



New Mexico
Office *of the*
Child Advocate

Fiscal Year 2026 Annual Report

Inaugural Report of the Office of the Child Advocate

September 1, 2026

INDEPENDENT • IMPARTIAL • CHILD-FOCUSED

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A Message from the State Child Advocate

As New Mexico's first State Child Advocate, I am proud and honored to present the inaugural report of the newly established Office of the Child Advocate (OCA). This report reflects the Office's creation, development, and work during Fiscal Year 2026, from the beginning of OCA operations on March 30, 2026, through June 30, 2026.

The date of this report's publication, September 1, 2026, marks just 155 days since the Office began operations. As a result, this first annual report necessarily looks different from the ones that will follow. The OCA was created with an important and substantial mandate: to provide independent and impartial review, advocacy, accountability, and problem-solving within New Mexico's child welfare system. Before the Office could fully carry out that mandate, however, the Office itself had to be built.

Much of these first months has therefore been devoted to establishing the infrastructure necessary for the OCA to serve children, families, and the people of New Mexico effectively. That work has included establishing complaint intake, review, and investigative processes; developing policies and procedures; implementing an electronic case management system; creating mechanisms for public access to the Office; building the Office's organizational structure; and establishing critical relationships and processes for coordination and information sharing with CYFD and other child-serving agencies.

At the same time, the work of the Office could not wait for every piece of that infrastructure to be complete. From its earliest days, the OCA began hearing from children, parents, foster and kinship caregivers, professionals, advocates, and other New Mexicans with questions, concerns, and experiences to share. Those contacts have informed both the development and processes of the Office as well as our growing understanding of what is working—and what is not—for children and families in New Mexico.

This report is intended to examine CYFD's child welfare system holistically. While CYFD plays a central, well-known role, it is only one piece of a much broader network that also includes attorneys, courts, service providers, families, Nations, Pueblos, Tribes, other state and local agencies, law enforcement, and community partners. The observations and recommendations in the following pages are not intended to assign blame to CYFD or specific individuals working in the system. Instead, the OCA utilizes the complaints and inquiries it receives as data to understand what is happening, what is working, and what is not. The goal is to identify gaps and trends, strengthen coordination and problem-solving, and support better outcomes for children and families. The Office's approach is not political, partisan, or adversarial. Meaningful progress requires all parts of the system to work together, and the OCA is committed to being a constructive partner in that work.

This report therefore serves several purposes. It not only documents the development of New Mexico's first Office of the Child Advocate and provides an overview of the work undertaken during the Office's first three months of operation, but it also shares initial observations about the issues and experiences being brought to the OCA's attention. Because the Office operated for only a quarter of Fiscal Year 2026, the findings and recommendations contained in this report should be understood as preliminary. Future reports will build upon this foundation as the Office's staffing, investigative capacity, data collection, and systemic review continue to develop.

The Office of the Child Advocate Act (OCA Act) Section 32A-30-7 NMSA 1978 requires the OCA to report annually on specific measures relating to New Mexico's child welfare and juvenile justice systems. Some of the required information—including statewide data regarding removals, placements, children in juvenile justice facilities, and children who are missing or on runaway status—is maintained by the Children, Youth and Families Department as New Mexico's state child welfare agency. Where appropriate, this report identifies and incorporates data provided by CYFD while distinguishing that information from the OCA's own data, observations, findings, and independent assessment.

The creation of this Office was the result of years of work and advocacy by people who recognized the importance of an independent voice focused on the safety, well-being, and rights of New Mexico's children. I extend my sincere gratitude to those legislators who saw the need and worked over many legislative sessions to make this Office a reality, including Representative Michelle Paulene Abeyta for her leadership in the passage of House Bill 5 in 2025, as well as for her service as chair of the bipartisan child advocate selection committee. I also thank the other members of that committee who dedicated their time and expertise to establishing the Office's independent leadership. Additionally, I want to express my heartfelt appreciation to the New Mexico Department of Justice, to which the OCA is administratively attached. Their foundational support, detailed in Building of the OCA section below, was crucial to the Office's ability to begin work on its first day.

Most importantly, I am grateful to the children, parents, foster and kinship caregivers, advocates, professionals, and community members who have contacted the OCA during these first months. Many have entrusted the Office with difficult experiences and incredibly personal concerns. Their willingness to come forward—often in moments of vulnerability and fear—and to place trust in a new and still-developing Office, speak with us and share their experiences, is both incredibly brave and essential to creating lasting change.

The establishment of an independent Office of the Child Advocate is not in itself the measure of its success. Its value will ultimately be measured by whether the Office listens carefully, asks difficult questions, provides fair and independent review, helps resolve

problems, identifies systemic concerns, and contributes to measurable improvements in the lives of children and families.

These first 155 days have been about building that foundation. I look forward to continuing this important work and to helping create a welfare system that is increasingly transparent, accountable, responsive, and relentlessly centered on the safety and well-being of New Mexico's children.

In partnership,

Dawn Walters, Esq.
State Child Advocate

Executive Summary

In 2025, the New Mexico Legislature passed House Bill 5, codified at Section 32A-30-1 et seq. NMSA 1978, creating New Mexico's first Office of the Child Advocate (OCA). Following a bipartisan selection process, Governor Michelle Lujan Grisham appointed Dawn Walters as State Child Advocate in January 2026. The OCA began operations on March 30, 2026.

This inaugural annual report covers the OCA's first quarter of operation, through the close of Fiscal Year 2026 on June 30, 2026. It provides an overview of the Office's creation and development, its early complaint-review and oversight work, statutorily required statewide child welfare data, emerging themes, and initial recommendations.

Because the reporting period reflects only the OCA's first three months of operation, the observations in this report are preliminary. During this period, the OCA simultaneously built the infrastructure of a new state office and began the independent oversight work assigned to it by the Legislature. By the date of publication, September 1, 2026, the OCA will have been operational for just 155 days.

OCA Milestones in FY26

During its first quarter, the OCA:

- Established its mission, public identity, and initial organizational structure;
- Engaged with child advocate and ombuds offices nationwide to identify best practices;
- Established a public-facing email, electronic complaint form, and complaint tracking and management system;
- Received more than 120 complaints and inquiries from individuals across more than 20 New Mexico counties and representing diverse roles within the child welfare system;
- Provided information, resources, referrals, review, and advocacy in response to individual concerns; and
- Began identifying case-specific and systemic concerns and making recommendations for improvement.

Emerging Themes

Although the OCA's data remains preliminary, concerns received during the reporting period revealed four interconnected themes warranting continued attention.

- **Consistent Understanding and Implementation.** The OCA heard questions and concerns regarding how the purpose and provisions of the Children's Code are

understood and translated into practice, including the respective roles and responsibilities of CYFD and others within the child welfare system.

- **Investigation Practices.** Constituents raised concerns regarding investigation processes, timelines, safety plans, outcomes, and a lack of clarity about what would happen next or who remained responsible for addressing unresolved concerns.
- **Placement and Relative Engagement.** Foster caregivers and relatives reported concerns regarding delayed family finding and relative engagement, as well as placement decisions and changes that they perceived as abrupt, rigid, or insufficiently communicated.
- **Communication and Supports.** Communication challenges appeared across many of the concerns received by the OCA, including difficulty identifying the appropriate point of contact, obtaining timely responses, and understanding next steps, which compounded other difficulties. The OCA also heard concerns regarding practical supports necessary to sustain placements, including childcare, essential items, and services for children and caregivers.

Early Recommendations

Based on its initial work, the OCA identified opportunities for practice, policy, and legislative improvements. These include strengthening training and consistent implementation of the Children's Code and CYFD policies; improving investigation and safety-plan practices; strengthening family finding, relative engagement, and placement stability; improving communication and practical supports for children, families, and caregivers; and making it easier for individuals to obtain their own CYFD records.

The OCA also recommends several targeted operational improvements, including exploring dedicated family-finding and childcare navigation staff, improving immediate tangible supports available at the time of placement, and coordinating existing findings and recommendations across agencies to identify shared priorities for implementation.

Finally, the OCA's first months of operation have identified opportunities to strengthen its enabling statute so that the tools available to the Office align with the responsibilities assigned to it by the Legislature. These include improving timely, direct, real-time access to information necessary for independent review, strengthening expectations for cooperation and communication, and ensuring the OCA has appropriate authority to fulfill its oversight responsibilities effectively.

These early recommendations are intended as a starting point. As the OCA grows, its data and understanding will continue to develop. The Office will remain focused on independent

and impartial review, practical problem-solving, collaboration across the child welfare system, and identifying opportunities for lasting improvements in the safety and well-being of New Mexico's children.



Part I

About the Office of the Child Advocate

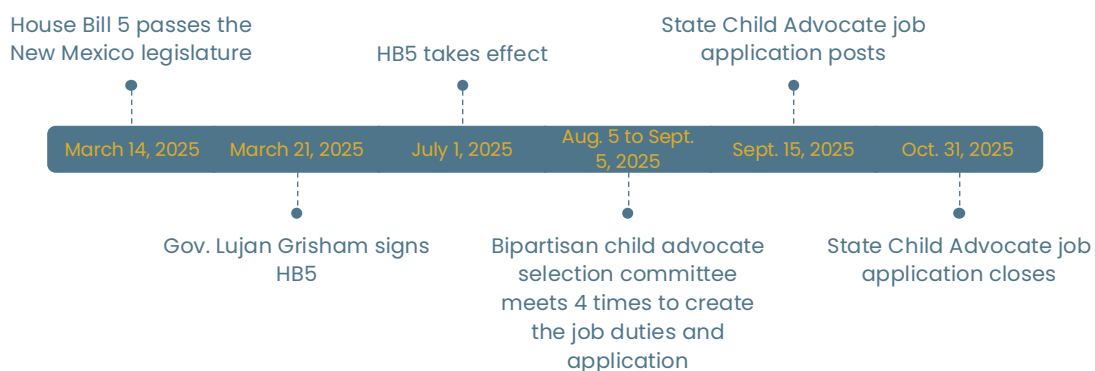
Part I – About the Office of the Child Advocate

Creation of the Office of the Child Advocate

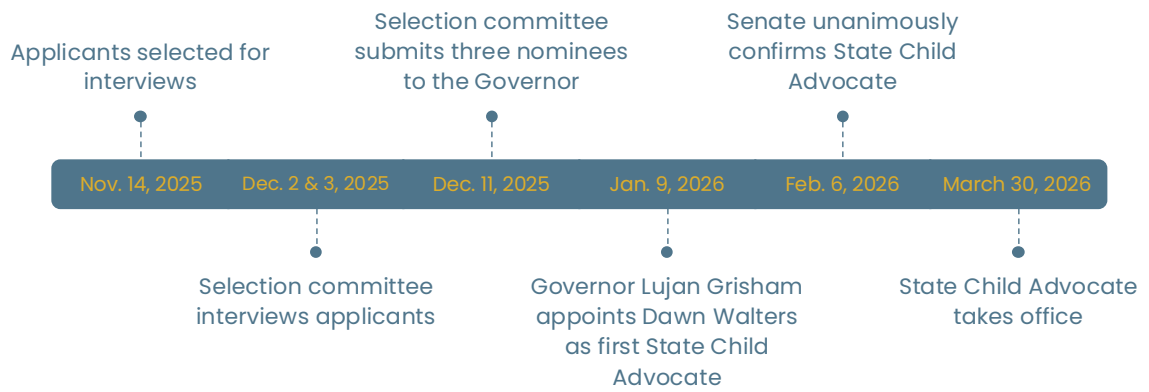
The New Mexico Legislature established the Office of the Child Advocate (OCA) through House Bill 5 (2025), creating the State's first independent office dedicated to providing impartial review, advocacy, and accountability within New Mexico's child welfare system.¹ House Bill 5 was passed by the Legislature on March 14, 2025, signed into law by Governor Michelle Lujan Grisham on March 21, 2025, and became effective July 1, 2025.

The enabling statute created the OCA as an independent state agency administratively attached to the New Mexico Department of Justice and created the position of State Child Advocate to lead the Office.

To promote the independence of the Office and its leadership, Sections 32A-30-4 and 32A-30-5 NMSA 1978 established a bipartisan selection and appointment process for the State Child Advocate. The Act created a bipartisan selection committee charged with soliciting and reviewing applications, interviewing candidates, and submitting nominees to the Governor for consideration. The Governor then appoints the State Child Advocate from among those nominees, subject to confirmation by the New Mexico Senate, for a six-year term.



¹ House Bill 5 was codified as the Office of the Child Advocate Act, found within the Children's Code at § 32A-1 et seq. NMSA 1978. The full text of the Act can be accessed at [ARTICLE 30 Office of Child Advocate | Chapter 32A - Children's Code | NMOneSource.com](#).



Mission and Purpose of the Office of the Child Advocate

The OCA provides an independent, uniquely situated place for children, families, caregivers, professionals, and members of the public to raise questions and concerns about the child welfare system. The Office reviews those concerns objectively, seeks information from all relevant sources, advocates to resolve problems when possible, monitors serious incidents involved CYFD-involved children, and identifies opportunities and makes recommendations to improve the systems that serve New Mexico's children

While the OCA is new in New Mexico, this establishment of OCAs generally is not, and the OCA looked to its counterparts in other states as well as established national guidance from the United Ombudsman Association (USOA).² The USOA's *Model Ombudsman Act*³ identifies six essential characteristics of a public-serving ombuds office:

1. Creation by constitution, charter, legislation, or ordinance;
2. Responsibility for receiving and investigating complaints against governmental agencies;
3. Freedom to initiate investigations on its own motion;
4. Ability to exercise full investigatory powers, including access to necessary testimonial and documentary information;
5. Authority to criticize governmental agencies and officials within its jurisdiction and recommend corrective action; and
6. Authority to issue public reports concerning its findings and recommendations.

These key characteristics shaped the OCA's development of its mission and purpose.

Independent

The OCA is established as an independent state agency. Although administratively attached to the New Mexico Department of Justice, the Office exercises its statutory powers and duties independently. The OCA also does not fall under or report to CYFD, the Office of the Governor, or any other state agency.

Independence is fundamental to the OCA's role. It allows the Office to review the actions and inactions of CYFD, examine difficult issues, identify concerns, and make findings and recommendations without serving the interests of the agency or any individual party.

² The USOA is the oldest ombudsman organization in North America, established in 1977, to foster the establishment and professional development of public sector ombuds offices. Additional information is available at the USOA's website at [usombudsman.org](https://www.usombudsman.org).

³ More information and the full text of the Model Act is available at <https://www.usombudsman.org/about/model-legislation/>.

Impartial

The OCA is not an inherently adversarial office. Instead, it approaches complaints and systemic concerns impartially. The Office gathers and reviews available information, considers applicable law, policy, and practice, and reaches independent conclusions based on the facts. This includes identifying when systems, practices, or decisions are working well and supporting positive outcomes, as well as when they are not working as intended or are not meeting the needs of children and families.

This impartiality is essential to the OCA's credibility. When a person brings a concern to the Office, the outcome is not predetermined, and the OCA does not start from the basis that either the constituent or CYFD is right or wrong. Likewise, CYFD and other entities involved in an OCA review should have confidence that the Office will consider the available information fairly before reaching conclusions or making recommendations.

Child-Focused

While the OCA does not represent any one party or automatically advocate for constituent's position without review or an appropriate basis, the OCA's lens is focused on the safety, well-being, rights, and best interests of children. This is in line with the purpose of the New Mexico Children's Code, which already established that the child welfare system is "first to provide for the care, protection and wholesome mental and physical development of children" within the jurisdiction of the child welfare system.⁴

Ombuds Function

While there are many avenues for raising concerns about CYFD or the child welfare system, the OCA occupies a distinct role based both on its independence and its function.

The OCA does not provide direct child welfare services or legal advice, nor does it represent any individual or party in a child welfare case. It is not an alternative decision-maker for CYFD or the courts and cannot overturn decisions or remove children from their homes. Instead, the OCA independently reviews how the child welfare system is functioning, examines whether actions and decisions are consistent with governing law, policy, and procedure and the best interests of children, works to resolve concerns when appropriate, and identifies opportunities for systemic improvement.

⁴ See § 32A-1-3(A) NMSA 1978.

The OCA's Statutory Authority and Responsibilities

The Office of the Child Advocate Act establishes a broad mandate that encompasses both individual concerns and systemic oversight of New Mexico's child welfare system.

Sections 32A-30-6, 32A-30-7, and 32A-30-10 NMSA1978 set forth many of the OCA's core responsibilities, which can be understood through seven core functions:

1. Receive and Independently Review Complaints

The OCA receives and reviews complaints, filed by or on behalf of a child, regarding CYFD's actions or inactions and attempts to resolve those complaints. The Act also requires the OCA to operate an electronic complaint portal and toll-free hotline.

2. Review CYFD Services, Placements, Policies, and Procedures

The OCA reviews CYFD's provision and quality of services to children and families and assesses the extent to which its policies and procedures protect children's rights, dignity, health, education, and well-being. This includes reviewing conditions of care and monitoring the number of New Mexico children placed in out-of-state placements, congregate care, and juvenile justice facilities.

3. Access Children, Information, and Records

The OCA is authorized to access information, records, and documents necessary to carry out its responsibilities under the Act, including information and third-party records that CYFD itself would be entitled to access or receive. The statute specifically contemplates access necessary for the OCA to conduct a “thorough and independent review of complaints.” The OCA is also authorized to meet or communicate with CYFD-involved children.

4. Conduct Serious Incident Monitoring

Section 32A-30-10 requires that the OCA receive notification of certain serious incidents involving children within the OCA's jurisdiction, including fatalities, near fatalities, actual physical injuries, restraints, and seclusions. These notifications allow the OCA to identify matters requiring further review and monitor patterns and systemic concerns.

5. Monitor and Improve the System

Beyond individual complaints, the Office analyzes and monitors the development and implementation of federal, state, and local laws, regulations, and policies relating to child and family welfare; assesses systemic issues and barriers; and

recommends changes when appropriate. This includes monitoring appropriate implementation of and compliance with the federal Indian Child Welfare Act and New Mexico Indian Family Protection Act.

6. Inform and Report

Sections 32A-30-6(A)(9) and (10) establish the OCA as an impartial source of comprehensive information about CYFD and the broader child and family welfare system for children and families, as well as the Governor, state agencies, and legislators. Per Section 32A-30-7, the OCA annually reports on specified measures of New Mexico's child welfare and juvenile justice systems, makes recommendations for improvement, provides specified publicly accessible quarterly updates.

7. Refer Serious Findings

The Act requires the OCA to refer to the Attorney General findings involving violations of federal or state constitutional rights, reckless disregard for the health and safety of a child, or a pattern of conduct or repeated violations of laws and rules relating to child and family welfare.

Building the Office of the Child Advocate

From day one, the OCA's focus was twofold: establishing the infrastructure and operations necessary to build a functional, accessible, and sustainable Office of the Child Advocate from the ground up, while simultaneously beginning the substantive work the Office was created to do. Because the OCA was a newly established state agency, these first months required developing nearly every aspect of the Office's operations—from its budget, technology, and physical space to its organizational structure, complaint management system, public identity, and processes for receiving, reviewing, and responding to concerns.

To guide this work, the OCA established seven initial priorities for its first year of operations:

1. Build a recognizable and accessible public identity;
2. Learn from national best practices;
3. Develop the technology and systems necessary to receive, manage, and track complaints and information;
4. Establish policies, procedures, and criteria for assessing and responding to complaints;
5. Build the organizational structure and team necessary to carry out the Office's responsibilities;
6. Establish effective communication and information-sharing practices with CYFD; and
7. Build partnerships and engage with other child-serving agencies, organizations, and entities.

It is important to recognize that the OCA was able to begin building immediately because of the administrative support provided by the New Mexico Department of Justice (NMDOJ). As the agency to which the OCA is administratively attached, NMDOJ provided essential operational infrastructure during the Office's development while respecting the OCA's statutory independence. This support allowed the OCA to focus quickly on establishing its core operations rather than having to independently recreate every administrative function necessary to launch a new state agency.

NMDOJ assisted with the development of the OCA's budgets for fiscal years 2026, 2027, and 2028, procurement and contracts, the creation and posting of job positions, technology, and physical office space. NMDOJ has provided initial office space for the State Child Advocate and assisted the OCA in identifying and beginning the process of securing additional space to accommodate the Office's growing staff.

1. Building a Public Identity and Accessible Office

As a new state agency, the OCA needed to establish a recognizable public identity and accessible ways for children, families, caregivers, professionals, and the public to understand its unique role and to distinguish it from CYFD and other entities within the child welfare system.

The OCA worked with communications and marketing professionals to develop a logo, visual identity, branding, and messaging that reflect the Office's mission and support clear and consistent public communication. At the same time, the OCA began designing and developing a secure, accessible, and comprehensive public website. It will explain the Office's role, authority, and jurisdiction; provide clear information about how and when the OCA can help; offer multiple ways to submit a complaint or inquiry, including direct access to the OCA's electronic complaint portal; and make OCA reports, data, resources, and other information readily available.

Early on, the OCA established a dedicated public-facing email account and electronic complaint form, and began developing a toll-free hotline, providing multiple ways for the public to ask questions, raise concerns, and seek assistance. Together, these access points are intended to reduce barriers to contacting the Office and ensure that children, families, caregivers, and other members of the public have clear and accessible ways to raise concerns, ask questions, and seek assistance.

2. Research and Learn from National Best Practices

Because the OCA Act is new, an early priority was learning from established ombuds and child advocate offices across the country to identify practices that would support the Office's immediate development and long-term effectiveness.

The OCA joined the United States Ombudsman Association (USOA), including its Children and Families Chapter, and began developing relationships with State Child Advocates, ombuds, and other counterparts nationwide, including in Colorado, the District of Columbia, Michigan, Minnesota, New Hampshire, Utah, and Virginia. These relationships have provided valuable insight into organizational structures, complaint and investigative processes, information sharing with child welfare agencies, systemic review, and common challenges experienced by established offices and have allowed the OCA to build an approach responsive to the unique needs of New Mexico's children and families.

As this report is published, the State Child Advocate is attending the USOA's New Ombudsman Training and annual conference, August 31–September 4, 2026. This training

and continued engagement with the national ombuds community will also help inform the training and professional development of incoming OCA staff.

3. Develop the technology and systems necessary to receive, manage, and track complaints and information

One of the OCA's earliest operational priorities was establishing the technology necessary to securely receive, manage, and track complaints and information. The OCA secured a cloud-based complaint and case tracking system and designed its intake and case management framework, including the categories, workflows, statuses, and data fields used to track matters from initial contact through resolution and closure.

The OCA also developed a public electronic complaint form that feeds directly into its case management system, allowing incoming concerns to be efficiently documented, categorized, and tracked. This infrastructure supports both individual complaint review and the OCA's broader systemic role by enabling the Office to identify recurring concerns, emerging trends, and systemic issues over time.

4. Establish policies, procedures, and criteria for assessing and responding to complaints

Given the breadth of the OCA's statutory mandate, the OCA prioritized establishing consistent processes for determining what falls within the OCA's jurisdiction, what level of review is appropriate, and how the Office should respond.

From its earliest days, the OCA began receiving a significant volume of complaints about CYFD. These complaints encompassed a broad range of themes and some involved events that occurred many years—and in some instances nearly two decades—before the Office was established and under different administrations, CYFD leadership, laws, and policies. While not every concern can or should result in an investigation or other action, the OCA recognized the importance of ensuring that people have an opportunity to be heard and that information about their experiences is appropriately documented. Even when an individual matter is no longer actionable, the information may help identify recurring concerns, historical patterns, or systemic issues relevant to the OCA's broader oversight responsibilities.

Based on the Office of the Child Advocate Act and informed by practices of established ombuds offices, the OCA developed initial policies, procedures, and a complaint-screening framework to guide the assessment and handling of incoming matters. The framework considers factors including the nature and urgency of the concern, potential

impact on child safety and well-being, the age of the underlying events, whether action or resolution remains possible, whether other avenues for resolution have been pursued, and whether the matter raises broader or recurring systemic concerns.

This framework allows the OCA to tailor its response to each matter—from documenting a concern, providing information or a referral, or conducting an initial assessment, to monitoring, advocacy, problem-solving, or a more comprehensive investigation—while promoting consistency across the Office. The goal is to ensure that similar concerns are assessed consistently, regardless of which OCA staff member receives or reviews the matter. This promotes fairness and impartiality while allowing the Office to use its resources appropriately.

5. Build the organizational structure and team necessary to carry out the Office's responsibilities

The OCA's broad statutory mandate extends well beyond receiving complaints and requires a team with sufficient capacity and a range of specialized skills. Building that team was therefore an early priority. However, as a new office without an existing staffing model in New Mexico, the OCA also needed to ensure that its organizational structure reflected the actual scope and demands of the work. The Office balanced the need to hire quickly with the need to hire strategically.

The OCA initially researched staffing models and operations of counterpart offices across the country to inform its organizational structure. The OCA applied that knowledge to create a proposed organizational structure, which has continued to evolve and expand with the Office's work. An initial expectation the OCA could operate with a relatively small team evolved as the Office experienced the volume and complexity of inquiries and the time required to independently and thoroughly review individual matters and fulfill the Office's broader systemic responsibilities.

Because the OCA was a newly established state agency, there were no existing job descriptions to post or positions to simply fill. During FY26, the OCA worked with NMDOT's human resources team to develop an organizational structure and identify the necessary positions.

While the Office of the Child Advocate Act authorizes hiring OCA staff, it requires all employees, other than the State Child Advocate, to be subject to the State Personnel Act and in classified, rather than governor exempt, positions.⁵ Additionally, because the OCA is

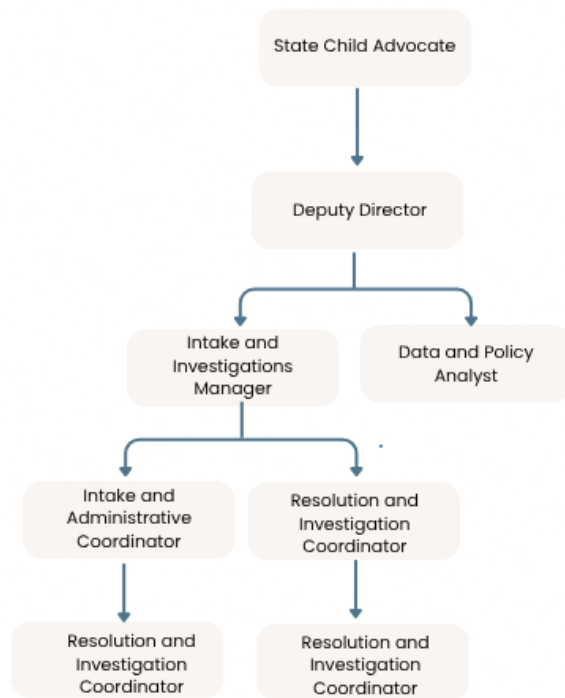
⁵ § 32A-30-6(B)(1) NMSA 1978.

currently only funded through FY27, the initial positions had to be created as term positions rather than permanent positions.

For each position, the OCA had to define the role and responsibilities, establish appropriate qualifications, develop a job description, identify the appropriate classification within the state personnel system, and submit documentation for the required human resources, budget, and State Personnel Offices processes, often requiring multiple rounds of review, before recruitment could begin.

Simultaneously, the OCA began researching and developing the specialized training required by the Act so that OCA employees would be appropriately prepared to carry out their roles.

In FY26, although no additional employees were hired, the OCA developed and refined its staffing model, created the necessary positions, and advanced them through the processes in preparation for recruitment in early FY27. The staffing model will continue to evolve as the Office grows and gains additional experience with the demands of its work.



6. Establish effective communication and information-sharing practices with CYFD.⁶

⁶ Another initial priority was establishing court records access through the re:SearchNM/Odyssey system. The New Mexico Administrative Office of the Courts (AOC) and the Supreme Court's Judicial Information Division

Effective communication and timely access to information from CYFD are essential to the OCA's ability to carry out its statutory responsibilities. Although the OCA operates independently from CYFD, independence does not mean isolation. The OCA must be able to obtain information efficiently, communicate about individual and systemic concerns, and work with CYFD when appropriate to resolve problems and improve outcomes for children. The OCA's goal is to identify and communicate concerns and recommendations when there may still be an opportunity to address an issue or improve an outcome, rather than simply documenting concerns after the fact in an annual report.

i. Establishing Communication and Coordination

The State Child Advocate first met with CYFD's Office of General Counsel on April 7, 2026, to begin addressing communication and coordination between the agencies. This was followed by written outreach to CYFD leadership in April, an initial meeting with CYFD leadership in May, and written follow-up documenting the issues discussed and next steps.

On June 3, the OCA met with CYFD, the Office of the Governor, and legislators to discuss communication, information access, and other processes necessary for the OCA and CYFD to effectively carry out their respective responsibilities. The meeting resulted in an agreement that the OCA would draft a Memorandum of Understanding (MOU) to establish a formal framework for coordination between the agencies.

The OCA provided a proposed MOU to CYFD and the Governor's Office two days later, on June 5. The proposal addressed records and information sharing, including direct electronic access to CYFD's case management system; communication with CYFD staff; regular meetings and escalation of urgent matters; shared definitions; data sharing; shared training opportunities; and a joint electronic tracking system for requests and notifications.

The OCA did not receive a response to the proposed MOU before the close of FY26 on June 30. Negotiations and revisions began after the reporting period and remained ongoing as of publication of this report.

ii. Information and Records Access

Timely access to information is fundamental to independent complaint review. The OCA Act provides the OCA access to information, records, and documents in CYFD's

(JID) began communications with the OCA in early April about the to build a new user role for the OCA and created a temporary account solution until the full role was completed in July 2026.

possession or that CYFD is authorized to obtain when necessary to carry out the Office's statutory responsibilities.⁷

When the OCA receives an inquiry, however, the Office initially has only the information provided by the person contacting it. Basic questions—such as whether a child is currently in CYFD custody, whether a family has an open case, what actions have already been taken, or whether a reported concern has been resolved—often require information maintained exclusively by CYFD.

The majority of CYFD's work and information is documented in an electronic data and case management system called FACTS.⁸ Comprehensive direct, real-time, electronic access to FACTS would allow the OCA to more efficiently assess jurisdiction and urgency, verify information, identify concerns requiring prompt attention, resolve misunderstandings, and determine when no further OCA action is necessary. It would also reduce the administrative burden associated with CYFD staff separately locating and sending records in response to each OCA request.

For these reasons, the OCA began discussing FACTS access before and immediately after beginning operations. The OCA has requested appropriate direct access to FACTS as well as access to the more limited FACTS portal available to law enforcement agencies statewide.⁹

iii. Current Information-Sharing and Communication Process

In the absence of direct system access, the OCA currently obtains case-specific information by submitting requests through a designated email inbox managed by CYFD's Office of General Counsel. CYFD and the OCA separately track these requests, and as of mid-August 2026, the agencies began developing practices intended to improve consistency in how requests are submitted and identified.

This process, however, requires additional administrative work for both agencies and does not provide the OCA with independent, real-time access to the information necessary to triage and review concerns. There are also currently no statutory or mutually agreed-upon response timelines for routine or urgent OCA information requests.

⁷ § 32A-30-6(A)(12) and (13) NMSA 1978.

⁸ FACTS (Family Automated Client Tracking System) is being replaced by a new comprehensive child welfare information system (CCWIS) called IMPACT.

⁹ As of the date of publication, the OCA has not received direct access to CYFD's FACTS system. In addition to and while awaiting direct FACTS access, the OCA also requested access to CYFD's law enforcement information portal. On August 24, 2026, approximately 8 days before prior to publication, the OCA received log-in information for CYFD's law enforcement portal but has been unable to successfully log in since that

Delays and inconsistencies in obtaining information have affected the time and resources required to complete OCA reviews. Establishing a more efficient and predictable information-sharing framework, including appropriate direct system access, remains a priority.

In addition to the challenges associated with records access, there is not yet an agreed-upon process for the OCA to communicate directly with assigned CYFD staff who may have relevant information that is not reflected in the written record, to raise case-specific or practice concerns with appropriate management, or to escalate urgent or time-sensitive concerns to CYFD leadership. Outside of the few meetings focused on developing these processes, which primarily occurred after the end of FY26, the OCA has also had limited ability to communicate directly with CYFD executive leadership regarding individual or systemic concerns.

Establishing clear communication pathways at the case, management, and executive levels is important to the OCA's ability to gather complete information, resolve concerns efficiently, and bring urgent or recurring issues to the appropriate level of CYFD without unnecessary delay.

iv. Statutory Incident Notifications

Section 32A-30-10 NMSA 1978 requires the OCA to receive notification of certain serious incidents, including actual physical injuries for children in CYFD custody,¹⁰ and fatalities, near fatalities, restraints, and seclusions for CYFD-involved children.¹¹ These notifications are important to the OCA's ability to identify significant incidents, assess whether further review is warranted, and monitor patterns over time.

During the Office's initial months, the OCA received limited and inconsistent notifications, and it was unclear how CYFD determined which reports met the statutory standard for “actual physical injury” or whether CYFD itself received or was aware of incidents involving juvenile justice-involved children in county-run detention facilities.

¹⁰ Section 32A-30-2(A) NMSA 1978 defines “child in custody” as “a minor who is placed by the department in custodial or residential care, including foster care, kinship care or care within a group home, a residential treatment center, a juvenile justice facility, a semi-independent living program or an emergency shelter, pursuant to a court order or otherwise sanctioned by the court and does not live with either of the child's birth parents.”

¹¹ The OCA uses the term “CYFD-involved children” to signify children who are 1) in protective services or juvenile justice custody; 2) receiving services from CYFD or a CYFD-contracted provider; 3) subject to a referral to CYFD; 4) have an open juvenile justice case; or 5) whose parent, guardian or custodian is under investigation by CYFD.

The OCA has worked with CYFD to clarify notification expectations and develop a consistent process for providing required information. Additional work is necessary to ensure the OCA receives appropriate information concerning children in all settings within its jurisdiction, including juvenile justice and detention settings.

Establishing reliable statutory notifications, timely records access, and clear communication processes will remain central to the OCA's continued development and its ability to provide meaningful, independent oversight of New Mexico's child welfare system.

7. Build partnerships and engage with other child-serving agencies, organizations, and entities.

Although the OCA is independent and impartial, it operates within a larger child welfare and child-serving system. Building relationships across that system is essential to gathering information, understanding different perspectives, resolving concerns, identifying systemic issues, and advancing meaningful improvements for children and families.

During its first months, the OCA began establishing relationships with state agencies, courts, law enforcement, advocacy organizations, and other child-serving partners. The OCA sent introductory correspondence to state agencies including the Departments of Health (DOH), Health Care Authority (HCA), Indian Affairs Department (IAD), Early Childhood Education and Care Department (ECECD), and Public Education Department (PED), and met with numerous governmental and community partners. The OCA also worked with the Administration of the Courts and Supreme Court to establish access to necessary court information through the re:SearchNM/Odyssey system and developed processes for obtaining relevant information from other entities.

The OCA also began engaging directly with children, families, caregivers, and professionals through community events, resource fairs, presentations, and stakeholder meetings. The State Child Advocate participated in child welfare committees and workgroups, including the Children's Law Institute Planning Committee and Children's Court Improvement Committee, providing additional opportunities to learn from stakeholders and contribute an independent child-focused perspective to statewide discussions.

How the OCA Operates

Children, families, caregivers, professionals, and members of the public contact the OCA with a wide range of questions, concerns, and complaints. The Office receives inquiries through its electronic complaint form, email, telephone, mail, and referrals from other agencies and organizations, including the NMDNJ and the State Ethics Commission.

Not every inquiry requires the same response. Some can be addressed by providing information or connecting a person with an appropriate resource. Others may require informal problem-solving, monitoring, advocacy, or a more comprehensive investigation. The OCA tailors its response to the nature, urgency, and complexity of each concern, with particular attention to child safety and well-being.

1. Listen and Document

Every inquiry begins with listening. The OCA seeks to understand the concern, the individuals involved, what has already occurred, and what the person contacting the Office hopes will happen. This may require additional conversations or information before the OCA can determine the appropriate next steps.

Even when a concern falls outside the OCA's jurisdiction or involves events too remote for meaningful action, the Office can document the information, provide appropriate resources or referrals, and ensure the person has an opportunity to be heard. These contacts may also provide valuable information about recurring concerns or broader patterns within the child welfare system.

2. Review and Investigate

The OCA assesses each inquiry or complaint to determine whether it falls within the Office's jurisdiction and what level of review or response is appropriate. Depending on the issue, this may include reviewing CYFD and court records, obtaining information from other agencies or sources, speaking with individuals involved in the matter, and researching applicable law, regulation, policy, or procedure.

The goal is to develop a sufficiently complete and objective understanding of the circumstances before reaching conclusions or determining what action, if any, is appropriate. If the OCA does not identify an issue or concern, the Office explains its findings and rationale to the complainant. It is equally important for the OCA to recognize when the system is working well as it is to identify and raise concerns when it is not.

3. Advocate and Resolve

When the OCA identifies a concern requiring action, it works to address the issue at the appropriate level. This may include facilitating communication, seeking information or clarification, raising concerns with CYFD or another entity, identifying resources, making referrals, or recommending corrective action.

Whenever possible, the OCA seeks to address concerns in real time, while there is still an opportunity to resolve the issue or improve the outcome for a child or family.

4. Identify and Improve

The OCA also looks beyond individual complaints to determine what can be learned and improved. Information from complaints and reviews is documented and analyzed to identify recurring concerns, patterns, policy or practice issues, and opportunities for systemic improvement. What the Office learns from individual experiences informs its broader monitoring, systemic review, and recommendations for improving New Mexico's child welfare system.

5. Educate and Recommend

The OCA provides children, families, caregivers, professionals, and the public with information about the child welfare system, available resources, and relevant processes and rights.

The Office also provides independent information and recommendations to the Legislature, Governor, state agencies, sovereign nations and tribal partners, and other stakeholders regarding the state of child welfare in New Mexico, systemic concerns, and opportunities to improve the safety and well-being of children.



Part II

The OCA's First Three Months by the Numbers

Part II – The OCA’s First Three Months by the Numbers

The Office of the Child Advocate began operations on March 30, 2026. Because the OCA began operating during the final quarter of Fiscal Year 2026, the data presented in this report reflects only the Office's first three months of operations, from April 1 through June 30, 2026.¹²

These figures should be understood in the context of a new office that was simultaneously establishing its infrastructure, complaint processes, public-facing systems, and staffing. Overall, the OCA received **122** complaints from April 1, 2026, to June 30, 2026, for an average of 41 complaints per month. During this period, while the OCA had a publicly available phone number and email address, the OCA's website, online complaint portal, and toll-free hotline were still in development, so the public’s ability to independently learn about and contact the OCA was more limited, and this volume of reports is likely not indicative of what the OCA will see moving forward.

Beginning May 1, 2026, the New Mexico Department of Justice (NMDNJ) began referring all child welfare inquiries and complaints it received on or after March 30, 2026, to the OCA. The OCA received 92 referrals from NMDNJ during the reporting period. As a result, NMDNJ referrals represented the largest source of inquiries and complaints received during the OCA's first three months.

Accordingly, the referral-source data presented in this report should not be interpreted as representative of how individuals are expected to access the OCA moving forward; it was clear that trends were changing between the end of the reporting period and the publication of this report. As the Office expands its public presence, the OCA anticipates receiving a significantly greater proportion of complaints and inquiries and that they will be submitted directly by children, families, resource parents, professionals, and other members of the public via the website electronic form, email, and phone call.

What Data Does the OCA Track?

As the OCA developed its infrastructure and operations, it began identifying and tracking multiple data points about constituents and their inquiries to better understand who is contacting the Office, how individuals learn about and access the OCA, and whether particular concerns or systemic issues are concentrated regionally or occurring statewide. These initial data points were informed by national best practices and have continued to

¹² While the State Child Advocate technically assumed office on March 30, 2026, no inquiries or complaints were received on March 30 or March 31.

evolve as the Office grows and learns. This data will also help the OCA evaluate its outreach efforts and identify communities that may be underrepresented among those accessing the Office.

Of particular note, the OCA tracks:

1. the complainant's relationship to the child or case;
2. the complainant's city and county;
3. how the complainant contacted the OCA;
4. how the complainant learned about the OCA;
5. whether the complaint concerns a child currently in CYFD custody or otherwise involves active CYFD involvement; and
6. the CYFD division involved in the complaint.

Between April 1 and June 30, 2026, the OCA received **122 complaints**.

122	59	69	92
Complaints Received	Complaints Involving Children in CYFD Custody	Complaints Involving an Active CYFD Case	Complaints Referred by NMDOJ

Who Submitted Complaints?

Relationship	Number	%
Biological Parent	41	33.6%
Foster Parent (including Relative Foster Parents)	34	27.9%
Relative	19	15.6%
Adoptive Parent	7	5.7%
Provider	7	5.7%
CYFD Employee	6	4.9%
Guardian	1	0.8%
Other	7	5.7%
Total	122	100%

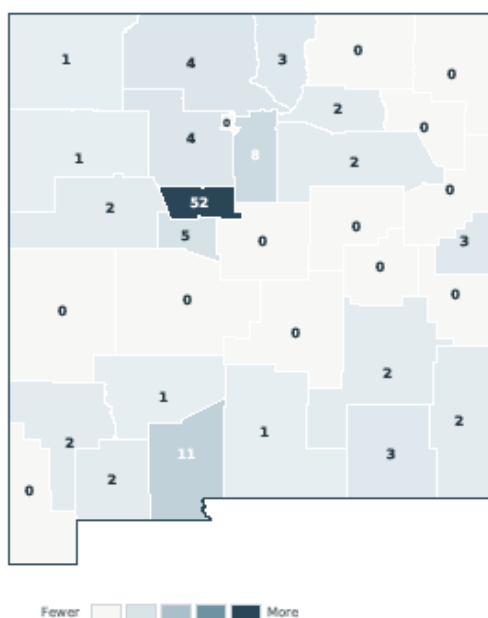
Biological parents and foster parents accounted for the majority of individuals contacting the OCA during its first three months. Biological parents represented approximately one-

third of complainants, while foster parents represented more than one-quarter. The OCA also received complaints from relatives, adoptive parents, service providers, CYFD employees, guardians, and others involved with New Mexico's child welfare system.

Where in NM did Inquiries Come From?

Of the 122 inquiries, 111 of them identified a county. Complaints received during the OCA's first three months originated from at least **20 New Mexico counties**, demonstrating that concerns brought to the Office were geographically dispersed. Bernalillo County accounted for the largest number of inquiries received. Because the OCA's public-facing intake infrastructure and outreach efforts were still developing during this period, these figures should not be interpreted as indicating the relative prevalence of child welfare concerns among counties.

Inquiries by County



What Issues and Themes Did Inquiries Involve?

During the OCA's first three months of operation, inquiries raised a wide range of concerns regarding individual cases and the child welfare system. To better understand the concerns being brought to the Office and identify potential patterns or systemic issues, the OCA

developed specific issue categories, which have evolved and grown during the OCA's development, and the Office began coding each complaint according to its primary concerns. Each complaint may be assigned up to three issue types to reflect the multiple and often overlapping concerns presented in a single matter.

Although these concerns arose in different contexts, several broader themes began to emerge, particularly around investigation practices, foster care placement and relative decision-making, CYFD communication and engagement, and clarity regarding CYFD's role and intersection with domestic relations matters, subsidies and reimbursement, quality of attorney representation, and permanency were among the issues most frequently identified. These early observations are discussed further in Part IV of this report.

Most Frequently Identified Concerns

Overall case handling¹³ — 19
Custody/domestic relations¹⁴ — 16
Failure to investigate — 15
Removal from foster placement — 15
Investigation process/outcome — 11
Failure to assess relative — 10
Subsidy/payment issue — 10
Attorney representation issue— 8
Lack of CYFD home visits — 7
Delays in permanency — 6

What did the OCA Do?

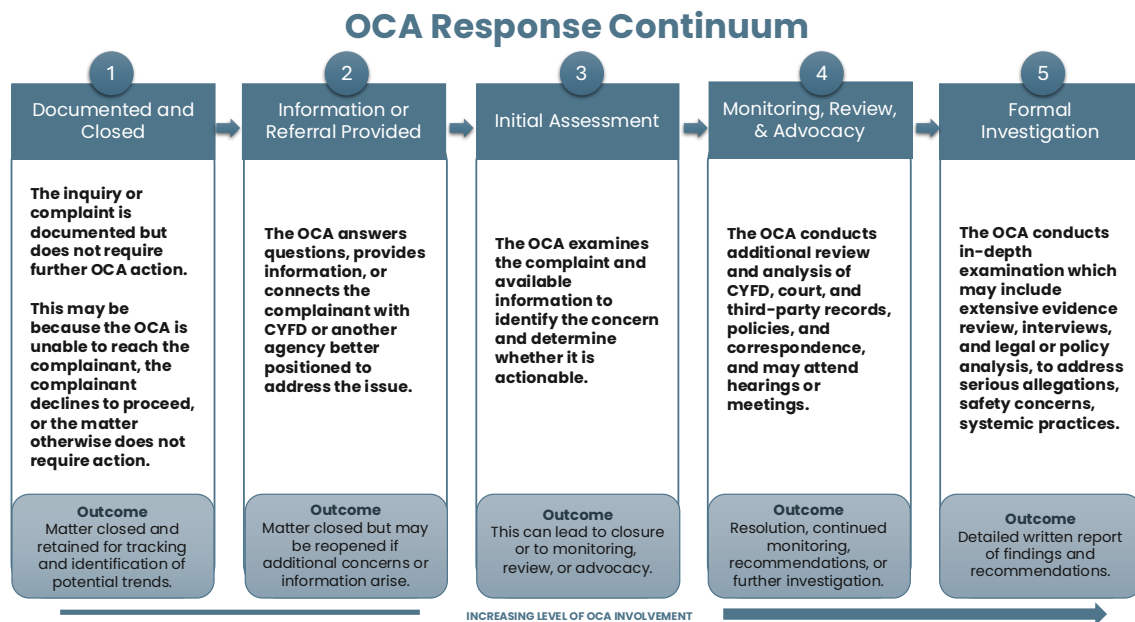
The OCA's response to each complaint depends on whether the issue falls under the Office's jurisdiction, the nature and urgency of the concerns raised, the information available, and whether further review or action is possible or warranted. Some matters can be addressed by providing information or connecting an individual with the appropriate resource or agency, while others require records review, monitoring, advocacy, or a more formal investigation. All complaints, even if they are not timely or actionable, are documented in the OCA's case tracking database and coded so the OCA can identify

¹³ "Overall case handling" denotes that the constituent disagrees with the overall direction of the case, but the concern isn't attributable to one specific practice or issue.

¹⁴ "Custody/domestic relations" denotes that the inquiry involved a domestic relations or domestic violence court proceeding that intersects with CYFD involvement.

recurring concerns, trends, and potential systemic issues. The OCA primarily uses the following statuses and responses, listed in order of involvement.

1. Documented and closed
 - This may be due to a lack of contact, a constituent declining to proceed, or because the inquiry or complaint does not require action.
2. Provided information or a referral
 - This involves answering a constituent's questions, providing resources, and/or connecting them to CYFD or another agency who can more directly address their issue prior to case closure.
3. Initial assessment
 - This denotes that the OCA is examining the complaint and available information to determine what the concern is and whether it is actionable, which can lead to the two options above or to escalation.
4. Monitoring/review/advocacy; and
 - The OCA may engage in any combination of further review and analysis of CYFD, court, and third-party records, policies, and correspondence; obtaining clarification; reconstructing the timeline; communicating with relevant parties, attending meetings; and informally requesting action or responses from CYFD.
5. Further investigation needed
 - The most formal and intensive response, formal investigation may involve systematic evidence gathering, extensive records review, formal interviews, legal and policy analysis, and documentation of findings, concerns, and recommendations, reserved for serious safety incidents or violations, repeated or systemic practices, or circumstances where formal findings or recommendations may be appropriate.



The disposition of complaints reflects the particularized approach that the OCA takes to each case as well as the OCA’s dual roles as an independent review office and a resource for children, families, and others navigating the child welfare system.

Of the 122 complaints received during the reporting period, 33 remained open and 89 had been closed as of August 25, 2026.

Status of 33 Open FY26 Cases

Current Status	Number
Further Investigation Needed	5
Initial Assessment	9
Monitoring/Review/Advocacy	19
Total Open	33

Disposition of 89 Closed FY26 Cases

Resolution / Closure	Number
Information/Referral Provided	36
Unable to Reach Complainant	27
Documented and Closed	16
Monitoring/Review/Advocacy Completed	7
Complainant Declined to Proceed	2
Assessed and Closed without Concern	1
Total	89

Of the 89 closed complaints, the OCA provided information or referrals in 36 matters, with 6 of those matters referred to CYFD for assistance or follow-up.¹⁵ Seven matters were closed following OCA monitoring, review, or advocacy, and one additional matter was closed following review. Sixteen complaints were documented for OCA tracking but did not require further action and were logged and coded as part of the OCA's base of information.

In 27 matters, the OCA was unable to reach the complainant after receiving the initial complaint, and two complainants subsequently declined to proceed. This may be because during this initial reporting period, a substantial portion of complaints were received through referrals from NMDOJ rather than submitted directly to the OCA and then the OCA was unable to establish subsequent contact with the complainant despite follow-up efforts.

What Barriers Affected the OCA's work?

1. Access to CYFD Records and Information

Timely access to CYFD records, information, and staff is essential to the OCA's ability to independently review complaints and fulfill its statutory responsibilities. During the reporting period, the OCA did not have direct access to CYFD's electronic case management system or another independent means of obtaining basic case information. As a result, the OCA was required to request information from CYFD for virtually every case-specific inquiry it received. Even basic information—such as whether a child was currently in CYFD custody or had prior CYFD involvement—could not be independently verified by the OCA.

The OCA began communicating with CYFD regarding records and information access the first week of April shortly after the State Child Advocate took office and subsequently requested meetings and drafted a proposed Memorandum of Understanding to establish processes for information sharing, records access, communication, and other areas of coordination. Despite these efforts, significant barriers to timely and complete access to information continued throughout the reporting period.

2. Process for Information Sharing and Access

¹⁵ Issues, such as missing subsidy payments or changes to a subsidy, are best addressed first to CYFD as the child protective services agency who issues the payments.

CYFD directed the OCA to submit requests for case records and information through a specialized email address maintained by CYFD’s Office of General Counsel. Although House Bill 5 was enacted in March 2025 and became effective July 1, 2025, CYFD had not established a comprehensive process for responding to OCA records and information requests when the State Child Advocate took office on March 30, 2026. At that time, CYFD had assigned one full-time employee to process OCA requests.

As the OCA began receiving complaints and inquiries, CYFD repeatedly raised concerns regarding the volume of requests and the staff time required to respond. Because the OCA lacked an alternative means of accessing the underlying information, however, requests to CYFD were necessary for the OCA to independently evaluate the matters brought to its attention.

The OCA began tracking its requests, including the date submitted, response time, and whether the response was complete. Between April 1 and June 30, the OCA made 79 record requests and 17 of those were fulfilled by the end of the quarter. As of August 25, 2026, 50 of those had been completed, 15 had received a partial response but required follow-up, and 14 had not been completed. For completed requests, response times ranged from 1 to 109 days, with an average response time of 46 days.

Record Requests Made Between April 1 and June 30



These delays materially affected the OCA’s ability to timely assess complaints, provide meaningful updates to complainants, identify potential practice concerns, and intervene when an issue was time-sensitive.

3. Access to CYFD Staff

Written records and documents alone do not always contain the information necessary to fully understand or resolve a complaint. Relevant information may not be documented in the paper file or FACTS, particularly very recent information or information about

conversations, case-specific decision-making, or the rationale for particular actions. In other circumstances, the existing documentation may require clarification or additional context from the staff directly involved. Direct communication with staff can also provide a more efficient means of obtaining specific information than requiring CYFD to compile and transmit additional records for the OCA to review.

The OCA therefore requested a process through which it could communicate with CYFD staff regarding specific cases when clarification or information not contained in the record was necessary. This access is particularly important to independent review: when relevant information is neither documented nor available through communication with the individuals involved, the OCA may be unable to independently verify what occurred, why a decision was made, or whether relevant factors were considered.

As of the publication of this report, a process for case-specific communication with CYFD staff has not been established. The OCA has been instructed not to contact CYFD staff directly, and CYFD staff have been instructed not to respond to or communicate directly with the OCA.

As a result, when the written record was incomplete or required clarification, the OCA was unable to obtain information directly from the staff with first-hand knowledge of the case and without that or direct access to CYFD's database, there were significant barriers and limits to the OCA's ability to independently, efficiently, and timely evaluate complaints.

4. Urgent and Time-Sensitive Matters

At an initial leadership meeting on May 18, 2026, CYFD executive leadership agreed that the OCA could contact the acting cabinet secretary regarding urgent or time-sensitive matters and this was memorialized in the OCA's May 26 letter to CYFD leadership. In practice, the OCA was not able to establish a consistently effective process for obtaining timely executive-level responses to urgent concerns during the reporting period or prior to publication of this report.

In summary, the OCA's effectiveness depends upon timely access to the same underlying information necessary to understand CYFD's actions and decision-making. During its first reporting period, the absence of direct case-system access, delays in receiving requested records and information, limitations on communication with CYFD staff, and the lack of a consistently effective escalation process substantially increased the time required to review complaints, and addressing these barriers remains an early priority for the OCA.

Proposed Legislative Changes to Strengthen the OCA

House Bill 5 is important because it established the Office and allowed this work to begin. Now, 155 days in, the OCA has gathered information and data about the implementation of House Bill 5 and insight about additional statutory clarity that would strengthen the Office's ability to carry out its responsibilities effectively and has had the benefit of learning other states' best practices and reviewing their enabling statutes. In particular, the OCA recommends amendments to the OCA Act or other legislation that would:

- 1. Provide direct electronic access to CYFD records.**

Expressly authorize the OCA to have direct, real-time, electronic access to CYFD's electronic comprehensive child welfare case information system (CCWIS), currently called FACTS and transitioning to IMPACT, and to other information systems containing records within the OCA's statutory authority. Direct access would decrease the administrative burden on both CYFD and the OCA and allow the OCA to conduct more timely and independent reviews. It also would allow the OCA to operate more independently, rather than relying on the entity over which it provides oversight for the information it needs to conduct that oversight, and would better protect the confidentiality of constituents and isolate them from possible retaliation.

- 2. Ensure access to CYFD personnel.**

Clarify the OCA's authority to communicate directly with CYFD employees, contractors, providers, and other persons with relevant information when necessary to carry out the Office's statutory duties. Reasonable access to information includes reasonable access to the CYFD staff who have first-hand knowledge to provide appropriate context and information, such as conversations, that may not be documented in the written record.

- 3. Establish an affirmative duty to cooperate and respond to OCA findings and recommendations.**

Require CYFD to affirmatively communicate and cooperate with OCA reviews and investigations, including timely production of requested records and access to relevant personnel, regular meetings to discuss issues and trends, and responses to the OCA's formal correspondence, findings, and recommendations within a defined period, including whether the Department agrees with the recommendation, what corrective action will be taken, the basis for declining to take action, or any proposed alternative action. This would preserve CYFD's authority to determine its

operations and response while creating accountability and allowing the OCA and Legislature to assess whether identified concerns are being addressed.

4. Establish a reliable escalation process for urgent concerns.

Require CYFD and the OCA to maintain a process to escalate urgent or time-sensitive matters and for CYFD to respond to the OCA's urgent concerns prior to proceeding with the contested course of action.

5. Strengthen the OCA's authority to obtain information through subpoenas.

Re-establish subpoena power and expand it beyond the initially considered circumstances of fatalities and near fatalities. While the OCA always hopes to voluntarily obtain information, this is a necessary tool when this is not possible.

6. Expand the OCA's advocacy authority through the ability to convene informal hearings and intervene in abuse/neglect cases.

Expressly authorize the OCA to convene informal meetings or hearings, and to legally intervene in abuse/neglect cases in limited matters than warrant it. Multiple other states, including Michigan and Virginia, authorize these actions in their statute in extreme cases where they cannot otherwise garner cooperation.

7. Strengthen critical incident reporting requirements.

Expand the categories of serious incidents that CYFD must report to the OCA, for consistency across CYFD's definitions and reporting requirements, and clarify the reporting timeframe and what information must accompany those notifications, so that the Office can effectively perform its monitoring responsibilities.

8. Ensure appropriate ongoing funding to build and sustain the OCA.

Reauthorize the remainder of the FY26 special appropriation for the OCA and fully fund the OCA's proposed FY28 budget of \$3.4 million, with \$2.3 million of that designated for fully staffing and building the capacity of the Office.

These recommendations are intended to strengthen the framework established by House Bill 5, reduce unnecessary administrative burden on both CYFD and the OCA, and ensure that the Office has the practical tools necessary to perform the independent oversight responsibilities assigned to it by the Legislature.



Part III

New Mexico Child Welfare and Statutorily Required Data

Part III – New Mexico Child Welfare and Statutorily Required Data

The Office of the Child Advocate Act, Section 32A-30-7 NMSA 1978, requires the OCA to report annually on services provided to New Mexico children and families and about specified measures of the child welfare and juvenile justice systems. Unlike the information presented in Part II regarding the OCA's own contacts and activities, much of the data required by the Act is maintained by CYFD in its role as the state agency responsible for administering New Mexico's child welfare and juvenile justice systems and as the legal guardian of children in protective services custody.

The OCA does not currently have direct access to the systems¹⁶ in which much of this information is maintained and therefore relies on CYFD to provide the data necessary to fulfill these statutory reporting requirements.¹⁷ Accordingly, unless otherwise noted, the data presented in this section was either provided directly to the OCA by CYFD or obtained from the public-facing CYFD Protective Services Data Dashboard ("CYFD's dashboard").¹⁸ CYFD's reported data has not been independently generated or verified by the OCA and despite repeated requests for the necessary FY26 data, this was not provided to the OCA in a timeframe that allowed appropriate review and follow-up prior to publication.

It is also important to note that the CYFD-maintained data in the OCA's annual report is based on the fiscal year, while much of CYFD's reporting, including for the *Kevin S.*

¹⁶ The OCA began requesting direct, real-time, electronic access to CYFD's comprehensive child welfare information system (CCWIS) or case management database, currently called FACTS, prior to the State Child Advocate officially taking office and sent an official request on April 22, 2026.

As a temporary stopgap, the OCA also requested access to CYFD's law enforcement portal, which was denied on July 15, 2026, but ultimately received a username and password on August 24, 2026. However, the OCA has been unable to subsequently log in to the law enforcement portal because it requires a verification code and it is unclear to what email address or phone number this code is being sent.

¹⁷ The OCA began requesting to discuss this statutorily required data with CYFD on April 22, 2026, via electronic correspondence to CYFD's acting cabinet secretary, deputy secretaries, chief operating officer, and acting general counsel.

The OCA was first able to meet with CYFD leadership on May 18, 2026, and provided a written list of the statutorily required data and other requested data points and followed up verbally and in writing on multiple occasions, including May 26, June 3, July 15, July 21, July 27, July 28, August 3, and August 4.

The OCA met with CYFD's Office on General Counsel on August 24, August 25, and August 26, 2026, while finalizing this report to reiterate the requests and clarify the requests for data. The OCA received some responses to these requests on August 26 and August 28, 2026.

¹⁸ The dashboard is available on CYFD's website on their Office of Performance and Accountability page--<https://www.cyfd.nm.gov/office-of-performance-and-accountability/>.

settlement, is based on the calendar year. This does not necessarily indicate a discrepancy or error—it is a difference in numbers based on a different reporting period.

Section 32A-30(7)(12) NMSA 1978 requires the OCA’s report to include “data disaggregated by race, ethnicity, gender, geographic location, sexual identity, disability status, tribal affiliation and any other categories that the office deems necessary.” For ease of reading and length of this report, that disaggregated data is available on CYFD’s dashboard.

Additionally, Sections 32A-30-(7)(A)(1), 32A-30-7(A)(9), and 32A-30-7(A)(11) NMSA 1987 are more fully addressed in Part IV of this report, below.

1. Section 32A-30-7(A)(1): Quality of Services Provided to Children and Families

The statutory language is broad and does not specify whether “services provided to children and families” refers to the overall quality of CYFD’s work with children and families or, more narrowly, to the quality of specific supportive and treatment services provided directly or through contracted or referred community providers. For purposes of this preliminary report, the OCA interprets this requirement broadly to include the quality of CYFD’s interactions with, responsiveness to, and support of children and families involved with the child welfare system, including the referred and contracted services it utilizes.

The OCA has requested additional information from CYFD about the specific services it offers or makes available to children and families, including community-based services that CYFD refers children and families to and contracted service providers and the availability of those services across different regions of the state. This has not been provided. Because the OCA was operational for only three months during FY26, it does not yet have sufficient information to comprehensively assess the availability, accessibility, or quality of the full range of services provided to children and families statewide.

However, the OCA’s initial review of complaints, inquiries, and individual matters identified recurring concerns regarding the quality and consistency of CYFD’s communication and engagement. These concerns included difficulty obtaining timely information or responses, inadequate explanation of decisions or processes, inconsistent communication, and lack of follow-through on identified needs or next steps.

These preliminary observations do not constitute a comprehensive assessment of CYFD services statewide. As the OCA’s operations and data collection develop, the Office intends to further evaluate quality, availability, and effectiveness of CYFD’s direct work as well as the outside services they utilize.

Additional information addressing the OCA’s preliminary assessment of CYFD’s provision of services, based on the OCA’s emerging observations, is found in Part IV of this report.

2. Section 32A-30-7(A)(2): Conditions of Placements, Number of Out of State Placements, and an Assessment of Congregate Care and Juvenile Justice Facilities

The Act requires the OCA to report on “the conditions of placements for New Mexico children,” including the number of out-of-state placements, and an assessment of each active congregate care and juvenile justice facility in which children in custody are placed.

In the child welfare context, the term “placement” may refer either to the physical setting or facility in which a child is placed or to an individual child who has been “placed” in CYFD-approved setting. For the purposes of this report, the OCA wanted to understand the range and number of settings used by CYFD, as well as their placement capacity, and requested information identifying each agency, program, or facility utilized to place children (other than kinship and traditional foster homes), including treatment foster care agencies and homes, multi-level homes, shelters, transitional living for young adult (TYLA) providers, residential-type facilities, residential treatment facilities, step-down facilities, acute facilities, and hospitals.

In response, CYFD provided the OCA with information identifying 96 placement settings, categorized by CYFD as “community homes,” “group homes,” or “facilities,” along with the location of each.¹⁹ A breakdown of the information provided by CYFD is presented below. CYFD also provided the OCA with data about the use of “office stays” and the Receiving Center, as well as a spreadsheet identifying the FY26 active or provisionally active foster homes, broken down by county, license type, relative status, and their bed capacity.

Because the OCA began operations during the final quarter of FY26, the Office could not independently assess the conditions of every placement setting or conduct an assessment of each active congregate care and juvenile justice facility in which children in custody were placed. Accordingly, the information presented below reflects the placement

¹⁹ On August 28, 2026, CYFD offered the following explanation and definitions of these terms:

“Community Homes are least restrictive, providing homes like care for general needs. Community homes or group homes are often used interchangeably to refer to a residential setting where several foster-care youths live under the supervision. These homes provide temporary care while youth await placement with a foster or adoptive family. There [are] maximum time and age restrictions. Also, they are restrictive, and structured than a traditional family foster home. Group Homes are more restrictive, offering structured therapeutic care. Facilities are most intensive, offering clinically driven treatment environments. Facility mostly refers to a medically staffed institution that provides 24-hour supervised care for individuals experiencing mental health crises. Facilities are more restrictive than community homes or group homes.”

information available to the OCA at the time of this report and should not be interpreted as a comprehensive assessment of the conditions or quality of each identified placement.

Relative and Traditional Foster Homes

Data provided by CYFD indicated that there were 1229 foster homes actively licensed in FY26. Twenty-four percent of those were traditional foster homes, 62% were relative foster homes, and 14% of them had a specialized foster license.

In looking at foster home availability across the state, approximately 34% of foster homes were in Bernalillo County, followed by Dona Ana County at 6.5% and Sandoval County at 5%.

FY26 Foster Homes by County and License Type

County	Traditional	Relative	Specialized Rate	Total
Bernalillo	108	267	48	423
Catron	0	0	0	0
Chaves	10	45	7	62
Cibola	2	15	1	18
Colfax	1	6	2	9
Curry	15	30	5	50
De Baca	0	1	0	1
Doña Ana	20	35	26	81
Eddy	15	37	2	54
Grant	1	14	1	16
Guadalupe	0	3	0	3
Harding	0	0	0	0
Hidalgo	0	5	0	5
Lea	16	33	7	56
Lincoln	2	6	1	9
Los Alamos	4	1	2	7
Luna	1	12	1	14
McKinley	6	11	5	22

Mora	0	4	0	4
Otero	11	12	7	30
Quay	4	3	1	8
Rio Arriba	6	13	2	21
Roosevelt	2	5	4	11
San Juan	9	24	11	44
San Miguel	8	14	1	23
Sandoval	19	38	6	63
Santa Fe	10	37	5	52
Sierra	0	1	0	1
Socorro	1	9	1	11
Taos	5	22	2	29
Torrance	1	5	2	8
Union	1	1	0	2
Valencia	14	48	16	78
Out of State	2	3	9	14
Total	294	760	175	1229
%	24%	62%	14%	

Treatment Foster Care

CYFD indicated that in FY26, they utilized treatment foster homes through 12 agencies—11 in state and 1 out of state—but the number of homes licensed per agency or the capacity per agency was not provided.

1. ARCA
2. Childhaven Inc.
3. Families & Youth Inc
4. High Desert Family Services, LLC
5. La Clinica de Familia Inc
6. Navajo Nation
7. New Mexico Solutions
8. Open Skies Healthcare Inc.
9. Red Mountain Family Services Inc.

10. The Bair Foundation
11. The Peak at Santa Teresa
12. Human Services Consultants LLC.

The Receiving Center

It is important to distinguish between placements in CYFD’s Receiving Center and what are referred to as “office stays.” Per CYFD, the Receiving Center is a dedicated, secure setting at CYFD’s Albuquerque office campus that is “intended for short term placements while a longer-term appropriate placement is identified. All Receiving Center stays are intended to last three (3) days or less. In difficult to place cases, Receiving Center stays may last longer than three (3) days.”

CYFD provided data about the number of children who had a Receiving Center stay in a given month during FY26, categorized by the county to which the child’s case is assigned. The OCA was unable to obtain data about the length or number of nights of these stays.

Children in the Receiving Center in FY26

County	Jul. 2025	Aug.	Sept.	Oct.	Nov.	Dec.	Jan. 2026	Feb.	Mar.	Apr.	May	June	Total
Bernalillo	12	17	11	7	13	11	6	1	3	3	4	3	91
Chaves								1					1
Eddy							1						1
Otero						1		1				1	3
Quay	1												1
Rio Arriba				1									1
Santa Fe							1						1
Torrance	1												1
Total	14	17	11	8	13	12	8	3	3	3	4	4	

Office Stays

“Office stays” are typically for older children and youth who sleep in a non-dedicated space in a CYFD office. In response to the OCA’s data request, CYFD indicated that “[e]ffective March 1st, 2026 CYFD ceased placing children at CYFD Offices.” However, the OCA received numerous reports, even after the close of FY26, of concerns for continued office stays in Bernalillo, Chavez, and Dona Ana counties beyond March 1, 2026.

FY26 Numbers of Children in Office Stays by County

County	July 25	Aug.	Sept.	Oct.	Nov.	Dec.	Jan. 26	Feb.	Total
Bernalillo	3	2	2	8	4	7	6	3	35
Chaves	3	3	3		3		1		13
Curry	1	2		4			1		8
Dona Ana		1	3	3	2	5	3		17
Eddy			1				2	1	4
Grant	3	2	3	2	2	2	2	1	17
Lea	5			2	6				13
Mora			1		1				2
Otero	3	1	3		2	1			10
Quay				1	1				2
Rio Arriba			2			1	1		4
Roosevelt		1			3		1		5
San Juan		1							1
San Miguel		1	1	1	2	1			6
Sandoval				1					1
Santa Fe			2						2
Taos	1								1
Valencia					1				1
Total	19	14	21	22	27	17	17	5	142

The OCA has also received reports of “couch stays” where a child or youth technically is categorized as having a placement and has a place to sleep at night, such as a shelter or foster home, but remains in a CYFD office during the day. CYFD indicated that there is no way to track or determine the frequency of this in the FACTS system, because those children and youth still have a logged placement. However, this calls into question the appropriateness of those placements and still causes instability and inconsistency for children and youth.

Transitional Living for Young Adults

CYFD indicated that in FY26, there were 40 unique youth in protective services custody who were placed in Transitional Living for Young Adults (TYLA) programs, totaling 59 unique instances of placement in TYLA. Transitional Living for Young Adults (TYLA) programs offer apartment or cluster-style housing for youth 16 ½ and older, with approved Independent Living Plans of Service (ILPS). CYFD indicated that youth in custody were placed or resided at seven different TYLA programs. However, the OCA was unable to obtain data on contracted capacity or availability at the facilities.

1. AMIkids-Sandoval, Inc.
2. Assurance Home Inc.
3. Families & Youth Inc.
4. Healing Addiction DBA Serenity Mesa
5. New Day Youth and Family Services
6. TenderLove Community Center
7. Youth Development Inc.

Active Congregate Care Facilities

Per data provided by CYFD, in FY26, CYFD utilized 96 placements, made up of community homes, group homes, and facilities, with community homes as the least restrictive setting and facilities as the most restrictive setting of the three. Clinical or medical treatment facilities comprised 64% of the congregate care facilities utilized, with 39% of them in state and 61% of them located out of state. Although this is not a novel observation, this means that for the most vulnerable youth in need of the highest level of care, more than half of the options are located outside of New Mexico, which makes regular, consistent CYFD support and supervision (not to mention family and community connections) more challenging.

FY26 Placement Types

	Community Home	Group Home	Facility	Total	%
In State	25	9	24	58	60%
Out of State	0	1	37	38	40%
Total	25	10 ²⁰	61	96	
%	26%	10%	64%		

Out of State Placements

Based on CYFD’s foster care home data, there are 14 out of state foster homes—2 regular, 3 relative, and 9 specialized—as well as one out of state TFC agency, although there is no available data on the amount of TFC homes or capacity of TFC spots available.

Of CYFD’s 96 listed placement settings, 38 of them are located out of state—37 facilities and 1 group home, and they are primarily hospital or residential settings.

CYFD’s dashboard provides quarterly data on the number of children in CYFD protective services custody that are placed out of state. The dashboard defines out-of-state placements as “children placed through the Interstate Compact for the Placement of Children (ICPC) and children placed in residential treatment centers or other therapeutic congregate care institutions out of state.” However, it is unclear how many of the children are out of state in a therapeutic or residential facility versus in a foster home through an ICPC. It is also unclear how CYFD characterizes children that CYFD maintains custody of but has sent out of state without an ICPC, such as cases where CYFD sent children out of state on a trial home visit with a parent.

FY26 Quarter	Children Out of State
July to Sept. 2025	42
Oct. to Dec. 2025	38
Jan. to March 2026	41
April to June 2026	40

²⁰ One of the 10 listed group homes is “community hotel or motel” which does not appear to identify or specify a specific location.

CYFD indicated that there were 73 unique children who were placed out of state in FY26, as some children were placed out of state for more than one quarter.

Juvenile Justice Facilities

The OCA Act defines a “child in custody” as “a minor who is placed by the department in custodial or residential care, including. . . a juvenile justice facility. . . pursuant to a court order or otherwise sanctioned by the court and does not live with either of the child’s birth parents.”²¹ However, the term “juvenile justice facility” is not defined by the Act or elsewhere in the Children’s Code. The Delinquency Act²² differentiates between “detention facilities,” for youth pending adjudication, and “juvenile correction facilities,”²³ which provide for the “care and rehabilitation of an adjudicated delinquent child.”

For the purposes of this report and the OCA’s statutory responsibilities, the OCA believes that children and youth in juvenile detention centers are in fact “children in custody,” given CYFD’s licensing and inspection oversight of county-operated detention centers and CYFD’s involvement in a child being put in detention and the fact that a court must order or sanction detention.²⁴

CYFD operates two juvenile corrections facilities for youth post-adjudication, which they refer to as “secure facilities”—the Youth Diagnostic and Development Center in Bernalillo County and the John Paul Taylor Center in Dona Ana County. CYFD also operates two juvenile reintegration centers (JRCs)—Albuquerque Boys Reintegration Center in Bernalillo County and Eagles Nest Boys Reintegration Center in Colfax County—which are a step down from secure facilities and serve as group settings for youth on supervised release or probation.

²¹ § 32A-30-2(A) NMSA 1978.

²² The Delinquency Act in the Children’s Code is located at § 32A-2 et seq. NMSA 1978.

²³ CYFD refers to juvenile corrections facilities as “secure facilities.”

²⁴ Pursuant to the Delinquency Act § 32A-2-4, CYFD “shall promulgate updated standards for all detention facilities,” “shall inspect all detention facilities in the state at least once each twelve months,” and has the authority of “revocation or refusal for renewal” for the certification of detention centers. Additionally, the Delinquency Act § 32A-2-12(A)(4) indicates that a child may be detained in “a detention facility certified by the department for children alleged to be delinquent children.” CYFD is directly involved in a youth being placed in detention because pursuant to the Delinquency Act § 32A-2-11, it is CYFD who completes the “risk assessment tool” and makes the recommendation to law enforcement about whether the child should be detained. Per § 32A-2-13, if a child is detained, the child has a detention hearing within 48 hours where the Children’s Court determines if there is probable cause for detention; if the child is detained beyond the detention hearing, the child is in custody “pursuant to court order or otherwise sanctioned by the court.”

CYFD also confirmed that there are four county-operated detention centers statewide: Bernalillo County Youth Services Center, Dona Ana Juvenile Detention Center, San Juan County Juvenile Services Center, and Lea County Juvenile Detention Facility.

As of the date of publication, the OCA was unable to receive any information from CYFD on how many youth were at any of these eight facilities for FY26. There was a lack of clarity on whether or how CYFD maintains and tracks data on youth who are detained in a county-operated detention center who are not also in CYFD protective services custody.

CYFD confirmed that any county, city, municipal, or school facilities “that detain youth for any reason are required to report the incident” via an application named SMARTY and are subject to CYFD inspection. Per CYFD, the SMARTY system is “the online reporting portal used by CYFD to track and log data regarding youth detained or confined in juvenile facilities.” The OCA requested data from SMARTY and has not received it.

The lack of readily available information about the number of youth in operated juvenile detention centers presents a significant limitation in assessing juvenile justice placements. Although county detention centers are operated locally rather than by CYFD, youth enter and remain in these facilities through the juvenile justice system administered by CYFD. Excluding these facilities from the placement information available to the OCA therefore leaves a gap in the Office’s ability to provide a complete assessment of the facilities in which children and youth within its statutory jurisdiction are held.

Preliminary Assessment

Although the OCA does not yet have sufficient data to comprehensively assess placement capacity statewide, information reviewed during the reporting period indicates continued challenges in identifying appropriate placements for children in CYFD custody.

The OCA received reports of children remaining in CYFD offices during the day and, in at least two CYFD offices, of office spaces being used for overnight or “couch” stays when an appropriate placement could not be immediately identified. The continued use of CYFD offices as temporary locations for children, particularly for overnight stays, raises concerns regarding the sufficiency and availability of appropriate placement options for children in custody.

The number of placement settings alone does not establish whether New Mexico has sufficient placement capacity. A meaningful assessment requires additional information regarding the number and type of available beds, the ages and needs of children each setting can serve, geographic availability, admission restrictions, and actual utilization and vacancy rates.

The information currently available is insufficient to determine statewide placement capacity; however, the continued reported use of CYFD offices for children awaiting placement indicates that appropriate placement options are not consistently available when needed.

3. Section 32A-30-7(A)(3): Children Removed from a Parent, Foster Parent, or Guardian

According to CYFD’s dashboard, there were 1,285 unique instances of a child removed from a parent, guardian, custodian, or other person in FY26, ranging between 266 to 349 children per quarter.

Number of Children Removed Per Quarter in FY26

FY26 Quarter	Children Removed
July to Sept. 2025	349
Oct. to Dec. 2025	266
Jan. to March 2026	328
April to June 2026	342
FY26 Total	1,285

However, based on differences in definitions, it is unclear if this metric also looks at instances where children are already in foster care and are removed from their foster parent due to allegations or an investigation of abuse or neglect.²⁵ Accordingly, the OCA is unable to determine whether the data provided fully captures all categories of removals contemplated by Section 32A-30-7 NMSA 1978.

4. Section 32A-30-7(A)(4): Children Returned to a Household from which They Were Removed

According to data provided by CYFD, 613 children were reported as returned to a household from which they had been removed during FY26.

²⁵ The OCA would not consider a routine placement change out of a foster home (e.g. due to reunification, identifying a relative, needing a higher level of care, etc.) as a “removal.”

FY26 Quarter	Children Returned to HH after Removal
July to Sept. 2025	171
Oct. to Dec. 2025	149
Jan. to March 2026	157
April to June 2026	136
FY26 Total	613

Note: The number of children returned during FY26 should not be interpreted as a reunification rate for children removed during FY26. The quarterly removal and return figures do not track the same cohort of children, and the data provided to the OCA does not establish the length of time between an individual child’s removal and return.

5. Section 32A-30-7(A)(5): Children Subsequently Removed Following Return to the Household

The Act requires the OCA to report the number of children who were removed from a household after previously being returned to the household from which they were removed. This measure is not included on CYFD’s dashboard and CYFD reported via email that in FY26, 86 children were removed after they had been previously reunified. However, the data did not specify how quickly these removals occurred after reunification or the period of time between the reunification and the subsequent removal.

Subsequent removal following reunification is an important measure of child safety, placement stability, and the effectiveness of CYFD interventions. However, the OCA does not have enough sufficiently detailed information about this data point to offer further assessment.

6. Section 32A-30-7(A)(6): Children Placed in a Juvenile Justice Facility

The Act requires the OCA to report on the number of children placed in a juvenile justice facility during the reporting period. The section above on Data Point (2) details the OCA’s analysis of what a juvenile justice facility is for purposes of the OCA’s reporting responsibilities and the information that the OCA has received regarding what juvenile secure facilities, reintegration centers, and detention centers exist in New Mexico.

Data about children and youth involved with Juvenile Justice Services is not included on CYFD’s public-facing Protective Services Data Dashboard and no Juvenile Justice Services annual report is available for 2025. The OCA requested this data directly from CYFD and has not received the requested data as of the date of this report.

As also discussed in Section (2) above, the OCA has identified a gap in the information available regarding children and youth placed in county-operated juvenile detention facilities. CYFD initially advised the OCA that it does not track children placed into county-operated detention facilities. The week of August 24, CYFD reported that it uses a system called SARA to track screened in risk assessment instruments (RAIs), which are tools used to determine whether detention is warranted and that law enforcement uses an application called SMARTY to report detentions to CYFD. The OCA has requested but did not receive any data from the SARA or SMARTY systems and thus does not currently have sufficient information to report the total number of children placed in juvenile justice facilities during FY26 as required by the Act.

7. Section 32A-30-7(A)(7): Children Who Have Run Away or Are Missing from Placement

The OCA is required to report three separate measures regarding children in CYFD custody who have run away from a department placement: (1) the number of children who have run away; (2) the number of children who have been located after running away; and (3) the number of children who are currently missing.

CYFD’s dashboard provides quarterly data identified as “runaways” and indicates “*Metric*: The number of children placed in the custody of the department who have run away while in custody. *Definition*: Children in foster care who have left their current foster care placement without permission of CYFD.”

The dashboard does not clearly indicate whether these figures represent unique children or individual runaway episodes, nor does it distinguish between children who subsequently returned or were located and children who remained missing. Accordingly, the publicly available data does not provide the three distinct measures required by the Act.

CYFD Dashboard — “Runaways”	
FY26 Quarter	
July to Sept. 2025	70
Oct. to Dec. 2025	65
Jan. to March 2026	53
April to June 2026	56

CYFD provided additional data that in FY26 there were 110 unique children with a runaway placement and that as of June 30, 2026, there were 72 children currently categorized as missing/runaway.

Preliminary OCA Observations

The OCA has observed that a child identified by CYFD as being on “runaway status” is not necessarily missing or of unknown whereabouts. In some cases, CYFD knows where a child is staying, but the child remains classified as a runaway because the location is not an approved or licensed placement. For example, a child may be staying with a family member, friend, or other individual who has not been, cannot be, or has declined to be assessed and approved as a placement.

This distinction further complicates interpretation of the publicly reported runaway data. A single category of “runaways” may encompass children whose whereabouts are unknown as well as children whose location is known but who are not residing in a CYFD-approved placement. These circumstances present different safety considerations and should be distinguishable in CYFD’s data and reporting.

The OCA has also identified concerns regarding inconsistent responses from CYFD and law enforcement when children in custody leave their placements without authorization. In some matters reviewed by the OCA, it has not been clear whether a child was being treated as a missing child for purposes of CYFD and law-enforcement’s response or primarily as a youth who had simply voluntarily left their placement “did not want to be found.” Regardless of the circumstances leading a child to leave a placement or be categorized as a runaway, children in state custody whose whereabouts are unknown or whose safety cannot be confirmed remain a vulnerable population and require an appropriate and timely response.

8. Section 32A-30-7(A)(8): Families Absconding with Children in Custody

The Act requires the OCA to report on “the number of cases in which families subject to court-ordered treatment plans or voluntary placement agreements have absconded with children in custody.”

CYFD’s dashboard reports that zero families absconded with children in custody during calendar year 2026 and only one family absconded with children in custody in calendar year 2025. CYFD confirmed that only one CYFD-involved family has absconded since July 1, 2025.

CYFD reported that in FY26, the department entered into 7 VPAs. It is important to note that a voluntary placement agreement (VPA) pursuant to Section 32A-3A-6 is just that—a voluntary agreement between CYFD and a parent or guardian that the “department may accept legal custody of a minor child...for temporary voluntary placement outside the

home” for up to 180 days. This is distinct from an investigation or a legal case with a court-ordered treatment plan because there is typically no court oversight or involvement in a VPA, unless the parent and CYFD seek to extend the VPA beyond the initial 180 days. The law allows a parent or guardian to withdraw their consent to the VPA “at any time and the child shall be returned within forty-eight hours of when the written or verbal demand was made,” unless CYFD files an abuse and neglect petition and obtains an *ex parte* custody order before the end of that 48-hour period.²⁶ By their nature, a VPA is entered into voluntarily and can be terminated, unless CYFD legally intervenes first. Accordingly, the circumstances under which a family participating in a voluntary placement agreement would be considered to have “absconded” with a child in custody are not clear from the statutory language.

9. Section 32A-30-7(A)(10): ICWA and IFPA Implementation

The Office of the Child Advocate Act specifically requires the OCA to report findings and recommendations related to the implementation of the federal Indian Child Welfare Act of 1978 (ICWA) and New Mexico’s Indian Family Protection Act (IFPA), Sections 32A-28-1 et seq. NMSA 1978.

The implementation of these laws is particularly important in New Mexico. The state is home to 23 sovereign Nations, Pueblos, and Tribes and the protections established by ICWA and IFPA must be understood within the broader historical context of the removal of Native children from their families, communities, cultures, and Tribes. Effective implementation requires not only compliance with legal requirements, but acknowledgment of and respect for Tribal sovereignty, family and cultural connections, and the rights and interests of Indian children, families, and Tribes.

Because the OCA began operations on March 30, 2026, the Office had only three months of experience and data available during the FY26 reporting period. During that period, the OCA did not receive sufficient complaints from or information regarding children and families who identified as Native or subject to ICWA or IFPA, to support meaningful findings and conclusions regarding statewide implementation of these laws. The OCA therefore does not believe it would be appropriate to draw broader findings from the limited information currently available. However, this demonstrates that there is significant work to be done to ensure that Nations, Pueblos, and Tribes are aware of, know to access, and are comfortable approaching the OCA.

²⁶ See § 32A-3A-6 and § 32A-3A-8 NMSA 1978.

This is an area where the OCA intends to build and connect intentionally and collaboratively. In the coming year, the Office will seek opportunities to listen directly to and develop relationships with New Mexico's Nations, Pueblos, and Tribes; better understand their experiences with the child welfare system; and identify opportunities for collaboration regarding implementation of ICWA and IFPA. The OCA will also work to improve its collection and review of relevant data so that future reports can provide more significant analysis of ICWA and IFPA implementation, identify areas of strength or concern, and make informed recommendations where appropriate.

10. Section 32A-30-7(A)(13): OCA Staff Training Process

The OCA Act requires the OCA's annual report to include an outline of the training and certification process for the State Child Advocate and Office staff. Section 32A-30-8 NMSA 1978 establishes the training criteria applicable to the Office.

As a newly established agency, the OCA began operations without an existing training or certification program. Accordingly, an important part of building the Office during its first months has been identifying the training, resources, and partnerships necessary to develop a comprehensive program that meets the statutory requirements and prepares staff for the specialized responsibilities of the Office.

The OCA has consulted with child advocate and ombuds offices across the country regarding their training practices and through those conversations, the OCA learned that many counterpart offices coordinate with their respective child welfare agencies and utilize those agencies' foundational training regarding the child welfare system, agency practice, and applicable policies, procedures, and laws.

Consistent with that approach, the OCA inquired whether new OCA staff could attend parts of CYFD onboarding or other existing trainings, at the OCA's expense, that could provide foundational instruction regarding New Mexico's child welfare system and CYFD practice. As of the end of the reporting period, the OCA had not received the requested information about CYFD's training offerings or permission to attend those trainings.

As the Office hires and onboards staff, the OCA plans to hire a training coordinator who will continue developing a formal training program that incorporates the statutory requirements, relevant CYFD training where available, independent training and professional development, and instruction specific to the OCA's role as an independent and impartial oversight office.

OCA Training and Certification Plan

Statutory Training Criteria	Training Plan and Resources
1. Child Protection & Juvenile Justice Law and Policy	In-house legal and practice training developed by the State Child Advocate. Corinne Wolfe Center for Child and Family Justice resources, including the recorded <i>Child Welfare Essentials</i> series and legal case-timeline resources. National Association of Counsel for Children (NACC) webinars and annual virtual conference.
2. Investigative Techniques & Trauma-Informed Practice	The OCA is reviewing a variety of trauma-informed interviewing curricula, including: • Stanford's Trauma Informed Interview Techniques online video series • Echo Training half-day virtual training on trauma informed interviewing • National Child Welfare Workforce Institute (NCWWI) electronic resources, including training on engaging with American Indian/Alaska Native children and families and <i>Essential Communication Skills: A Foundation for Success</i>.
3. ICWA, IFPA, Tribal Culture & Sovereignty	In-house legal overview of ICWA and IFPA developed by the State Child Advocate. Seek partnerships or contracted training with Tribal ICWA professionals , with training informed by issues and needs identified by Tribes. Continuing education through the annual ICWA Summit each November and the annual Children's Law Institute each April.
4. CYFD Policies & Procedures	In-house training based on CYFD policies and procedures , including abuse and neglect definitions, investigations procedures and timelines, licensing criteria and processes, and safety and risk-assessment requirements. The OCA has also requested access to relevant CYFD onboarding and training opportunities to learn how CYFD staff are trained, so OCA and CYFD staff are working from the same foundation.
5. Additional Training Identified by the OCA	U.S. Ombudsman Association (USOA) membership, new ombuds training, annual conference, and continuing professional development. Partnership with Colorado Child Protection Ombudsman and/or the USOA for OCA-specific training. Statewide Civil Rights Awareness for State of New Mexico Employees. State Personnel Office (SPO) Customer Service Excellence and Successful Communication Skills series (six e-learning courses and one instructor-led course per series).



Part IV

OCA's Emerging Findings and Recommendations

Part IV – OCA’s Emerging Findings and Recommendations

The OCA's first annual reporting period reflects only three months of operation and one full quarter of complaint data. Accordingly, the observations in this section should be understood as emerging themes rather than a comprehensive assessment regarding New Mexico's child welfare system.

Even within this limited period, however, the OCA observed recurring concerns across complaints and inquiries, case and records reviews, and interactions with children, families, caregivers, professionals, and system partners. Several of these themes are also consistent with concerns identified by the New Mexico Department of Justice in its April 2026 investigation report. The recurrence of similar concerns across different cases, constituencies, and sources provides meaningful information about areas that warrant further attention, even where the available data is not yet sufficient to draw broader conclusions about the system as a whole.

Not every complaint or concern reflects a violation of law, policy, or practice, and not every identified challenge requires a legislative solution. In some areas, statutory or policy changes or additional appropriations may be necessary. In others, the existing laws, policies, and funding are appropriate, but stronger implementation is needed through clearer expectations, consistent training, communication, or relatively straightforward operational improvements.

The findings and recommendations that follow reflect that distinction. They identify recurring issues observed during the reporting period, areas requiring continued review as the OCA gathers more data, and opportunities for practice, policy, and legislative improvements that may strengthen outcomes for New Mexico’s children and families.

1. Understanding and Implementation of the Children's Code and CYFD’s Role

The most prevalent theme the OCA observed involved differing understandings of CYFD's role and responsibilities under the Children's Code, particularly regarding reunification, permanency, child safety, and relative placement.

The OCA received reports that CYFD staff characterized New Mexico as a "reunification state" when explaining case decisions to families and that some permanency workers reportedly described their role as primarily working with or supporting the parent, rather than the child and family as a whole. Because CYFD has taken the position that the OCA may not directly contact or speak with CYFD staff, the OCA was unable to interview the

employees involved to verify these reports or further explore their understanding of their roles. The OCA also observed confusion among CYFD staff, families, and other system participants regarding how reunification, family preservation, parental rights, child safety, and permanency are intended to operate together.

Family preservation and reunification are important objectives of the child welfare system, both nationally and in New Mexico, but they do not exist in isolation. The Children's Code expressly identifies its legislative purposes, including "first to provide for the care, protection and wholesome mental and physical development of children" and then preserving family unity "whenever possible."²⁷ It further provides that "a child's health and safety shall be the paramount concern" and expresses the legislature's intent that "to the maximum extent possible, children in New Mexico shall be reared as members of a family unit."²⁸

These purposes require careful balance and individualized consideration of the circumstances, needs, and best interests of each child and family. Describing New Mexico simply as a "reunification state" is misleading and does not accurately capture that nuance. Achieving the legislature's intent requires consideration of child safety, family preservation and reunification, and the rights and interests of children and families throughout a case. Characterizing these responsibilities too narrowly or rigidly skews the intention of the law and contributes to misunderstanding about CYFD's role.

The OCA also heard reports of families and caregivers receiving different or conflicting information from CYFD staff from the investigations, permanency, and placement teams working on the same case. In some matters, constituents described difficulty determining which direction represented the Department's position or indicated the impression that the Department was divided, instead of working as a cohesive entity. These experiences created confusion and contributed to distrust of an already complex system. They also highlight the importance of strong, ongoing internal communication and coordination across CYFD divisions and staff.

At this early stage, the OCA has not identified a need to substantially change the language and purpose of the Children's Code itself. Rather, the emerging concern appears to involve how existing statutory language and responsibilities are interpreted, communicated, trained, and implemented in practice. Greater consistency in these areas could improve both case practice and families' understanding of the child welfare process.

²⁷ § 32A-1-3(A) NMSA 1978.

²⁸ *Id.*

Opportunities for Improvement

The OCA recommends:

- i. **Strengthening training on the language, purpose, and requirements of the Children's Code**, including CYFD's role and responsibilities related to child safety, reunification, reasonable efforts, permanency, and relative placement, to reinforce not just what the law says but why it exists and to help ensure that this is understood and implemented consistently statewide. Training should emphasize how these responsibilities inform decision-making and operate together rather than treating any single objective in isolation.
- ii. **Improving internal communication and coordination across CYFD practice areas**, particularly investigations, permanency, placement, and legal, to promote consistent information, expectations, and decision-making for children and families.
- iii. **Developing a clear child welfare responsibilities and expectations guide for families** that explains CYFD's role, the roles of different staff, what families can expect at different stages of involvement, important timelines and decision points, where to seek information or assistance, and how to escalate concerns.
- iv. **Convening CYFD, NMDNJ, and the OCA to discuss their respective reports and observations**, align recommendations regarding the child welfare system, identify areas of common concern, and clarify opportunities for CYFD action and follow-through.

2. Investigation Practice and Resolution

Investigations were among the most frequently raised concerns during the reporting period. Complaints included allegations that concerns were not adequately investigated, investigations remained open beyond expected timelines, investigative efforts were limited, and families did not understand the status, outcome, or next steps associated with an investigation.

The OCA observed particular concerns regarding the use—or absence—of safety plans when a child could not safely remain in the home. These included reports that safety plans were not formally established or adequately explained; risk and safety assessments did not focus on the actual home or circumstances giving rise to the safety concern; and children remained in informal living arrangements with relatives for extended periods without clear

timelines, legal authority, financial assistance, or other supports. In some instances, relatives who later requested CYFD assistance and guidance reported being told that the child could be removed from them or that the relative should independently file for kinship guardianship, without CYFD adequately informing the relative of available options or the potential consequences of doing so.

One matter reviewed by the OCA, which resulted in a formal letter of concern and recommendations to CYFD, illustrates several of these issues. Following an incident between youth and their parents that required law enforcement intervention, the children temporarily went to a relative's home nearby to deescalate while awaiting CYFD's arrival. CYFD subsequently completed risk and safety assessments on the relative's home, rather than assessing the parents' home where the precipitating incident occurred. The youth then remained with the relative for more than 100 days without formal legal decision making or financial support, despite the relative's clear requests to CYFD for guidance and assistance.

This type of prolonged informal arrangement raises concerns beyond the investigation itself. Without a clearly defined safety plan or communication, families may not understand what conditions must be addressed, what CYFD expects of the family members, how long the arrangement is expected to continue, or what will happen next. Relative caregivers may simultaneously assume responsibility for meeting a child's daily needs without access to the financial assistance, Medicaid, decision-making authority, or other supports that may accompany a formal placement.

Timeliness also emerged as a concern. The OCA reviewed and received complaints regarding investigations that remained open beyond CYFD's established 45-day investigation timeframe without a documented extension.²⁹ Delayed resolution can leave families uncertain about the status of allegations and, when accompanied by an informal living arrangement, can prolong uncertainty regarding where a child will live and who has authority to make decisions on the child's behalf.

Many complainants alerted the OCA to concerns that they believed investigations were not fully or appropriately conducted—for example, instances where the investigator reportedly did not interview the alleged victim or perpetrator or simply could not make contact with them—and were ultimately unsubstantiated.

Finally, the prevalence of investigation-related complaints intersected with the significant number of matters involving domestic relations or domestic violence proceedings. Some

²⁹ See Protective Services Investigation Procedures PR 8.10.3.17 Completion of an Investigation and Investigation Decision, available at cyfd.nm.gov.

inquiries reflected public misunderstanding about CYFD's role in private custody disputes, and the OCA provided education and information. However, the OCA also identified opportunities to improve coordination when child welfare concerns and domestic relations proceedings overlap, such as when CYFD information or testimony is necessary in an open domestic relations case. The OCA received multiple complaints that CYFD did not provide the necessary records or that CYFD staff did not comply with subpoenas or court orders to appear in domestic relations or domestic violence matters, which hindered that court's ability to appropriately receive and review relevant information.

Clearer expectations regarding CYFD's role, combined with stronger interagency training, tracking, and consistent compliance with subpoenas and court orders requiring CYFD staff participation, could reduce confusion for families, courts, and agency staff.

Opportunities for Improvement

The OCA recommends:

- i. **Establishing an additional investigation disposition**, such as "inconclusive" or "unable to determine" for circumstances in which an investigation cannot be completed sufficiently (i.e. relevant parties cannot be contacted) to support either of the existing dispositions. Clear criteria should define when the disposition may be used and prevent it from becoming a substitute for completing required investigative efforts.
- ii. **Clearly defining, limiting, and monitoring the use of safety plans**, including when a safety plan is required, its necessary components, expectations for parents and caregivers, specific timelines, and next steps. Investigations should not be closed while a child remains outside the parent's home in an informal arrangement that lacks appropriate supports or legal decision-making authority.
- iii. **Strengthening training and accountability regarding domestic relations and domestic violence proceedings**, including consistent compliance with subpoenas and court orders requiring CYFD staff to appear, provide information, or participate in proceedings.
- iv. **Expanding interagency training and protocols for matters requiring coordinated responses**, with clearly defined agency roles, communication expectations, and escalation procedures, including taking 3-day administrative holds and how to report missing and runaway children.

3. Placement and Relative Decision-Making

Placement-related concerns were another significant theme. The OCA received complaints regarding threats of removal after a foster parent raised questions or concerns; sudden, non-emergency changes in foster placements; delays in identifying or assessing relatives for placement; and difficulty experienced by relatives who wish to be assessed for placement purposes. While these concerns arise at different points in a child's case, a common thread connects them: placement decision-making did not always appear to reflect an individualized assessment of the particular child, family, relationships, and circumstances.

The timing and manner of placement changes are particularly important. Even when a placement change is ultimately necessary, an abrupt move can be disruptive to a child who has already experienced separation, instability, and trauma. CYFD already recognizes this; CYFD's established policy and procedure is to provide 10 days' notice for non-emergency placement changes.³⁰ When there is no immediate safety concern requiring removal, thoughtful planning, communication, and reasonable efforts to mitigate identified concerns may reduce unnecessary disruption, preserve otherwise appropriate placements, and help children understand and prepare for a change when one is necessary.

The OCA heard from prospective relative foster parents who reported expressing interest in serving as a support or placement but experiencing difficulty obtaining responses or completing the assessment process. Delayed relative identification and assessment can result in missed opportunities to preserve family relationships and identify appropriate family-based support early in a child's case. At the same time, the OCA heard from traditional foster parents caring for children who were approaching permanency when relatives were identified with the intent that the child would be placed with that relative. These concerns are two sides of the same issue. Relatives should not be overlooked at the beginning of a case and then treated as automatically preferable at the end of a case. Early family finding and timely relative assessment allow placement decisions to be made when family relationships can be preserved without unnecessarily disrupting attachments and stability developed over the course of a child's time in care. In instances where relatives are identified later in a case, CYFD must look at the relatives' appropriateness not only in terms of safety and ability, but whether this placement is appropriate for the child. Placement

³⁰ See CYFD Permanency Planning Procedures PR 8.10.8.10(15)—Out of Home Placement: Change of Placement, [PR.08 10.08.08 Permanency Planning 02-2024 to Present.pdf](#).

decisions must remain individualized and centered on the particular child's safety, well-being, relationships, needs, and circumstances.

Communication about placement is also critical. Both foster parents and prospective relative caregivers described difficulty obtaining information or understanding placement decisions. Improved communication and collaboration among CYFD staff, relatives, foster parents, and other members of a child's team could reduce unnecessary conflict and help ensure that placement discussions remain focused on the child's needs rather than creating an adversarial dynamic between adults who may each have an important role in the child's life.

Early and sustained family finding efforts, including dedicated staff and technology to conduct timely relative assessments, and individualized placement decision-making may improve placement stability while preserving important family and community connections.

Opportunities for Improvement

The OCA recommends:

- **Establishing safeguards against sudden, non-emergency placement changes.** Absent an immediate safety concern, placement changes should follow CYFD's 10-day notice requirement and include consideration of the child's needs and relationships, and reasonable efforts to mitigate concerns that may be resolved without disrupting the placement. When a move is necessary, CYFD should plan for and support a developmentally appropriate transition for the child.
- **Implementing dedicated family-finding navigators** to support early identification, engagement, and continued involvement of relatives and other important adults throughout a child's case and use of appropriate technology to conduct and document relative searches.
- **Reinforcing individualized placement decision-making** that considers relative preference alongside the particular child's safety, well-being, attachments, relationships, permanency needs, and individual circumstances rather than relying on rigid or categorical approaches to either relative or non-relative placement.
- **Improving communication and collaboration with relative and non-relative caregivers** regarding placement concerns, assessment processes, expectations, and significant placement decisions.

4. Communication and Supports for Children, Families, and Caregivers

Communication challenges were present in some form in nearly every complaint received by the OCA, which ultimately compounded other issues. Constituents across roles reported difficulty identifying the appropriate CYFD contact, reaching assigned staff, obtaining responses, or understanding what would happen next. When an assigned worker was unavailable, whether unexpectedly or because the worker was completing responsibilities in the field, the OCA heard concerns that questions and time-sensitive issues went unaddressed and there was not always a clear backup or escalation to ensure continuity.

Effective communication is itself an important form of support. Children, parents, relatives, and foster caregivers navigating the child welfare system need to understand who is responsible for addressing an issue, what they can expect, what resources are available, and where to turn when a need is urgent. When those pathways are unclear, relatively straightforward issues can become more difficult to resolve and can contribute to frustration and distrust. Communication challenges can also delay or complicate access to the practical supports needed to sustain a placement. Placement stability depends not only on identifying an appropriate caregiver, but also on ensuring that the child and caregiver have the information and resources necessary to make the placement successful.

The OCA repeatedly heard about three practical barriers for children and foster parents following placement: foster care subsidies and reimbursement; delays in obtaining childcare; and a lack of basic care items. These needs can be particularly urgent when a relative or foster caregiver accepts an infant or emergency placement and does not immediately have the necessary clothing, equipment, childcare, financial resources, or services to meet the child's needs.

Foster Care Subsidies

The OCA reviewed concerns regarding subsidy amounts, including delayed or missing payments and a lack of clarity about how subsidy rates are established and what expenses they are intended to cover. Greater transparency regarding how subsidy amounts are determined and ongoing guidance on reimbursement and resolving payment issues could help caregivers understand what assistance they can expect and reduce uncertainty following placement. A review of CYFD's subsidy determination process and rates is also warranted but at this time, the OCA does not have enough information to suggest specific solutions.

Childcare Assistance

Childcare presents a particularly important opportunity for improved support. New Mexico already offers Universal Child Care, but foster parents reported difficulty navigating the process quickly enough to meet the immediate needs of a new placement. For a caregiver who must return to work, a delay in securing childcare can create immediate financial hardship and, in some circumstances, threaten the stability of an otherwise appropriate placement. Additionally, foster parents report that it is nearly impossible to identify childcare options for medically fragile children, leaving those caring for some of foster care's most vulnerable children without respite effectively not making Universal Child Care available for all. Stronger partnership between CYFD and the Early Childhood Education and Care Department (ECECD), including identified liaisons between or situated in one of the department and priority processing, could help ensure that children entering foster or relative care are connected to available childcare as quickly as possible.

Placement Essentials

Similarly, caregivers accepting unexpected placements may need immediate access to basic items such as clothing, diapers, formula, car seats, beds, or other age-appropriate necessities. Establishing a consistent way to provide essential items at the time of placement would allow caregivers to focus on the child rather than immediately navigating multiple systems to obtain basic necessities.

Many of these barriers do not necessarily require significant systemic reform. Clear points of contact, defined procedures, better coordination with existing programs, and readily available placement resources could provide necessary support to children and caregivers while promoting placement stability.

Opportunities for Improvement

The OCA recommends:

- **Establishing and communicating clear communication, backup, and escalation pathways** so children, families, and caregivers know whom to contact when an assigned worker is unavailable or a time-sensitive issue is not resolved.
- **Increasing transparency regarding foster care subsidies and reimbursements**, including available payment levels, how rates are determined, what expenses payments are intended to support, expected payment timelines, and a clear process for resolving missing or incorrect payments.

- **Establishing designated childcare assistance liaison or navigators and priority access to childcare** through strengthened collaboration between CYFD and ECECD to help caregivers quickly secure childcare and resolve administrative barriers.
- **Exploring the development of a specialized licensed medical childcare model for medically fragile children**, based on models used in other states that combine specialized childcare with Medicaid-funded skilled nursing, medical care coordination, respite, and enhanced caregiver supports.
- **Providing placement essentials at the time of placement**, including readily accessible kits or a coordinated repository of age-appropriate clothing, equipment, hygiene items, and other immediate necessities for emergency and unexpected placements.

The OCA's emerging observations about the language and implementation of the OCA Act and recommendations to ensure that the OCA has the tools to carry out its responsibilities are discussed separately in Part II, above.



Part V

The OCA's Path Forward

Part V – The OCA’s Path Forward

The Office of the Child Advocate’s first three months of operation provide only an initial look at New Mexico’s child welfare system. This inaugural report should therefore be understood as a starting point, not a comprehensive assessment. At the same time, the consistency of several themes across complaints, case reviews, and conversations with children, families, and other stakeholders provides direction for the work ahead.

Improving outcomes for New Mexico’s children will require sustained effort across agencies, communities, and systems. Some changes will require legislative action or additional resources. Others can be achieved through clearer expectations, intentional communication, more consistent practice, and a shared commitment to identifying and addressing problems when they arise. Actual system improvement will require both.

The OCA has an important role in that work, but it is only one part of a much larger child welfare system. Effective oversight is not simply about identifying what is wrong. It also means recognizing what is working, problem solving when something is not, promoting accountability and improvement, and addressing concerns before they become larger or more harmful. The OCA will approach that responsibility with independence, fairness, transparency, and a continued focus on the safety and well-being of children.

In the year ahead, the OCA will continue building the capacity necessary to fulfill that mission. This includes hiring and training staff; strengthening the complaint review and investigation processes; advocating for improved access to records and information; developing more robust data collection and analysis; expanding outreach; and monitoring the issues and recommendations identified in this inaugural report. As the Office gains additional experience and data, it will also be better positioned to identify systemic trends, measure progress, and make informed recommendations for continued improvement.

The dandelion, reflected in the OCA’s visual identity, is a symbol of resilience—the ability to take root, persevere, and thrive even in difficult conditions. New Mexico’s children demonstrate that resilience every day. But their resilience should never substitute for the responsibility of the child welfare system created to protect and support them.

New Mexico has an opportunity to build a child welfare system that does exactly that. Achieving that goal requires families and caregivers to have the support they need, professionals to have the tools and clear expectations necessary to do their jobs well, and concerns to be addressed openly and constructively. That work will take time, collaboration, and accountability. As the Office of the Child Advocate grows, its mission will remain constant: to listen, advocate, provide independent and impartial oversight,

make meaningful recommendations, and work in partnership with others toward a child welfare system that better serves, supports, and protects New Mexico’s children—so that every child has the opportunity not merely to endure, but to thrive.

FY27 Goals for the OCA

1	2	3	4
Launch the fully designed website and toll-free hotline	Fully hire and train the 7 created positions and post for additional roles	Meet with children, families, and other stakeholders statewide in their communities to hear first-hand	Intentionally connect with and learn from New Mexico’s Nations, Pueblos, and Tribes
5	6	7	
Partner with CYFD and other stakeholders to develop a child welfare expectations and responsibilities guide	Establish a Memorandum of Understanding & effective communication process with CYFD	Establish a positive working relationship with incoming governor and CYFD cabinet secretary to align priorities	