

**VOLUME II: HEALTH AND HUMAN
SERVICES**

OFFICE OF THE CHILD ADVOCATE

Agency Summary

Office of the Child Advocate

Agency Mission

To monitor the Department of Children, Youth and Families to ensure that it offers children in its care adequate protection and quality services, while affording these children respect for their individual rights and dignity. These activities include, but are not limited to, public education, legislative advocacy, investigation, and litigation. To review and make recommendations regarding the Department of Children, Youth and Families procedures; to investigate institutional abuse allegations and child fatalities; to provide information and referral on matters relating to children; participate in voluntary admissions procedures; to monitor child placements; to conduct site visits at all DCYF licensed placements; and to review the Department of Children, Youth and Families' compliance with licensing regulations.

Agency Description

The Office of the Child Advocate (OCA) is charged with fulfilling a statutory mandate to protect the legal, civil and special rights of all children and youth involved in the care of the Department of Children, Youth and Families (DCYF). The Office strives to improve conditions and circumstances through monitoring, compliance and advocacy. The Office is staffed with 10.0 authorized full-time equivalent (FTE) positions. The Office is responsible for providing oversight to DCYF and the children and families they serve. This includes the monitoring of DCYF licensed facilities. The Office also provides direct legal representation for a portion of children voluntarily placed in state care and youth involved in the VEC program. The OCA can provide legal advocacy in the case of any child open to DCYF. The Office reviews and monitors systematic and individual issues related to residents at the Rhode Island Training School. It provides direct oversight and on-site visits. The OCA also files Victim Compensation claims for children who have been physically and/or sexually assaulted and are in the care of the State. Please see our Agency Narrative for a further description of the work performed by the OCA.

Statutory History

In 1980, the General Assembly created the Office of the Child Advocate. Its powers and duties are codified in R.I.G.L. 42-73. The Office of the Child Advocate possesses a statutory right of access, including subpoena power, to all providers; the Family Court; Department of Children, Youth and Families; and law enforcement records. There is also a right of physical access to all child-care programs and children in care. In 1992, the Office of the Child Advocate's responsibilities with respect to children in state care were statutorily expanded to include review of child fatality cases and representation of child victims of crime pursuant to the Criminal Injuries Compensation Act. In 2016, a bill was signed into law mandating the OCA to review every child fatality and near fatality, when the child's family, caretaker, or household member currently has or previously had involvement with DCYF.

Budget

Office of the Child Advocate

	2021 Actuals	2022 Actuals	2023 Enacted Budget	2023 Revised Budget	2024 Recommended
Expenditures by Program					
Central Management	991,174	1,088,617	1,494,065	1,485,060	1,630,743
Total Expenditures	991,174	1,088,617	1,494,065	1,485,060	1,630,743
Expenditures by Object					
Salary and Benefits	913,777	1,007,391	1,355,859	1,320,597	1,460,168
Contract Professional Services	723	3,016	2,700	2,700	2,700
Operating Supplies and Expenses	76,674	78,210	133,506	147,085	165,875
Subtotal: Operating	991,174	1,088,617	1,492,065	1,470,382	1,628,743
Capital Purchases and Equipment	0	0	2,000	14,678	2,000
Subtotal: Other	0	0	2,000	14,678	2,000
Total Expenditures	991,174	1,088,617	1,494,065	1,485,060	1,630,743
Expenditures by Source of Funds					
General Revenue	937,682	1,033,943	1,494,065	1,485,060	1,630,743
Federal Funds	53,492	54,674	0	0	0
Total Expenditures	991,174	1,088,617	1,494,065	1,485,060	1,630,743
FTE Authorization	10.0	10.0	10.0	10.0	10.0

Personnel Agency Summary

Office of the Child Advocate

	FY 2023		FY 2024	
	FTE	Cost	FTE	Cost
Unclassified	10.0	885,560	10.0	914,344
Subtotal	10.0	885,560	10.0	914,344
Turnover		(76,660)		0
Total Salaries		808,900		914,344
Benefits				
Contract Stipends		9,000		4,500
FICA		62,224		69,947
Health Benefits		110,241		116,002
Payroll Accrual		0		5,307
Retiree Health		39,674		41,328
Retirement		255,579		272,624
Subtotal		476,718		509,708
Total Salaries and Benefits	10.0	1,285,618	10.0	1,424,052
Cost Per FTE Position		128,562		142,405
Statewide Benefit Assessment		34,979		36,116
Payroll Costs	10.0	1,320,597	10.0	1,460,168
Purchased Services				
Clerical and Temporary Services		1,700		1,700
Legal Services		1,000		1,000
Subtotal		2,700		2,700
Total Personnel	10.0	1,323,297	10.0	1,462,868
Distribution by Source of Funds				
General Revenue	10.0	1,323,297	10.0	1,462,868
Total All Funds	10.0	1,323,297	10.0	1,462,868

Personnel

Office of the Child Advocate

Central Management

		FY 2023		FY 2024	
		FTE	Cost	FTE	Cost
Unclassified					
CASE MANAGEMENT COORDINATOR	5019 A	1.0	51,772	1.0	54,766
CHILD ADVOCATE	0823 F	1.0	143,654	1.0	147,245
CONFIDENTIAL SECRETARY	0822 A	1.0	53,923	1.0	57,097
PUBLIC EDUCATION AND INFORMATION COORDINATOR	0828 A	1.0	77,944	1.0	79,893
SENIOR PLANNING & PROGRAM DEVELOPMENT SPECIALIST	0328 A	2.0	157,571	2.0	161,511
SPECIAL PROJECTS COORDINATOR	0333 A	1.0	97,098	1.0	99,525
STAFF ATTORNEY III	0836 A	1.0	92,506	1.0	94,819
STAFF ATTORNEY III	8732 A	1.0	80,439	1.0	85,569
STAFF ATTORNEY IV	0841 A	1.0	130,653	1.0	133,919
Subtotal Unclassified		10.0	885,560	10.0	914,344
Subtotal		10.0	885,560	10.0	914,344
Turnover			(76,660)		0
Total Salaries			808,900		914,344
Benefits					
Contract Stipends			9,000		4,500
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Performance Measures

Office of the Child Advocate

Central Management

Visits to DCYF Licensed Facilities/Face to Face Visits with Youth

The OCA monitors all facilities licensed by the Department of Children, Youth, and Families including but not limited to group homes, foster homes and the RI Training School. Through thorough site reviews and routine visits by OCA staff the office ensures the appropriateness of the physical living conditions, suitability of clinical treatment programs, compliance with licensing regulations, compliance with contractual obligations and reviews the safety and well-being of children in a particular placement. During our drop in visits or site reviews the OCA staff are sure to connect with the children placed in the program and ensure their needs are being met.

	<i>Reporting Period: State Fiscal Year</i>				
	2020	2021	2022	2023	2024
Target	100	70	350	375	450
Actual	387	387	487	--	--

Resolved Inquiries

OCA receives a variety of inquiries each day, requiring differing levels of response. Each staff member is a vital part of providing a proper resolution, which includes but is not limited to referrals, relaying information, providing notice to DCYF of an issue and assisting with the process to provide an appropriate resolution, a formal investigation, a site review or legal intervention. The figures below represent the number of inquiries resolved.

	<i>Reporting Period: State Fiscal Year</i>				
	2020	2021	2022	2023	2024
Target	300	300	500	500	500
Actual	582	611	682	--	--

Court Appointed Cases

Pursuant to the statutory authority of the OCA, the Rhode Island Family Court can appoint the OCA to any case of a child open to the Department of Children, Youth, and Families. The OCA will enter into the case to represent the best interest of the child and ensure that their physical, mental, medical, educational, emotional and behavioral needs are met. The OCA will attend meetings and court hearings on behalf of the child to advocate and ensure that there is an appropriate resolution to the issues presented. This data reflects the number of cases that have been referred to the OCA and maintained for legal intervention during the calendar year. [This is a new performance measure. Historical targets are not available.]

	<i>Reporting Period: Calendar Year</i>				
	2020	2021	2022	2023	2024
Target	--	--	--	85	85
Actual	10	86	102	--	--

Court Hearings

Pursuant to the statutory authority of the OCA, the Rhode Island Family Court can appoint the OCA to any case of a child open to the Department of Children, Youth and Families. The OCA will enter into the case to represent the best interest of the child and ensure that their physical, mental, medical, educational, emotional and behavioral needs are met. The OCA will attend meetings and court hearings on behalf of the child, to advocate and ensure that there is an appropriate resolution to the issues presented. This data reflects the number of court hearings attended by OCA attorneys in pursuit of legal advocacy on behalf of children and youth referred to our office by the RI Family Court. [Note: This is a new performance measure. Historical data and targets are not available.]

	<i>Reporting Period: Calendar Year</i>				
	2020	2021	2022	2023	2024
Target	--	--	--	250	250
Actual	--	--	--	--	--