



Office of the Child and Family Ombudsman Policy and Procedures Manual

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1903.1 Legal Authority

History:

The Montana Legislature created the Office of the Child and Family Ombudsman (OCFO) in 2013 and made the office permanent in 2015. OCFO's authorizing statutes are codified in Title 41, chapter 3, part 12 of the Montana Code Annotated (MCA).

Purpose and Intent:

The Legislature provided the purpose and intent of OCFO in § 41-3-1209, MCA, as follows:

The legislature finds that an independent, impartial, and confidential ombudsman serves:

- (1) to protect the interests and rights of Montana's children and families; and
- (2) to strengthen child and family services by working in consultation with the department and with appropriate county attorneys in cases under review.

OCFO is an independent, impartial, and confidential resource for protecting the rights of Montana's children and families. Specifically, the law tasks OCFO with investigating and improving services for children served by the Department of Public Health and Human Services (DPHHS), Child and Family Services Division (CFSD). These services are commonly referred to as child protection services or child welfare services.

Structure:

OCFO is housed in the Department of Justice, Division of Criminal Investigation, Special Service's Bureau and the Special Service's Bureau Chief oversees operations. The Child and Family Ombudsman and other OCFO staff are hired in accordance with State of Montana hiring procedures.

References:

[Office of Child and Family Ombudsman, Title 41, chapter 3, part 12, MCA](#)

[§ 41-3-205, MCA](#)

[§ 41-3-209, MCA](#)

1903.2 Mission

OCFO responds to requests to protect the rights of children and families by improving case outcomes and strengthening Montana's child welfare system.

1903.4 Core Principles

Independent, Impartial, Confidential, and Credible Review Process:

OCFO is **independent** of DPHHS. OCFO is separate and free from the influence of the individuals the office may investigate. OCFO is part of the Department of Justice, Division of Criminal Investigation, Special Service's Bureau.

OCFO is **impartial**. OCFO does not represent a side in disputes but is required to make findings or formulate an opinion on the handling of the case. The Ombudsman works in consultation with all parties, including DPHHS, to improve services for the children of Montana. The Ombudsman may advocate certain recommendations that benefit the individual who requested assistance; however, advocacy from the Ombudsman is directed at improving the services offered by DPHHS and should not be construed as supporting one individual over another.

Information collected by the Ombudsman is **confidential**. Only information that needs to be shared will be shared.

OCFO is committed to a **credible review process**. Every individual who contacts OCFO will receive the same opportunities to request assistance and receive review of their request. This process is discussed in more detail in the policy: Requesting Assistance.

In addition, the Ombudsman is **knowledgeable**. The Ombudsman will be familiar with the laws governing child welfare, systems of care, and best practices in working with children and families. The Ombudsman will pursue information about and stay abreast of changes to and advances in the provision of services to children and families.

OCFO is committed to trauma informed and strength-based practice. Individuals in contact with OCFO will be treated with respect, an understanding of how adverse experiences impact lives, and appreciation of their strengths.

References:

[Governmental Ombudsman Standards \(October 2003\), United States Ombudsman Association](#)

1903.5 Powers and Duties

The Legislature provided the powers and duties of OCFO in § 41-3-1211, MCA, as follows:

The powers and duties of the ombudsman are:

- 1) to respond to requests for assistance regarding administrative acts and to investigate administrative acts;
- 2) to investigate circumstances surrounding reports that are provided to the ombudsman pursuant to **41-3-209**;
- 3) to inspect, copy, or subpoena records as needed to perform the ombudsman's duties under this part;
- 4) to take appropriate steps to ensure that persons are made aware of the purpose, services, and procedures of the ombudsman and how to contact the ombudsman;
- 5) to share relevant findings related to an investigation, subject to disclosure restrictions and confidentiality requirements, with individuals or entities legally authorized to receive, inspect, or investigate reports of child abuse or neglect;
- 6) based on the investigations conducted, to provide oversight of the department's systems and policies for handling abuse and neglect cases;
- 7) to periodically review department procedures and promote best practices and effective programs by working in consultation with the department to improve procedures, practices, and programs;
- 8) to undertake, participate in, and consult with persons and the department in activities, including but not limited to conferences, inquiries, panels, meetings, or studies, that serve to improve the manner in which the department functions;
- 9) to provide education on the legal rights of children;
- 10) to apply for and accept grants, gifts, contributions, and bequests of funds for the purpose of carrying out the ombudsman's responsibilities; and
- 11) to report annually to the attorney general and the children, families, health, and human services interim committee in accordance with **5-11-210**. The report must be public and may contain recommendations from the ombudsman regarding systemic improvements for the department.

Administrative acts are defined as “a department action, omission, decision, rule, interpretation, recommendation, policy, practice, or procedure relating to child and family services.” Each request will be reviewed as to this definition.

The following policies establish the specific processes OCFO follows to meet these responsibilities:

- Requesting Assistance
- Levels of Intervention
- Findings Report
- Procedure Review
- Reporting
- Critical Incidents
- Outreach and Education
- Enforcement

References:

§ [41-3-1211, MCA](#)

1903.6 Employment and Administration

Policy:

The Ombudsman and OCFO staff are employed by the State of Montana, Department of Justice, and are subject to the laws, regulations, and rules governing employment by a government entity. Employees have access to, and may receive training in, State of Montana employment policies and procedures. Policies and procedures regarding employment by the State of Montana are available in the Montana Operations Manual.

Additional training for employees of OCFO will be determined on a case-by-case basis, depending on experience, current need, and budgetary allowances.

Procedures:

The Ombudsman and OCFO staff are subject to the laws, regulations, and rules governing employment by a government entity and to the Montana Operations Manual.

References:

[Montana Department of Administration](#)

[Montana Operations Manual](#)

1903.7 Revisions to the Policy and Procedures Manual

Policy:

The Policy and Procedures Manual (“Manual”) is available online on the [Office of Child and Family Ombudsman \(OCFO\) webpage](#)

Procedures:

Changes, updates, revisions, and additions to the Manual will be made by the Ombudsman as needed and forwarded to Department of Justice staff. The online posting of the Manual will be updated in conjunction with the annual report.

1903.8 Independence

Policy:

OCFO is independent of DPHHS, meaning it is separate and free from the influence of the individuals the Ombudsman may investigate.

Procedures:

OCFO is part of the Department of Justice, Division of Criminal Investigation, Special Service's Bureau. The Department of Justice offers support and protection from unjust influence, enabling the Ombudsman to function as an impartial and credible entity that reports findings based solely on a review of facts and law, in the light of reason and fairness.

OCFO and the duties performed by the Ombudsman are independent of outside control or influence, particularly, DPHHS and any of the agencies within DPHHS the Ombudsman may investigate. To foster such independence:

- 1) OCFO is established in statute.
- 2) The Ombudsman is appointed by the Attorney General.
- 3) OCFO is housed in the Department of Justice.
- 4) The Ombudsman is subject to State of Montana employment laws and cannot be removed except for good cause.
- 5) OCFO is provided a budget with which to carry out assigned duties.
- 6) OCFO retains authority to select, direct, and discharge staff.
- 7) The Ombudsman has discretion over investigations and self-initiated reviews, which are subject to the limits of the Ombudsman's authority.
- 8) The Ombudsman has discretion to prescribe how requests are to be made, received, and acted upon, including the scope and manner of investigations.
- 9) OCFO maintains discretion to determine which conclusions and recommendations are reached, and the freedom to determine what to publish.
- 10) The findings and recommendations of OCFO are not appealable to any other authority.

References:

[§ 41-3-1208, MCA](#)

[§ 41-3-1209, MCA](#)

[Governmental Ombudsman Standards \(October 2003\), United States Ombudsman Association](#)

1903.9 Impartiality

Policy:

OCFO is impartial. OCFO does not represent a position in disputes but is required to make findings or formulate an opinion on the handling of the case. OCFO is not biased and strives to ensure all parties are heard and understood. The Ombudsman works in consultation with all parties, including DPHHS, to improve services for the children of Montana.

The Ombudsman may advocate certain recommendations that benefit the individual who requested assistance; however, advocacy from the Ombudsman is directed at improving the services offered by DPHHS and should not be construed as supporting one individual over another. The mission to improve outcomes and the system is considered at all times.

In addition, the Ombudsman does not have an individual interest in the outcome of any request for assistance or investigation. The Ombudsman is an objective party tasked with investigating requests, determining if an action or omission occurred, and making recommendations based on fact and law.

Procedures:

In order to maintain impartiality, the Ombudsman and OCFO staff will:

- 1) Utilize the same process of review and determination for each request received.
- 2) Recuse from involvement in requests where a conflict of interest or the appearance of a conflict of interest may exist.
- 3) Set aside personal views regarding the subject matter or the parties involved, not allowing such views to affect decisions as to what complaints to accept or how they are investigated.
- 4) Advocate for recommendations that are consistent with laws, rules, and policies, and with a reasonable outcome.

References:

[§ 41-3-1209, MCA](#)

[Governmental Ombudsman Standards \(October 2003\), United States Ombudsman Association](#)

1903.10 Confidentiality

Policy:

Information collected by the Ombudsman is confidential. Only information that needs to be shared will be shared. Sharing of information will proceed as required by state and federal law.

Procedures:

OCFO may share information collected in the course of addressing requests for assistance in accordance with state and federal law. Individuals may waive their confidentiality. Information will be shared under the following circumstances:

- 1) When sharing the information meets the disclosure and confidentiality requirements provided in § 41-3-1209, 41-3-1211, and 41-3-205, MCA, with individuals or entities that are legally authorized to receive, inspect, or investigate reports of child abuse or neglect;
- 2) When sharing the information is required to resolve an issue, make recommendations for improvements, or protect a child or family;
- 3) When sharing the information has proper Release of Information forms signed as needed.

OCFO notifies appropriate parties when information is being shared. The Ombudsman balances the need to protect sensitive information, to allow citizens to come forward and individuals to speak candidly, with the need to disclose information as a part of an investigation or public report.

Record Retention

OCFO will maintain the confidentiality of information collected during and after case closure. Records of information collected from requests for assistance will be maintained according to the records retention schedule outlined by the Secretary of State Records Management Bureau.

Legislator's Access to Ombudsman's files

Pursuant to MCA 41-3-1214, a member of the legislature may view the records, case notes and correspondence of the Ombudsman if the following are met:

- 1) the legislator receives a written request from a person who has requested assistance from the ombudsman about whether laws protecting children from abuse or neglect are being complied with or whether the laws need to be changed to enhance protections for children;
- 2) the legislator submits a written request to the ombudsman asking to review the records relating to the written inquiry. The legislator's request must include a copy of the written inquiry, the name of the child whose records are to be reviewed, and any other information that will assist the ombudsman in locating the records.
- 3) before reviewing the records, the legislator:
 - a. signs a form that outlines the state and federal laws regarding confidentiality and the penalties for unauthorized release of the information; and
 - b. receives from the ombudsman an orientation of the content and structure of the records.

Records disclosed during the review are confidential. Records must be made available for the legislator to view but may not be copied, photographed, or otherwise replicated by the member, and must remain solely in the ombudsman's possession. The records may be viewed at any office maintained by OCFO. A legislator may take notes in order to discuss the records with the party who submitted the written inquiry to the member.

References:

[§ 41-3-1209, MCA](#)

[§ 41-3-201, MCA](#)

[§ 41-3-205, MCA](#)

[§ 41-3-1214, MCA](#)

[Montana State Records Forms and Retention Schedules, Montana Secretary of State](#)

1903.11 Requesting Assistance

Policy:

An individual concerned about the rights of a child in Montana who is involved in the child protection system or in need of protection may request assistance from the Ombudsman.

Procedures:

Contact Procedure

A request for assistance from the Ombudsman can be made in the following ways:

- Call the Ombudsman at **1-844-25CHILD** (1-844-252-4453).
- Email the request form to the Ombudsman at DOJOMBUDSMAN@mt.gov
- Fax the request form to the Ombudsman at 406-444-2579.
- Mail request form to the Ombudsman at P.O. Box 201417, Helena, MT 59620.

Third Party Requests

The Ombudsman may decline a request made by a third party. A third party is someone who calls on behalf of another person. When asked by a third party to contact an individual who they believe needs assistance, the Ombudsman will direct the third party to have the individual contact the Office directly.

If a referral is received from a legislator, the Governor's Office, or the Attorney General, the Ombudsman may make contact or may request that the constituent be directed to submit a request first.

Suspicion of Abuse or Neglect

- If a person requesting assistance suspects a child to be abused or neglected, the person will be directed to call the Child Abuse Hotline at 1-866-820-5437.
- The Ombudsman is not a replacement for the investigative powers of DPHHS.
- If a person requesting assistance called the hotline and feels their concerns are not being heard or a child remains unsafe, the Ombudsman will provide a request form.
- OCFO will review and determine if there is cause to intervene and what options exist.

Suspicion of Criminal Acts

If a person requesting assistance believes that person witnessed a crime or believes a crime is going to be committed, the Ombudsman will direct the person to call 911 and report the crime to law enforcement. The Ombudsman is not a replacement for the investigative powers of law enforcement.

If a person requesting assistance believes they need legal assistance, the Ombudsman may refer the individual to legal services. While the Ombudsman may describe legal procedures and options when responding to requests, the Ombudsman will not provide legal advice or analysis.

Intake Procedure

Once a request is received, it will be reviewed for appropriateness and completion. OCFO may call and collect additional information from the requestor. OCFO will also review the database for

previous requests. A call for more information does not mean that the Ombudsman will intervene. Requests will be documented in the OCFO database. See Data Collection for more information.

Declining a Request

The Ombudsman may determine that the request is not appropriate or within purview for OCFO to investigate. If this occurs, the Ombudsman may provide an explanation in writing for declining the request. To the best of the Ombudsman's ability, referrals and resources will be included to assist the individual in getting help for their concern. Examples of the reasons why requests are not accepted can include but are not limited to the following:

- 1) The request for assistance is trivial, frivolous, vexatious, or not made in good faith;
- 2) The request for assistance is too delayed to justify an investigation;
- 3) The person requesting assistance is not personally aggrieved by the subject matter of the request; or
- 4) The request for assistance has been previously investigated by the Ombudsman.

If OCFO declines a request, this does not prevent the individual from making another request in the future.

At any point during review or intervention, OCFO may decline to continue working on the request. Examples of the reasons why requests may be discontinued include but are not limited to:

- 1) The requestor commits a crime that impedes continuation.
- 2) The requestor refuses to provide needed information.
- 3) Another more effective remedy is pursued.

Determining Level of Intervention

Once the Ombudsman reviews the request and determines that it is appropriate to investigate, the Ombudsman will determine how to intervene. The Ombudsman will take the following into consideration in making that determination:

- 1) Has the individual requesting assistance attempted to get help from the department?
- 2) Is there documentation supporting the request?
- 3) What does the individual hope will occur from the Ombudsman's intervention?

The Ombudsman will place the request into one of the following categories:

- 1) Resource and Referral
- 2) Plan established
- 3) Findings Report

Types of investigations

Case Specific

An investigation that alleges an action or omission occurred in a case specific to a child or family, putting the child or family at risk of harm and warranting an investigation of the individual case record.

Ombudsman Initiated

An investigation that arises when the Ombudsman discovers an action or omission that is not originally part of the request or is brought to the attention of the Ombudsman through the media or pattern of requests.

Procedure Review

An investigation that alleges a pattern of actions or omissions in multiple cases, areas, or service delivery, causing harm or potential harm to children and families and warrants an investigation of policies and procedures from a system perspective. A procedure review may also include a topic area or practice area of particular significance to Montana policies and procedures.

Critical Incident

In investigation generated per [§ 41-3-209, MCA](#), where OCFO receives information from DPHHS on a critical incident. See Critical Incidents policy for more information.

References:

[Office of Child and Family Ombudsman, Title 41, chapter 3, part 12, MCA](#)

[§ 41-3-1212, MCA](#)

[Governmental Ombudsman Standards \(October 2003\), United States Ombudsman Association](#)

1903.12 Findings Report

Policy:

While the following section outlines the steps OCFO takes to complete a Findings Report on a request found to meet this level of intervention, the Ombudsman recognizes that each request for assistance is unique and may require additional steps to complete an investigation of acts and omissions. The Ombudsman reserves the right to change or add to the steps taken to complete an investigation as long as such steps are consistent with the law.

Specific to investigations of acts or omissions, per [§ 41-3-1211, MCA](#), OCFO will:

- respond to requests for assistance regarding administrative acts and to investigate administrative acts;
- investigate circumstances surrounding reports that are provided to the ombudsman pursuant to [§ 41-3-209, MCA](#);
- inspect, copy, or subpoena records as needed to perform the ombudsman's duties under this part;
- share relevant findings related to an investigation, subject to disclosure restrictions and confidentiality requirements, with individuals or entities legally authorized to receive, inspect, or investigate reports of child abuse or neglect;
- periodically review department procedures and promote best practices and effective programs by working collaboratively with DPHHS to improve procedures, practices, and programs.

OCFO determines how to categorize and structure Findings Reports. The following information outlines the current types of investigative processes used to complete Findings Reports.

Reference:

[Office of Child and Family Ombudsman, Title 41, chapter 3, part 12, MCA](#)

1903.13 Critical Incidents

Policy:

In addition to responding to requests for assistance and conducting procedure reviews, the Legislature required DPHHS to report critical incidents to OCFO in § 41-3-209, MCA, as follows:

The department shall report to the office of the child and family ombudsman:

- 1) within 1 business day, a death of a child who, within the last 12 months:
 - (a) had been the subject of a report of abuse or neglect;
 - (b) had been the subject of an investigation of alleged abuse or neglect;
 - (c) was in out-of-home care at the time of the child's death; or
 - (d) had received services from the department under a written prevention plan;
- (2) within 5 business days:
 - (a) any criminal act concerning the abuse or neglect of a child;
 - (b) any critical incident, including but not limited to elopement, a suicide attempt, rape, nonroutine hospitalizations, and neglect or abuse by a substitute care provider, involving a child who is receiving services from the department pursuant to this chapter; or
 - (c) a third report received within the last 12 months about a child at risk of or who is suspected of being abused or neglected.
- (3) The department shall report to the ombudsman as required under [41-3-1212](#) on its response to findings, conclusions, and recommendations made in cases investigated by the ombudsman.

Procedures:

Currently, notifications of these incidents are received via email. Some will result in case specific review while others will result in procedure review. Determinations of the type of review will be based on the most effective approach to improving the child welfare system.

References:

[Office of Child and Family Ombudsman, Title 41, chapter 3, part 12, MCA](#)

[§ 41-3-205, MCA](#)

[41-3-209, MCA](#)

1903.14 Reporting

Policy:

OCFO collects data and produces reports to provide opportunities for improvement, maintaining the mission to improve outcomes for families and strengthen the child welfare system.

Procedures:

Data Collection

OCFO maintains a database on each request, intervention, outcome, and report. Demographic information is collected as well as information to assess outreach and education efforts. Information collected is used to support investigations as well as identifying patterns of actions of omissions and in developing the annual report and systemic investigations.

Findings Reports

A request or trend in the data that results in an investigation concludes with a report outlining any findings and recommendations. At a minimum, the Ombudsman sends the Findings Report to the following:

- 1) Director of the Department of Public Health and Human Services;
- 2) Child and Family Services Division Administrator;
- 3) Special Service's Bureau Chief;
- 4) The Regional Administrator; and
- 5) The requestor, if allowed by confidentiality and disclosure statutes

The Ombudsman will work with the individual requesting assistance and CFSD to address recommendations in the report. The Ombudsman will track recommendations and steps taken to address those recommendations.

Annual Report

OCFO will submit its Annual Report to the Attorney General and the Children, Families, Health, and Human Services Interim Committee each year, analyzing the work of OCFO and providing recommendations. The Annual Report is public, made available on the Department of Justice website, and can be requested from the Ombudsman.

The Annual Report covers the previous calendar year. The report helps both the Attorney General and the Legislature in providing support to OCFO and in decision-making of legislative action to improve services to children and families.

Systemic Reports

OCFO shall provide oversight of CFSD to identify and report on trends in the handling of the cases and make recommendations on ways to improve the child protective services system. OCFO collects data and trends, and flags cases with similarities. Within the report the Ombudsman shall provide systemic and trend recommendations twice each calendar year to CFSD.

Each Systemic Report is provided to the Attorney General and the Children, Families, Health, and Human Services Interim Committee each year. The Systemic Report is public, made available on the Department of Justice website, and can be requested from the Ombudsman.

References:

[§ 41-3-1211, MCA](#)

[§ 41-3-1212, MCA](#)

[§ 41-3-1215, MCA](#)

1903.15 Request Closure

Policy:

OCFO will close each open request at a reasonable time following the intervention. Open requests are those that were deemed appropriate for intervention at any level.

Procedures:

An email or letter to the individual requesting assistance will confirm the closure. Information on the intervention, any findings or recommendations, is at the discretion of the Ombudsman to share. Information regarding case closures will be documented in the OCFO database.

Individuals are welcome to contact the Ombudsman again to request assistance following a request closure. The Ombudsman reviews the request as indicated in the Requesting Assistance section of the manual.

OCFO may contact requestors after a request closure to assess their experience with OCFO. This would occur through an email or mail survey, and respondents may remain anonymous.

References:

[Office of Child and Family Ombudsman, Title 41, chapter 3, part 12, MCA](#)

1903.16 Privilege

Policy:

In addition to the protections of the confidentiality and disclosure statutes and rules, Montana law protects citizens accessing OCFO by establishing an Ombudsman privilege. Section [41-3-1213, MCA](#), states:

The ombudsman may not be compelled to testify or produce evidence in any judicial or administrative proceeding with respect to any matter involving the exercise of the ombudsman's official duties, except as necessary to enforce the provisions of this part.

This privilege allows citizens to submit a request without concern that the Ombudsman will be compelled to testify or produce evidence. The privilege also supports the independence and impartiality of OCFO, ensuring findings and recommendations are used to improve the system. The Ombudsman's privilege extends to supervisors, staff, and agents performing work on behalf of the Ombudsman.

Procedures:

If OCFO receives a subpoena, OCFO will notify the DCI Administrator and Department of Justice legal staff to determine the appropriate response.

References:

[41-3-1213, MCA](#)

1903.17 Enforcement

Policy:

OCFO responds to requests for assistance, investigates administrative acts, and reports on recommendations for protecting rights and strengthening the child welfare system. DPHHS may accept or reject recommendations provided by OCFO; however, statute requires DPHHS to provide OCFO an explanation of actions taken or not taken.

Procedures:

Consultation

[Section 41-3-1209, MCA](#), states that OCFO will work “in consultation with the department and with appropriate county attorneys in cases under review” with the intent of strengthening the system. And, in [§ 41-3-1211, MCA](#), OCFO will “promote best practices and effective programs by working collaboratively with the department to improve procedures, practices, and programs”. While OCFO welcomes opportunities to collaborate, OCFO instituted the following procedures specifically to increase collaborative efforts:

- 1) Presenting OCFO to CFSD through meetings, trainings, and staffings to explain the process.
- 2) Notifying the Regional Administrator of open requests and status of levels of intervention.
- 3) Allowing Regional Administrators to make introductions of CFSD staff to the Ombudsman where needed.
- 4) Alerting CFSD to process and communication concerns effecting the safety of children and supporting their interventions to maintain safety.
- 5) Communicating openly about concerns and offering suggestions to resolve conflicts before elevating a request to an investigation.
- 6) Providing questions in writing as needed.
- 7) Attending meetings in the community of the request.
- 8) Providing research or supportive information when in agreement with the case plan.
- 9) Providing data on information collected.

OCFO is committed to treating DPHHS employees with courtesy and respect and to working together with DPHHS to solve problems.

Response by DPHHS

During intervention on requests, communication between CFSD and OCFO occurs frequently. Montana law assists OCFO in obtaining information by requiring in [§ 41-3-1212, MCA](#), “At the ombudsman’s request, the department shall inform the ombudsman in a timely manner about any action taken to address or any reasons for not addressing the ombudsman’s findings, conclusions, and recommendations.” OCFO will review each response provided by DPHHS.

References:

[§ 41-3-1209, MCA](#)

[§ 41-3-1211, MCA](#)

[§ 41-3-1212, MCA](#)

[§ 37.47.607 ARM](#)

[37.47.608](#)

1903.18 Outreach and Education

Policy:

OCFO understands that for citizens to make contact, citizens must be aware of who the Ombudsman is and what OCFO does. OCFO also recognizes the power of education around rights, policies, procedures, and practices to empower citizens to advocate for themselves. Section [41-3-1211, MCA](#), outlines the following duties in relation to outreach and education:

- to take appropriate steps to ensure that persons are made aware of the purpose, services, and procedures of the ombudsman and how to contact the Ombudsman;
- to undertake, participate in, and cooperate with persons and the department in activities, including but not limited to conferences, inquiries, panels, meetings, or studies, that serve to improve the manner in which the department functions;
- to provide education on the legal rights of children.

Procedures:

Information about OCFO and request for assistance forms are available on the Department of Justice website ([OCFO Home - Montana Department of Justice \(dojmt.gov\)](#)). The Ombudsman spends time with each contact explaining the process and determinations on interventions.

To increase awareness, OCFO provides educational items such as brochures and posters to every CFSD field office. OCFO mails materials to other agencies and offices that may have contact with children or families. OCFO offers presentations to CFSD and community agency staff as regularly scheduled or requested. OCFO regularly hosts a table at the annual Montana Child Abuse and Neglect Conference.

Work Plan

In addition, OCFO develops an annual work plan with outreach goals, including but not limited to, attorneys, Court Appointed Special Advocates, mental health centers, judges, and court staff. The plan also includes attendance by an Ombudsman at trainings offered through DPHHS. This serves both as a chance to outreach and to educate.

References:

[§ 41-3-1211, MCA](#)

1903.19 Grant Writing

Policy:

Section [§ 41-3-1211, MCA](#), gives OCFO the expressed authority to “apply for and accept grants, gifts, contributions, and bequests of funds for the purpose of carrying out the ombudsman’s responsibilities”.

Procedures:

OCFO periodically researches open grant processes for opportunities to fund projects. OCFO will maintain a record of grant applications. OCFO will work with Division of Criminal Investigation budget staff upon any award of a grant or funds.

OCFO will apply annually to retain an AmeriCorps member. This will be a 11 month volunteer position in part by OCFO and by federal funding allotted to the states. The Ombudsman and AmeriCorps member will collaborate to develop a work plan for specific projects.

AmeriCorps members will be bound by confidentiality laws and will undergo an orientation program with the Ombudsman supervising them.

References:

[§ 41-3-1211, MCA](#)

[AmeriCorps](#)

1903.20 Information Requests

Policy:

OCFO will respond in a reasonable time to requests for public records. The Department of Justice policies and procedures apply to public records requests.

Procedures:

Media Inquiries

Requests for interviews by media outlets will be redirected to the Attorney General's Office Communications Director.

Public Information Requests

Requests for public records made by a citizen not requesting assistance or not directly involved in a request can be made online at dojmt.gov/about/contact-us. Requests will be reviewed and responded to in accordance with applicable laws.

Grievances

Any concerns or complaints about staff of OCFO can be made by contacting the Special Service's Bureau Chief or the Administrator of the Division of Criminal Investigation.

Reference:

[Contact Form, Montana Department of Justice](#)