office does not believe that its duties required by law align with how it can best serve community needs and improve outcomes for children and families of color in the child protection system, the ombudspersons should propose changes to their statutory duties to the Legislature.

³³ We reviewed the following offices: Office of Ombudsman for Long-Term Care, Office of Ombudsman for Mental Health and Developmental Disabilities, Office of Ombudsperson for American Indian Families, and Office of the Foster Youth Ombudsperson.

³⁴ *Minnesota Statutes* 2025, 260C.81.



OLA

Chapter 4: Oversight and Accountability

Government entities—including those designed to function independently, such as an ombudsperson office—must have some accountability for their actions. At a minimum, they should be accountable to the communities that they serve and to the taxpayers at large, who fund their work. In this chapter, we discuss the extent to which there is sufficient oversight of and accountability for the Office of Ombudsperson for Families (OBFF).

Key Findings in This Chapter

- Current oversight mechanisms to ensure that the Office of Ombudsperson for Families effectively fulfills its mission and duties are ineffective and insufficient.
- The Office of Ombudsperson for Families' community boards have not provided adequate oversight.
- The Office of Ombudsperson for Families does not have a designated leader, making it more difficult to hold the office accountable for its performance.

Overview

As we discussed in Chapter 3, OBFF staff have significant discretion with regard to how they fulfill their duties. While discretion has benefits, without adequate oversight and accountability, it can also have significant drawbacks.

Current oversight mechanisms to ensure that the Office of Ombudsperson for Families effectively fulfills its mission and duties are ineffective and insufficient.

Statutes establish certain means by which to hold OBFF, and the ombudspersons specifically, accountable for their work. For instance, statutes task OBFF's boards with the responsibility to advise the ombudspersons individually and OBFF generally.¹ Additionally, statutes require the ombudspersons to report annually on their activities during the previous year.²

Despite accountability measures in law, we found that current activities to oversee OBFF and hold the office accountable for fulfilling its mission and duties are ineffective and insufficient. First, OBFF's community boards currently provide minimal oversight of the ombudspersons individually or OBFF generally. OBFF has also failed to consistently fulfill basic accountability obligations, such as performance reviews and annual reporting. Further, OBFF lacks internal structures to support oversight and accountability of the office overall. We discuss these issues in greater detail throughout the rest of this chapter.

¹ *Minnesota Statutes* 2025, 257.0768.

² *Minnesota Statutes* 2025, 257.0766, subd. 2.

Community Boards

When the Legislature established OBFF, it created an advisory committee to help oversee the ombudspersons. In discussing the committee's oversight and accountability function, the author of the bill establishing OBFF described the committee as "both the governor and the support upon these ombudspersons so they aren't just running around willy-nilly with no constraints upon them."³ The legislator explained that the ombudspersons were to be responsible to the committee, and the committee was to ensure that the ombudspersons "don't just take their own personal agenda and run with it."⁴

Shortly after establishing OBFF, the Legislature replaced OBFF's single advisory committee with individual community boards to advise and assist the ombudsperson for each board's respective community.⁵ In addition to overseeing the individual ombudspersons, statutes require the community boards to meet jointly on a periodic basis to provide oversight of OBFF overall.⁶

The Office of Ombudsperson for Families' community boards have not provided adequate oversight.

OBFF's community boards are the primary entities to which OBFF and its ombudspersons are accountable. While the governor appoints the ombudsperson for some other state ombudsperson offices, each community board is responsible by law for appointing its respective ombudsperson.⁷ The community boards are also the only entities in law with authority to remove their respective ombudsperson from their position.⁸ When we asked OBFF's ombudspersons who they are accountable to, two of the three ombudspersons said their community boards.⁹

Despite the community boards' important role, the boards have not provided adequate oversight of the ombudspersons or OBFF generally. For instance, the boards have not all met regularly and have had persistent issues with members not attending board

³ Minnesota House of Representatives Judiciary Committee, April 10, 1991, audio recording file 4 of 7, starting at minute 10:45.

⁴ Judiciary Committee, April 10, 1991.

⁵ *Laws of Minnesota* 1994, chapter 632, art. 4, sec. 64, codified as *Minnesota Statutes* 2025, 257.0768.

⁶ *Minnesota Statutes* 2025, 257.0768, subd. 6.

⁷ *Minnesota Statutes* 2025, 257.0755, subd. 2; and 257.0768, subd. 4. For instance, the Governor appoints the ombudspersons for the Office of Ombudsman for Mental Health and Developmental Disabilities and the Office of the Foster Youth Ombudsperson.

We reviewed the following offices: Office of Ombudsman for Long-Term Care, Office of Ombudsman for Mental Health and Developmental Disabilities, Office of Ombudsperson for American Indian Families, and Office of the Foster Youth Ombudsperson.

⁸ Per *Minnesota Statutes* 2025, 257.0755, subd. 2, "Each ombudsperson serves...at the pleasure of the community-specific board and may be removed only for just cause."

⁹ The third ombudsperson said they were accountable to the State of Minnesota and their community.

meetings.¹⁰ Additionally, there is little evidence that they have advised the ombudspersons, as required by law, and they have not conducted regular evaluations of the ombudspersons.

Further, the ombudspersons often play a role in appointing their own board members, weakening the boards' oversight function. By law, the chairs of the Council for Minnesotans of African Heritage, the Council on Asian Pacific Minnesotans, and the Minnesota Council on Latino Affairs appoint the members of the corresponding community boards, as we described in Exhibit 1.3.¹¹ Although OBFF does not have a standardized approach for processing board member applications, each of the ombudspersons plays a role in determining who the councils appoint. For example, each ombudsperson reviews board applications, and two of the ombudspersons determine which applicants will proceed to an interview and then interview those applicants. The extent to which the ombudspersons involve their community boards in this process varies, but one ombudsperson described directly recommending to the council who to appoint to their community board without outside input.

Board Duties in Law

The Office of Ombudsperson for Families' boards have had persistent issues with board member attendance, and most did not meet regularly in accordance with law.



Meeting Requirements for OBFF Boards

Community Boards

Each community-specific board "shall meet regularly at the request of the appointing chair or the ombudsperson."

Joint Board

"The members of the three community-specific boards shall meet jointly at least four times each year."

— *Minnesota Statutes 2025, 257.0768, subs. 3 and 6*

While statutes require both the community boards and the joint board to meet periodically, as shown in the box to the left, the frequency with which OBFF's boards convened in recent years varied and did not always follow requirements in law. For instance, by law, the joint board must meet at least four times per year.¹² Yet, from 2022 through 2024, the joint board met this requirement for only one of the three years. With regard to the individual community boards, the Asian-Pacific community board was the only board that has documented meeting regularly since 2022. The Ombudsperson for African American Families reported meeting with members of her community board regularly in recent years but could not provide meeting minutes or agendas, and there were not meeting dates listed on OBFF's online calendar to confirm whether the board met regularly as required by law. The community board for Spanish speaking families has not met since at least January 2022.¹³

¹⁰ One ombudsperson reported that, even though the community boards have not met regularly, the ombudspersons "engage with" their board members.

¹¹ *Minnesota Statutes 2025, 257.0768, subd. 1.*

¹² *Minnesota Statutes 2025, 257.0768, subd. 6.*

¹³ The Ombudsperson for Spanish Speaking Families reported meeting periodically with the board chair.

Further, we found that board members often did not attend board meetings, although a lack of meeting documentation made it challenging to evaluate the full extent of the issue.¹⁴ From January 2022 through October 2025, according to board minutes, OBFF’s joint board had an average of only six attendees, less than one-half of the 15 total board positions established in law.¹⁵ Meeting minutes for the Asian Pacific community board during that time indicate that the board occasionally cancelled meetings or could not conduct board business because it did not have a quorum.

Inconsistent board member attendance has been exacerbated by persistent vacancies on the community boards. As of November 2025, two of the five board positions were vacant for two of OBFF’s community boards. The positions on the Asian-Pacific community board have been vacant for roughly six months, and our review of minutes for board meetings held since 2022 indicated that this board has struggled with board



OBFF Community Boards: Statutory Duties

Each board must:

- Appoint the ombudsperson for its community.
- Advise and assist the ombudsperson for its community in:
 - Developing policies, plans, and programs to carry out the ombudsperson’s functions and powers.
 - Developing procedures for the ombudsperson’s use of subpoena power.
 - Establishing protocols for working with the communities of color.
 - Making reports and recommendations for changes designed to improve standards of competence, efficiency, justice, and protection of rights.
 - Selecting matters for attention.

— **Minnesota Statutes 2025,
257.0768, subd. 4**

vacancies in the past. With regard to the community board for Spanish speaking families, the ombudsperson reported that the board has not had full membership since at least 2022. The Ombudsperson for African American Families was the only ombudsperson to report that their board’s positions were consistently filled since 2022.¹⁶

Although law requires the Office of Ombudsperson for Families’ boards to advise the ombudspersons, they rarely—if ever—do so.

Statutes outline several duties OBFF’s boards must fulfill. For instance, statutes require OBFF’s joint board to “advise the ombudspersons on overall policies, plans, protocols, and programs for the office.”¹⁷ Statutes outline several duties for the community boards as well, as shown in the box to the left. For example, each community board must advise

¹⁴ Without meeting minutes, we were unable to determine board member attendance at any African American community board meetings that may have occurred. As mentioned above, the community board for Spanish speaking families has not met since at least January 2022.

¹⁵ We reviewed meeting minutes for the community and joint boards (when available) for all board meetings occurring between January 1, 2022, and October 31, 2025. OBFF reported having a quorum at slightly more than one-half of joint board meetings during that time period; however, OBFF defines a quorum for its joint board meetings as having at least one member from each community board present, meaning that only three total members must be present to have a quorum. Using that definition, the joint board did not have a quorum for 3 of the 13 meetings we reviewed. We could not determine if a quorum was present for an additional three meetings because OBFF could not produce minutes for those meetings.

¹⁶ The Ombudsperson for African American Families reported, and joint board meeting minutes indicated, that the African American community board had six members during part of the time period we reviewed, as opposed to the five board members required by law. However, the Secretary of State’s Office had no record of the sixth board member being formally appointed.

¹⁷ *Minnesota Statutes 2025, 257.0768, subd. 6.*

and assist its ombudsperson in “selecting matters for attention” and developing policies and plans to carry out the ombudsperson’s “functions and powers.”¹⁸

In reviewing board meeting minutes, we found few examples of the boards undertaking their responsibilities outlined in law. We did not find any examples of the joint board advising on policies, plans, protocols, or programs for the office, as required by law. With regard to the one community board for which OBFF had meeting minutes—the Asian-Pacific community board—we found only a few instances of board members providing suggestions as to community outreach opportunities they wanted the ombudsperson to pursue.¹⁹

Rather than board members advising the ombudspersons as required by law, meeting minutes indicated that board meetings—particularly joint board meetings—were often a forum to educate board members about issues or initiatives pertaining to the child protection system generally. For instance, at a recent joint board meeting, a member of the African American Child and Family Well-Being Unit in Minnesota’s Department of Children, Youth, and Families (DCYF) presented information on the Unit’s work. In a recent Asian-Pacific community board meeting, board members heard from a Saint Paul police officer about chemical dependency issues affecting specific Asian communities and efforts by police officers to try to support Asian youth in Saint Paul. Board members also sometimes received information about OBFF, such as financial updates or updates on hiring and board vacancies.



Their board members who supervise them really don’t...the ombudspersons tell their boards what to do instead of [the boards] meeting the statute to advise and assist.

— Public input survey respondent

Each of OBFF’s ombudspersons expressed a general concern about the boards becoming too involved in the ombudspersons’ work and confirmed that the boards do not fulfill most—if not all—of their duties in law.

One ombudsperson, expressing concern about board members directing the ombudsperson’s work, commented that it is “good if they [board members] don’t interfere too much.” Another ombudsperson shared that, instead of playing an advisory role, the role of the board should be to make the community aware of the office’s work.

With regard to board members’ opinions on their duties in law, we surveyed OBFF’s community board members to ask them what responsibilities their community board has to advise and assist their ombudsperson.²⁰ For most of the board duties required by law, one or more respondents said that, in their opinion, the duty was not their board’s responsibility, as seen in Exhibit 4.1.

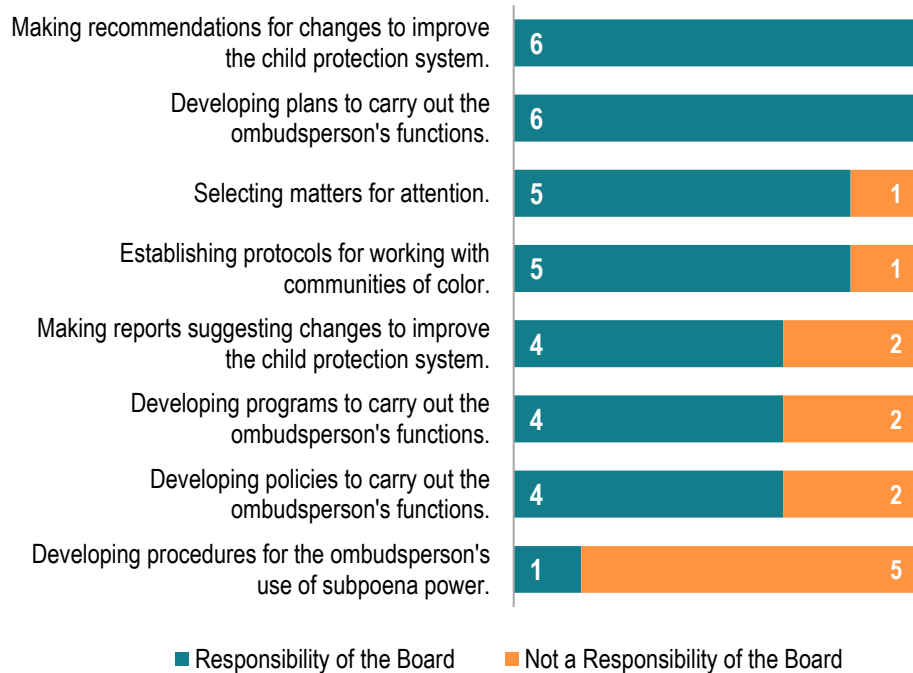
¹⁸ *Minnesota Statutes* 2025, 257.0768, subd. 4.

¹⁹ Although the community board for Spanish speaking families has not met since at least January 2022, OBFF’s Ombudsperson for Spanish Speaking Families reported that her community board has advised her “on issues in the community and how to deal with those issues.”

²⁰ We surveyed all community board members for each of OBFF’s three community boards, as of July 2025. We received a response from 7 of the 11 board members, for a response rate of 64 percent. We received at least one response from each board.

Exhibit 4.1**Board member survey results: “Please indicate which of the following are the responsibility of your advisory board, in your opinion.”**

My advisory board is responsible for advising and assisting the ombudsperson in:



Notes: Each item listed above is a statutory responsibility of OBFF's community boards. *Minnesota Statutes* 2025, 257.0768, subd. 4. The chart above includes the six respondents who answered the question; one respondent did not answer the question.

Source: Office of the Legislative Auditor, member survey of OBFF's community boards.

Performance Reviews

Annual performance reviews provide an important opportunity to review an employee's activities and performance over the course of the year to assess whether they are adequately fulfilling their duties and meeting performance expectations for the position. Annual performance reviews are required for many state employees, including the ombudspersons.²¹

²¹ The State of Minnesota's Managerial Plan—to which the ombudspersons are subject—states that “performance appraisals for permanent status managers shall be conducted at least once per year.” Minnesota Management and Budget, *Managerial Plan, July 1, 2023 through June 30, 2025*, accessed November 13, 2025, <https://mn.gov/mmb-stat/000/az/labor-relations/managerial-plan/contract/Managerial%20Plan%202023-25%20-%20Clean%20Copy.pdf>, 18. Prior to July 2023, the ombudspersons were subject to the Minnesota Association of Professional Employees labor agreement, which also requires a yearly performance appraisal.

In recent years, the ombudspersons have not consistently received formal performance reviews, as required.

We requested performance reviews for each ombudsperson for 2022–2024 and found that there have been few formal reviews of the ombudspersons’ performance—either by the community boards or another entity—during that period. No formal performance review was conducted for one ombudsperson over the course of those three years. For the other two ombudspersons, each had only one formal performance review on file for that time period. Community board chairs told us that the boards do not regularly evaluate the ombudspersons’ performance, with one board chair stating that evaluating the ombudsperson’s work was not within the board’s responsibilities.

While there were limited to no formal performance reviews on file for each ombudsperson for 2022–2024, during that time, each community board chair emailed the Department of Administration at least once stating that their respective ombudsperson met and/or exceeded expectations and approved a pay increase for the ombudsperson. For the two ombudspersons with a formal performance review on file during that period, the board chairs approved a pay increase for their respective ombudsperson prior to completing the performance reviews. It was not clear what criteria the board chairs used to determine that their respective ombudspersons were meeting expectations or that they should receive a pay increase based on their performance.

We also found no indication that the joint board has regularly reviewed OBFF’s progress more broadly over the last three years. Meeting minutes indicated that the board periodically received updates on OBFF’s finances through the fall of 2024 and that it met to “reflect on the year” in 2022, although there was no indication that the board conducted any sort of evaluation of the office’s past work or future plans at that time.

Recommendations

All of the ombudsperson offices we reviewed had some sort of oversight or advisory board or committee. For example, the Office of Ombudsman for Mental Health and Developmental Disabilities has an Ombudsman Committee comprising 15 members appointed by the Governor, which is responsible for advising and assisting the ombudsperson in aspects of that office’s work.²² The Legislature also established a community board for the Office of Ombudsperson for American Indian Families. By law, the chair of the Indian Affairs Council appoints the five board members, who also must advise and assist the ombudsperson.²³

Although oversight or advisory entities were common among the offices we reviewed, in practice, OBFF’s community boards have not been an effective means of accountability. Below, we recommend that OBFF and its boards take specific actions to improve oversight of OBFF.

²² *Minnesota Statutes* 2025, 245.97.

²³ *Minnesota Statutes* 2025, 3.9216.

RECOMMENDATION

The Office of Ombudsperson for Families should standardize and strengthen its processing of board member applications.

Although each ombudsperson described being involved in the community board appointment process, the extent to which each ombudsperson and their respective community board is involved in the appointment process varies. We recommend that OBFF establish policies and procedures outlining the roles and responsibilities of the ombudspersons, current community board members, and the councils with regard to board member appointments. Clear policies and procedures can help to standardize OBFF's processing of board member applications and increase transparency around the application process.

We also recommend that OBFF establish policies prohibiting the ombudspersons from vetting and advancing candidates for their own community boards. When the ombudspersons evaluate board applicants or recommend individuals for board appointments, it risks diminishing the board's oversight authority and introducing potential conflicts of interest.

RECOMMENDATIONS

The Office of Ombudsperson for Families' community boards should:

- **Meet in accordance with requirements in law and ensure consistent attendance among members.**
 - **Fulfill their duties as required by law.**
-

OBFF's boards cannot provide effective oversight or adequately hold OBFF accountable for its performance when the boards do not meet regularly and board members fail to attend the meetings. We recommend that OBFF's community boards (1) meet jointly four times per year, and (2) regularly meet individually, as required by law. If a board member regularly misses meetings, the board should work with its respective council to remove and replace them with a more reliable member, as is permitted by law.²⁴

Additionally, when OBFF's joint and community boards meet, they should ensure that they are fulfilling their duties to advise the ombudspersons as described in law. If the ombudspersons or the community board members think the boards' duties should differ from those in law, they should propose changes to the Legislature.

²⁴ *Minnesota Statutes* 2025, 15.0575, subd. 4, states that a board member "may be removed by the appointing authority at any time (1) for cause, after notice and hearing, or (2) after missing three consecutive meetings."

RECOMMENDATIONS

The Office of Ombudsperson for Families' community boards should annually:

- **Review the performance of their respective ombudsperson.**
 - **Jointly review the performance of the Office of Ombudsperson for Families.**
-

Regular performance reviews, both for individual staff and of an office overall, are important accountability measures to ensure that the individual and office are effective, good stewards of public funds, and meet the goals and priorities of the organization. We recommend that each community board formally evaluate the performance of their respective ombudsperson on an annual basis. We also recommend that OBFF's joint board formally annually evaluate OBFF's accomplishments and progress toward meeting office-wide goals and priorities.

Internal Accountability

While OBFF's community boards are meant to play a key role in overseeing OBFF, accountability mechanisms within OBFF could also help to ensure it fulfills its mission and duties effectively.

Organizational Structure

OBFF's organizational structure is unique among the Minnesota ombudsperson offices we reviewed. While the general organizational structure of the other ombudsperson offices varied, each office had a designated leader with responsibilities for guiding and overseeing the office. For example, the ombudsman for the Office of Ombudsman for Long-Term Care oversees a deputy ombudsman under whom are numerous regional ombudsmen. The ombudsman is responsible for managing the office, assuring the quality of the office's services, establishing advocacy priorities and a legislative agenda, and establishing office policies, among other leadership responsibilities.

The Office of Ombudsperson for Families does not have a designated leader, making it more difficult to hold the office accountable for its performance.

In contrast to the other ombudspersons offices we reviewed, the Legislature did not establish a specific position with responsibility for leading OBFF. For example, instead of granting a single ombudsperson the authority to hire staff, statutes give each ombudsperson authority to independently hire and pay staff.²⁵ Instead of directing one ombudsperson to establish office policies and practices, statutes grant each

²⁵ *Minnesota Statutes* 2025, 257.0761, subd. 1.

ombudsperson the authority to implement their own unique complaint handling policies and investigation practices.²⁶ Instead of directing the office to produce one office-wide annual report, statutes require each ombudsperson to produce an annual report.²⁷

In practice, each of OBFF’s three ombudspersons share equal powers and responsibilities. The three ombudspersons, for instance, share responsibility for managing the office’s operations, including jointly overseeing the office’s policy

OBFF Deputy Ombudsperson: Key Responsibilities

- Integrate and direct operational aspects of the office, including the budgeting process and human resources systems.
- Direct an integrated statewide approach and plan to support the achievement of OBFF’s goals.
- Promote, communicate, and direct the office’s priorities, strategic initiatives, and legislative strategy.
- Serve as a recognized state expert and oversee OBFF services for large-scale, highly publicized, highly sensitive government operations.

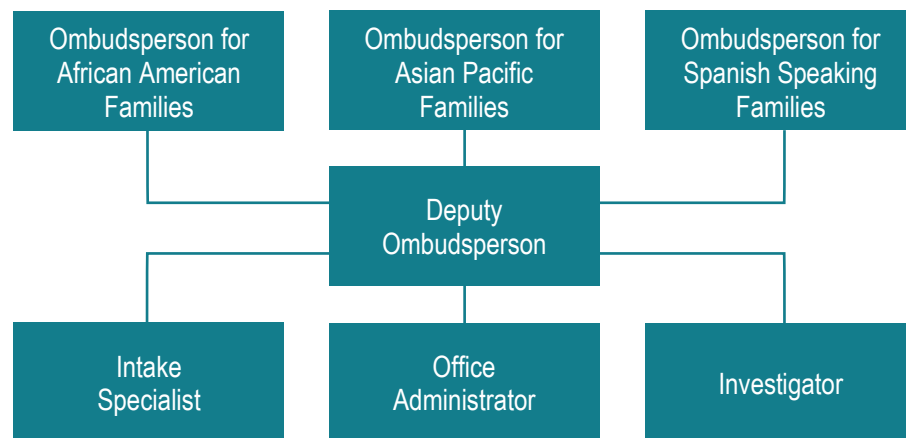
— OBFF Position Description

development, program planning, goal setting, and evaluation activities.²⁸ The ombudspersons also share authority over OBFF’s human resources and budgeting tasks, requiring them to work together to determine how to allocate office resources.

In February 2025, OBFF’s first deputy ombudsperson joined the office with responsibility for many of the activities one might expect of an individual leading the office. Among other responsibilities, the deputy ombudsperson is to coordinate and direct the office’s legislative strategy; “oversee the development, implementation, and continuous improvement of plans, policies, and programs” to promote OBFF’s goals; “design systems for assessing and reporting on operational and programmatic goals”; and direct OBFF’s budgeting process. However, unlike the head of an office who would have final authority in these areas, the deputy ombudsperson reports to the three ombudspersons—as shown in Exhibit 4.2—who share final decision making authority.

Exhibit 4.2

Office of Ombudsperson for Families, Organizational Chart



Source: Office of the Legislative Auditor, analysis of OBFF position descriptions.

²⁶ *Minnesota Statutes* 2025, 257.0762, subd. 2.

²⁷ *Minnesota Statutes* 2025, 257.0766, subd. 2.

²⁸ Although the position description for OBFF’s ombudspersons includes these as part of the ombudspersons’ job responsibilities, we saw little indication that the ombudspersons have fulfilled all of these responsibilities. For example, OBFF has not established office-wide goals beyond its mission statement.

OBFF's current organizational structure presents several issues. Critically, without one person to lead OBFF, the office lacks clear lines of authority. When three ombudspersons share responsibility equally for the office's actions and direction, it is unclear who is ultimately responsible if the office fails to meet performance expectations. If the office does not fulfill its duties in law, for instance, it is not clear who the Legislature or the public should hold accountable for failing to do so. Likewise, if there are concerns about decisions pertaining to OBFF's operations—for instance, OBFF's decision to narrowly scope its investigations—it is unclear who to hold responsible for those decisions.

In addition to making it difficult to hold OBFF accountable for its performance, the office's organizational structure has presented challenges within the office. One ombudsperson, for instance, described how the lack of a single leader has caused administrative issues and internal conflict, such as when there are disagreements over OBFF's finances.

RECOMMENDATION

The Legislature should amend law to establish a single leader of the Office of Ombudsperson for Families.

To improve OBFF's accountability and ensure that there are clear lines of authority and accountability within OBFF, we recommend that the Legislature establish a single position within OBFF that is responsible for leading the office. Below, we provide several options for doing so.

Governor appointee. In contrast to OBFF, the Governor appoints the ombudsperson for some of Minnesota's other ombudsperson offices, including the Office of the Foster Youth Ombudsperson and the Office of Ombudsman for Mental Health and Developmental Disabilities. As is the case for OBFF, statutes stipulate that these ombudspersons must be appointed "without regard to political affiliation" and must be knowledgeable of the populations they serve.²⁹ Under this scenario, the Legislature could choose to retain the community boards' oversight role as it sees fit. For example, although the Governor appoints the foster youth ombudsperson, statutes establish the Board of the Foster Youth Ombudsperson to "make recommendations to the foster youth ombudsperson and staff while continuously overseeing the foster youth ombudsperson's work."³⁰ However, under this scenario, the Governor would have the authority to appoint and remove the head of the office.

Joint board appointee. As we discussed earlier in this chapter, OBFF's community boards are required to meet as a joint board on a periodic basis to advise on OBFF's "overall policies, plans, protocols, and programs..."³¹ The Legislature could consider also granting OBFF's joint board the authority to appoint and remove OBFF's leader. However, given the significant issues with the community and joint boards we

²⁹ *Minnesota Statutes* 2025, 245.92; 257.0755, subd. 2; and 260C.80, subd. 1.

³⁰ *Minnesota Statutes* 2025, 260C.80, subd. 2.

³¹ *Minnesota Statutes* 2025, 257.0768, subd. 6.

discussed in the first half of this chapter, we would caution the Legislature against granting the boards greater oversight authority until those issues have been resolved.

Council appointee. When the Legislature established OBFF in 1991, the Council for Minnesotans of African Heritage, the Council on Asian Pacific Minnesotans, and the Minnesota Council on Latino Affairs selected their community’s respective ombudspersons.³² By law, the ombudspersons must still “operate independently from but in collaboration with” those councils.³³ In practice, the extent to which the ombudspersons interact with the councils is fairly limited, although it varies somewhat among ombudspersons. While council members may not be particularly familiar with the child protection system, they would still be familiar with their communities’ general needs. If the Legislature is not comfortable with assigning the responsibility to appoint and remove OBFF’s leader to the joint board, the Legislature could consider assigning the responsibility jointly to the councils.

Regardless of which entity ultimately has authority to appoint and remove OBFF’s leader, we recommend that the Legislature retain the ombudsperson positions specific to each community. Many people we spoke with emphasized the need for ombudspersons who have a specific focus on or knowledge of the communities OBFF serves.³⁴ However, as part of creating a single leader for OBFF, the Legislature will need to determine who has authority over these ombudspersons. For example, will the community boards retain the responsibility to oversee these ombudspersons—including the authority to hire and remove them—as is currently in law? Or should OBFF’s new leader oversee these ombudspersons?

We also recommend that the Legislature continue to keep OBFF independent of the agencies it has authority to investigate. For instance, we do not recommend that the Legislature move OBFF under the purview of DCYF or assign DCYF’s commissioner the responsibility to appoint or remove OBFF’s leader. Maintaining independence from the entities it investigates is a central best practice for ombudsperson offices. Further, we heard from several individuals that part of what makes OBFF valuable is its independence from the various entities within the child protection system.

Annual Reports

Annual reporting is a critical oversight and accountability mechanism. Meaningful annual reports shed light on an office’s recent activities, future needs and goals, and strategies for fulfilling the office’s mission.

³² *Laws of Minnesota* 1991, chapter 292, art. 3, sec. 20. Ombudsperson appointments were subject to final approval by OBFF’s advisory committee.

³³ *Minnesota Statutes* 2025, 257.0755, subd. 1.

³⁴ Throughout our evaluation, we interviewed individuals across various aspects of Minnesota’s child protection system, including representatives of the Judicial Branch, employees of state agencies, members of certain taskforces or workgroups of which the ombudspersons are members, staff members of community organizations that have served families of color involved in the child protection system, and more.

The Office of Ombudsperson for Families has not published annual reports as required by law, and the information included in the reports it has published is limited, decreasing the office’s accountability to the public.

In addition to any ad hoc reports an ombudsperson may choose to make regarding matters they investigated, state law requires each ombudsperson to report annually about “the exercise of the ombudsperson’s functions during the preceding year.”³⁵ Since January 2020, none of the ombudspersons have produced individual annual reports, and OBFF published only two office-wide annual reports.³⁶

When OBFF did issue an annual report, the information it included in the report was limited. In the two annual reports we reviewed, the office included scant information about the specific activities it undertook or the direct impact of its actions on the child protection system or on children and families of color.³⁷ The majority of each two-page report was devoted to general statistics on children involved in the child protection system and basic information about the office, including a broad description of OBFF’s duties in law, its budget, and a list of current staff members.

Compared to OBFF, the other Minnesota ombudsperson offices we reviewed included greater detail about their activities in their reports.³⁸ Some offices included information about the types of complaints they received, the number of complaints they received, and/or the characteristics of individuals filing complaints. Several shared examples of issues currently affecting the clients they serve, and all shared information about their office’s recent accomplishments.



For many years I have been hoping for an annual report detailing the types of issues that the office is seeing and any recommendations for practitioners around how to improve policies/practice to decrease the instances of specific types of complaints. ... Having some transparency around the types of cases and issues would better inform the public about what things are creating systemic barriers for families.

— Public input survey respondent

³⁵ *Minnesota Statutes* 2025, 257.0766, subd. 2.

³⁶ Office of Ombudsperson for Families, *State of Minnesota Office of Ombudsperson for Families* (2024); and Office of Ombudsperson for Families, *State of Minnesota Office of Ombudsperson for Families* (2021).

³⁷ While OBFF included some limited data on its complaint handling activities, those data are unreliable, as we discussed in Chapter 2.

³⁸ Like OBFF, statutes require three of the other four ombudsperson offices we reviewed to routinely issue reports about their offices’ work. *Minnesota Statutes* 2025, 3.9215, subd. 11(b); 245.95, subd. 2; and 260C.83, subd. 2.

RECOMMENDATION

The ombudspersons should produce annual reports, as required by law, and provide greater detail in them about their activities.

We recommend that the ombudspersons report annually, as required by law. The ombudspersons should also provide greater detail in their annual reports about their activities over the course of the year, how these activities impacted children and families of color, and key issues affecting children and families of color in the child protection system.

Producing annual reports will help to clarify the office's accomplishments and strategies for improving the child protection system for communities of color. It will also provide important transparency into the inner workings of the office, which will better enable the Legislature and the communities OBFF serves to provide feedback about OBFF's priorities and approach. Additionally, regular, meaningful annual reports will help to build awareness about OBFF among families and organizations involved in child protection and the public generally.

List of Recommendations

- The Office of Ombudsperson for Families should:
 - Establish complaint management policies and procedures to be used by all staff.
 - Ensure a consistent approach when conducting investigations, including following best practices.
 - Provide information about its complaint handling practices on its website. (p. 20)
- The Office of Ombudsperson for Families should utilize a complaint management system. (p. 21)
- The Office of Ombudsperson for Families should collect and analyze complaint data to identify complaint trends and more systematically address issues in the child protection system. (p. 24)
- The Legislature should amend statutes, as necessary, to ensure that the Office of Ombudsperson for Families' duties align with the Legislature's policy priorities and align those duties with the office's resources. (p. 37)
- The Office of Ombudsperson for Families should fulfill all duties required by law. (p. 39)
- The Office of Ombudsperson for Families should standardize and strengthen its processing of board member applications. (p. 48)
- The Office of Ombudsperson for Families' community boards should:
 - Meet in accordance with requirements in law and ensure consistent attendance among members.
 - Fulfill their duties as required by law. (p. 48)
- The Office of Ombudsperson for Families' community boards should annually:
 - Review the performance of their respective ombudsperson.
 - Jointly review the performance of the Office of Ombudsperson for Families. (p. 49)
- The Legislature should amend law to establish a single leader of the Office of Ombudsperson for Families. (p. 51)
- The ombudspersons should produce annual reports, as required by law, and provide greater detail in them about their activities. (p. 54)



OLA

January 26, 2026

Judy Randall, Legislative Auditor
Office of the Legislative Auditor
Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155

Dear Ms. Randall:

Thank you for the opportunity to respond to the audit report issued by your office, titled *Office of Ombudsperson for Families*. We appreciate the thoughtful evaluation of the Office of Ombudsperson for Families (OBFF) and agree with the report's recommendations for the OBFF. Your evaluation will help guide us through our reorganization plans and we appreciate your analysis.

The report identifies key considerations and recommendations that could lead to better fulfillment of the OBFF's statutory duties and addressing complaints, both of which align with our mission of reducing racial disparities in Minnesota's Child Protection System.

In particular, we have started to and we will continue to address the recommendations for OBFF to:

- Establish complaint handling and investigation policies and procedures for all staff and to consistently use the same approach.
- Establish a functional complaint management system.
- Collect and analyze complaint data to identify trends.
- Revise OBFF's organizational structure in law to identify one person to lead the office.

Below please find OBFF's responses to the report's recommendations.

Report Recommendation: Establish complaint management policies and procedures to be used by all staff.

OBFF Response: The OBFF started to reorganize itself by developing standard operating procedures (SOP) in April 2025, which are currently being finalized. This includes establishing complaint management policies and procedures to be used by all staff.

Current Status: Partially Implemented.

Estimated Completion Date: December 2026.

Individual Responsible: Deputy Ombudsperson.

Report Recommendation: Ensure a consistent approach when conducting investigations, including following best practices.

OBFF Response: The OBFF agrees that ensuring a consistent approach to conducting investigations is essential to our role as impartial advocates for system change. The OBFF will adopt complaint handling procedures established by United States Ombudsman Association's (USOA), the American Bar Association, and the International Ombuds Association.

Current Status: Not implemented.

Estimated Completion Date: End of fiscal year 2026.

Individual Responsible: Ombudspersons and Deputy Ombudsperson.

Report Recommendation: Provide information about the OBFF's complaint handling process on its website.

OBFF Response: The OBFF is currently working on providing information about its complaint handling process on its website. We have the information and we're refining it.

Current Status: Partially completed.

Estimated Completion Date: End of fiscal year 2026.

Individual Responsible: Ombudspersons and Deputy Ombudsperson.

Report Recommendation: The Office of Ombudsperson for Families should establish a complaint management system.

OBFF Response: The OBFF is currently working on implementing its complaint management system. The purchase of the new case management system was finalized in January 2026.

Current Status: Partially implemented.

Estimated Completion Date: December 2026.

Individual Responsible: Ombudspersons and Deputy Ombudsperson.

Report Recommendation: The Office of Ombudsperson for Families should collect and analyze complaint data to identify complaint trends and more systematically address issues in the child protection system.

OBFF Response: We fully understand the importance of having a functional complaint management system where complaint data will be collected. With MNIT's assistance, the OBFF purchased its first case management system in May 2021. That system was never functional and the OBFF couldn't use it. There are a couple of other State of Minnesota Ombuds Offices that are using the new case management system we just purchased. The other ombuds offices are reporting positive feedback with their case management system vendor. The OBFF is working with MNIT to get its new system up and running.

Current Status: Not implemented.

Estimated Completion Date: December 2026.

Individual Responsible: Ombudspersons and Deputy Ombudsperson.

Report Recommendation: The Legislature should amend statutes, as necessary, to ensure that the Office of Ombudsperson for Families' duties align with the Legislature's policy priorities and align those duties with the office's resources.

OBFF Response: The Office of Ombudsperson for Families was created in 1991 and in 1992 funding was allocated to each Council of Color for four separate staff persons within each council. The Office of Ombudsperson for Families was specifically structured to be independent; the independence was within each Council of Color. The focus of the Office of Ombudsperson for Families is still disproportionate representation and over/under representation of families of color in Minnesota's Child Protection System.

Current Status: Not implemented.

Estimated Completion Date: Unknown.

Individual Responsible: Ombudspersons and community specific boards.

Report Recommendation: The Office of Ombudsperson for Families should fulfill all duties required by law.

OBFF Response: The OBFF agrees that we must dedicate our time to committees and work groups that directly impact children and families of color involved in Minnesota's Child Welfare System. We agree that we cannot spend time on committees and workgroups that are not directly related to the OBFF's statutory duties.

Current Status: Under review.

Estimated Completion Date: December 2026.

Individual Responsible: Ombudspersons and community specific boards.

Report Recommendation: The Office of Ombudsperson for Families should standardize and strengthen its processing of board member applications.

OBFF Response: We agree a standardized process would strengthen the processing of board member applications. The Office of Ombudsperson for Families doesn't have direct control over this administrative process. We would appreciate the opportunity to work with the councils on this issue.

Current Status: Not implemented.

Estimated Completion Date: December 2026.

Individual Responsible: Community specific boards and Councils of Color. The Ombudspersons will work with them to ensure implementation.

Report Recommendation: The Office of Ombudsperson for Families' community boards should meet in accordance with requirements in law and ensure consistent attendance among members. Also, the community boards should fulfill their duties as required by law.

OBFF Response: We agree that the OBFF's community boards should meet in accordance with requirements in law and ensure consistent attendance among members. Also, we agree that the community boards should fulfill their duties as required by law.

Current Status: Partially implemented.

Estimated Completion Date: December 2026.

Individual Responsible: Community specific boards and Minnesota Attorney General's Office.

Report Recommendation: The Office of Ombudsperson for Families' community boards should annually review the performance of their

respective ombudspersons. Also, the community boards should jointly review the performance of the Office of Ombudsperson for Families.

OBFF Response: We agree that the community specific boards should annually review the performance of their respective ombudsperson. Also, we agree that the community boards should jointly review the performance of the Office of Ombudsperson for Families.

Current Status: In progress.

Estimated Completion Date: December 2026.

Individual Responsible: Community specific boards.

Report Recommendation: The Legislature should amend law to establish a single leader for the Office of Ombudsperson for Families.

OBFF Response: We agree that the Legislature should amend law to establish a single leader for the Office of Ombudsperson for Families. To improve the OBFF's accountability, the selection of any agency head should be done in collaboration with the community-specific boards and Councils of Color. Some possible solutions would be for each ombudsperson to become a unit of the respective Council of Color, or, for the Legislative Coordinating Commission to appoint the Executive Director.

Current Status: Not implemented.

Estimated Completion Date: December 2026.

Individual Responsible: Community specific boards and Councils of Color.

Report Recommendation: The ombudspersons should produce annual reports, as required by law, and provide greater detail in them about its activities.

OBFF Response: We agree that the ombudspersons should produce annual reports, as required by law, and provide greater detail in them about

their activities. For example, the OBFF would report on complaint trends that are received and reviewed by the agency, and new laws, rules, and policies that will have an impact on Minnesota's children and families of color.

Current Status: Partially implemented.

Estimated Completion Date: December 2026.

Individual Responsible: Ombudspersons and Deputy Ombudsperson.

Respectfully submitted,

Ann Hill, Ombudsperson for African American Families

Muriel R. Gubasta, Ombudsperson for Spanish-speaking and Hispanic/Latino Families

Manuel B. Zuniga, Jr., Ombudsperson for Asian Pacific Families.



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Driver Examination Stations, March 2021
Safety in State Correctional Facilities, February 2020
Guardian ad Litem Program, March 2018

Economic Development

Department of Employment and Economic Development Grants Management, March 2025
Minnesota Investment Fund, February 2018
Minnesota Research Tax Credit, February 2017

Education (Preschool, K-12, and Postsecondary)

Minnesota Department of Education's Role in Addressing the Achievement Gap, March 2022
Collaborative Urban and Greater Minnesota Educators of Color (CUGMEC) Grant Program, March 2021
Compensatory Education Revenue, March 2020
Debt Service Equalization for School Facilities, March 2019
Early Childhood Programs, April 2018
Perpich Center for Arts Education, January 2017
Standardized Student Testing, March 2017
Minnesota State High School League, April 2017

Environment and Natural Resources

Department of Natural Resources Land Acquisition, April 2025
Aggregate Resources, January 2025
Petroleum Remediation Program, February 2022
Public Facilities Authority: Wastewater Infrastructure Programs, January 2019
Clean Water Fund Outcomes, March 2017

Financial Institutions, Insurance, and Regulated Industries

Department of Commerce's Civil Insurance Complaint Investigations, February 2022

Government Operations

Grant Award Processes, April 2024
Oversight of State-Funded Grants to Nonprofit Organizations, February 2023
Sustainable Building Guidelines, February 2023
Office of Minnesota Information Technology Services (MNIT), February 2019

Health

Community Benefit Expenditures at Nonprofit Hospitals, February 2025
Minnesota Department of Health: Human Resources Complaint Management, January 2025
Emergency Ambulance Services, February 2022
Office of Health Facility Complaints, March 2018

Human Services

Office of Ombudsperson for Families, January 2026
Department of Human Services Licensing Division: Support to Counties, February 2024
Child Protection Removals and Reunifications, June 2022
DHS Oversight of Personal Care Assistance, March 2020
Home- and Community-Based Services: Financial Oversight, February 2017

Jobs, Training, and Labor

Worker Misclassification, March 2024
Unemployment Insurance Program: Efforts to Prevent and Detect the Use of Stolen Identities, March 2022

Miscellaneous

Minnesota Housing Finance Agency: Down Payment Assistance, March 2024
RentHelpMN, April 2023
State Programs That Support Minnesotans on the Basis of Racial, Ethnic, or American Indian Identity, February 2023
Board of Cosmetology Licensing, May 2021
Minnesota Department of Human Rights: Complaint Resolution Process, February 2020
Public Utilities Commission's Public Participation Processes, July 2020
Economic Development and Housing Challenge Program, February 2019
Minnesota State Arts Board Grant Administration, February 2019
Board of Animal Health's Oversight of Deer and Elk Farms, April 2018
Voter Registration, March 2018

Transportation

Metro Mobility, April 2024
Southwest Light Rail Transit Construction: Metropolitan Council Decision Making, March 2023
Southwest Light Rail Transit Construction: Metropolitan Council Oversight of Contractors, June 2023
MnDOT Workforce and Contracting Goals, May 2021
MnDOT Measures of Financial Effectiveness, March 2019

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