

Arizona Ombudsman-Citizens' Aide

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ARIZONA OMBUDSMAN - CITIZENS' AIDE ANNUAL REPORT

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Submitted by ---

Arizona Ombudsman-Citizens' Aide, Joanne MacDonnell

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TABLE OF CONTENTS

Contents

Aiding Citizens _____	1
How We Help _____	1
Outreach _____	3
Customer Satisfaction _____	7
Compelling Cases _____	16
General Complaints About State Agencies _____	16
Ombudsman Intervention in DCS Cases _____	23
Ombudsman Intervention in Public Access Cases _____	38
Our Cases – Statistics of Note _____	48
Investigations _____	49
Overall Case Statistics _____	50
Contacts by Agency _____	51
About the Ombudsman and Staff _____	57

OUR MISSION

The mission of the Arizona Ombudsman-Citizens' Aide is to improve the effectiveness, efficiency, and responsiveness of state government by receiving public complaints, investigating the administrative acts of state agencies, and recommending a fair and appropriate remedy. In addition, the Ombudsman - Citizens' Aide provides assistance and investigates complaints relating to public access laws and Empowerment Scholarship Accounts.

OUR ROLE

The Arizona Ombudsman-Citizens' Aide is an independent agency of the Arizona Legislature that was established to make the government more responsive to Arizona citizens. Arizona citizens can turn to the office when they feel they have been treated unfairly by a state administrator, agency, department, board, or commission. The services of the Ombudsman are free and confidential.

The office's authority is by Arizona Revised Statute sections 41-1371 through 41-1383 and operates under

Aiding Citizens

HOW WE HELP

The Arizona Ombudsman-Citizens' Aide office provides a unique service because we offer objectivity to citizens who complain when they think their state government has treated them unfairly. The first thing our experienced investigators do is listen to the person's complaint. For some people, this is the first time they feel that anyone in government actually heard them. Then we determine the nature of the dispute and respond in the most appropriate way to resolve the issue.

We group responses into three categories:

Coaching

Many residents can resolve their concerns when they are aware of the services available. Often a citizen does not have a complaint but is looking for information. We help these residents by educating them on their options based on their specific requests or issue.

Coaching includes defining issues and rights, identifying options, referring people to the appropriate employee or department, redirecting citizens to services outside our jurisdiction (non-profits, federal agencies, etc.), explaining agency policies, researching information, offering conflict management strategies, and developing reasonable expectations.

Assistance

Sometimes coaching is not enough, and residents need our office to communicate with government agencies directly. Most complaints are the result of a miscommunication or a simple mistake. In these circumstances, we contact the appropriate agency on the citizen's behalf, facilitate communication between the parties, or coordinate action between agencies. Our investigators are working

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continually to foster relationships with agency personnel in every state agency to enable the efficient resolution of complaints before escalation.

Assistance complaints are often the result of miscommunication, a lack of follow-through, or a simple mistake. In these circumstances, we contact the appropriate agency on the citizen's behalf, facilitate communication between the parties, or coordinate action between agencies. We essentially refer the complaint to the agency, note the allegation and circumstances that brought it to us, and ask the agency to work directly with the complainant to resolve the concern. The agency takes the lead in dealing with the matter and lets us know the outcome. We tell the complainant to come back to us if they are not satisfied.

Some assistance cases are those in which we do special tasks. We engage in training, perform research, issue ombudsman or public access material, and participate in other tasks. It is more than coaching as we are actively assisting.

Investigation

Complaints about administrative acts of agencies within our jurisdiction may warrant investigations. In those cases, we work with the constituents and agency personnel to ensure that the agency is complying with the law and offering optimal public service. Although we have no authority to compel an agency to follow our recommendations, most administrators are eager to resolve constituent problems and agency mistakes once we bring them to their attention. If the allegations are unsupported, we stand up for the agency and explain our findings to complainants. If necessary, we write investigative reports of our findings and recommendations, sending them to the agencies investigated, the legislature, the governor, and the complainants.

Investigations may be informal or formal. Investigations start with a complaint that an agency in our jurisdiction has performed an administrative act that is contrary to law, unreasonable, unfair, oppressive, arbitrary, capricious, an abuse of discretion or unnecessarily discriminatory, a mistake of fact, based on improper or irrelevant grounds, unsupported by an adequate statement of reasons, performed in an inefficient or discourteous manner, and/or otherwise erroneous. Arizona Revised Statute § 41-1377.

Arizona Administrative Code R2-16-303 authorizes us to have informal investigations when the complaint can be resolved quickly and by mutual agreement. Most investigations start with an informal process and resolve as such. When situations get more complicated, the Ombudsman-Citizens' Aide may determine that a more formal investigation process and a report are warranted.

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OUTREACH

The Legislature directs us in statute to note our Ombudsman-Citizens' Aide (OCA) outreach to the community we serve. Below are some of our activities.

- The Ombudsman website (<https://www.azoca.gov/>) – We have a COVID section on our “Helpful Web Links” page to point people to COVID resources. We continued to update our website to provide valuable links to government and charity services available to the public. Additionally, we link to digital versions of our open meeting and public record law booklets. Our website also includes a general “How to file an effective complaint” tutorial, FAQs, and our electronic complaint form. We’ve also included a tab with suggestions about how to interact effectively with the Department of Child Safety (DCS). We explain the difference between our office and the DCS Ombudsman Office. We have found that this is often a point of confusion for the public.
- We distribute our brochures by email or mail to any member of the public who asks for more information. We also make them available at our office, on our website, at meetings and speeches, at trainings, and with various groups who distribute our brochure for us to their clients (i.e., the Family Involvement Center).
- We created comprehensive resource guide booklets in cooperation with the Arizona Supreme Court Improvement Committees.
 - **Community Resources, Emphasizing the Needs of Those Involved in DCS Matters.**
<https://www.azcourts.gov/Portals/46/Resources/CommunityAssistanceResourcesForParents.pdf>
 - **Understanding the Child Safety System**
<https://www.azcourts.gov/Portals/46/Resources/Resources-UnderstandingTheChildSafetySystem.pdf>
- We developed comprehensive guide booklets regarding the public record and open meeting law. We distribute these public access materials to elected officials and the public throughout the State. The League of Cities and Towns and other entities throughout the state, refer to and use these booklets in training.
 - **Public Records Law** - <https://www.azoca.gov/wp-content/uploads/Public-Records-Law-Booklet-2020.pdf>
 - **Open Meeting Law** - <https://www.azoca.gov/wp-content/uploads/Open-Meeting-Law-Booklet-2020.pdf>

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- Media interactions – Occasional interviews throughout the State.
- Public access newsletter – public access attorney Danee Garone writes a quarterly newsletter, *The Public Record* that we post to our website, and electronically distribute to interested parties. Arizona State Library, Archives, and Public Records distribute the newsletter on our behalf to its extensive listserv.
 - The Ombudsman – Citizens’ Aide Office’s Public Access Newsletter - <https://www.azoca.gov/open-meeting-and-public-records-law/newsletters/>
- Public access training for public officials and the public throughout the state. Our public access attorney, Danee Garone, conducts training sessions and participates in forum discussions regarding lawful practices relating to public records law and open meeting law. In the 2022 fiscal year, we conducted training sessions, both in-person and through remote means, for public entities in locations throughout the state. For instance, we conducted training for public bodies in Phoenix, Camp Verde, Tucson, Pima County, and Mohave County. We conducted trainings for a variety of different types of public officials, such as municipal clerks, county clerks, professional licensing boards, and irrigation districts throughout the state. At each event, we provide our office’s contact information and website and explain what services we provide regarding public access issues and our general jurisdiction. Additionally, we distribute many of our office’s public records law and open meeting law handbooks at the training. On numerous occasions, new complainants have told us they only became aware of our office because of a training.
- We post staff attorney Danee Garone’s public access training on YouTube. One example: <https://www.youtube.com/watch?v=T583qHGTlnA&t=1s>
- On the Arizona Supreme Court’s website, in a training video called *Guide to More Effective Communication and Representation*, Ombudsman Joanne MacDonnell explains the Ombudsman-Citizens’ Aide Office in general and its specific role relating to DCS dependency cases. <https://www.azcourts.gov/improve/Admin/Parent-Engagement>
- We work with DCS to identify and resolve acute and systemic problems in the child safety agency. Various laws require DCS to identify the Ombudsman-Citizens’ Aide office on its website, in its Notice of Duty to Inform, in its Temporary Custody Notice, and describe the Ombudsman-Citizens’ Aide office in its parent handbook. Information about our office is on the DCS website as a resource for the public.
- Former Ombudsman Dennis Wells, Ombudsman Joanne MacDonnell, or attorney Danee Garone were speakers, trainers, or participants in the following:

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- Forums with legislative assistants – orientation meetings and one-on-one.
- Forums with legislators – orientation meetings and one-on-one.
- Various speaking engagements – For example, State Archives training, civic groups, Arizona Children’s Association, and various state agencies.
- DES and DCS leadership individual and team meetings.
- Outreach, speeches, and open house events at Grand Canyon University, ASU (Main, Downtown & West campuses) working with professors and interns.
- Better Business Bureau – Ombudsman Joanne MacDonnell serves as an ethics judge for the annual BBB Torch Award Ethics program and as a panelist on Torch Ethics Guidance meetings.
- Court panels - Arizona Court Improvement Panel, Parent Representation Standards committee – Ombudsman Joanne MacDonnell serves on these committees. She is also on two Sub-Committees for Court Improvement relating to child safety and dependency, one on training and the other on safety.
- Staff attorney Danee Garone participates as a trainer in State Bar Continuing Legal Education presentations.
- Ombudsman Joanne MacDonnell developed and taught a series of seminars about ombudsman procedures for DES’s Office of Tribal Relations.
- United States Ombudsman Association (USOA). The State of Arizona is one of the five classical state ombudsman offices in the United States. Our state is a model for many jurisdictions.
 - Network – We receive referrals from other ombudsman jurisdictions in the United States. By sending representation to the national USOA conference or participating in other USOA undertakings, we learn of other jurisdictions’ effective activities and best practices to better our office. We send new OCA staff members to USOA’s internationally acclaimed New Ombudsman Training. We help new jurisdictions launch and teach them effective methodologies.
 - Participate in training – Our staff often teaches seminars.
 - Ombudsman Joanne MacDonnell serves as an elected Director and is the Secretary/Treasurer of USOA. Joanne is also active in the Children and Family Chapter of USOA and twice served as a co-chair of that group in the past decade.

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- Harvard Roundtable Community of Practice Sessions – Exchanges of information with other child safety ombudsman offices from around the United States.
- We co-host the Arizona Ombudsman Group with the SRP Ombudsman Office. It is a group of government, education, and private ombudsmen in Arizona. We participate in periodic meetings, host seminars, and network with ombudsmen offices that have different constituencies. We refer citizens to one another as jurisdictions determine.
- We work with the Attorney General's office as it refers many matters to us when its office cannot take them for whatever reason. We routinely assist their Consumer Division. We provide our expertise regarding open meetings and public access. We also offer general complaint assistance when the Attorney General's Office is not sure where to direct the public.
- The Self-Help Desk at the Maricopa County Courts – We provide information about our office for them to distribute.
- The State of Arizona web directory of state agencies, *AZ Direct*, features the Ombudsman-Citizens' Aide Office as one of the main tabs for the public.
- Information about our office is featured on State of Arizona websites for agencies that perform investigations according to Arizona Revised Statute § 41-1001.01 and 41-1009.
- We work with the Arizona Library, Archives, and Public Records at the Secretary of State's office regarding public record retention and disclosure. We collaborate with the agency to present discussions on public records retention discussions at conferences.
- We distribute our Point of Contact Google Doc resource directory to various government agencies.
- We gave the Department of Corrections Ombudsman Office for Staff a free copy of our database programming so they would not have to create it when they opened their internal ombudsman office. This saved the state the cost of creating or purchasing a brand-new case management system. The DOC tech programmers simply had to modify the Microsoft SQL code to meet the Department of Correction's needs.

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CUSTOMER SATISFACTION

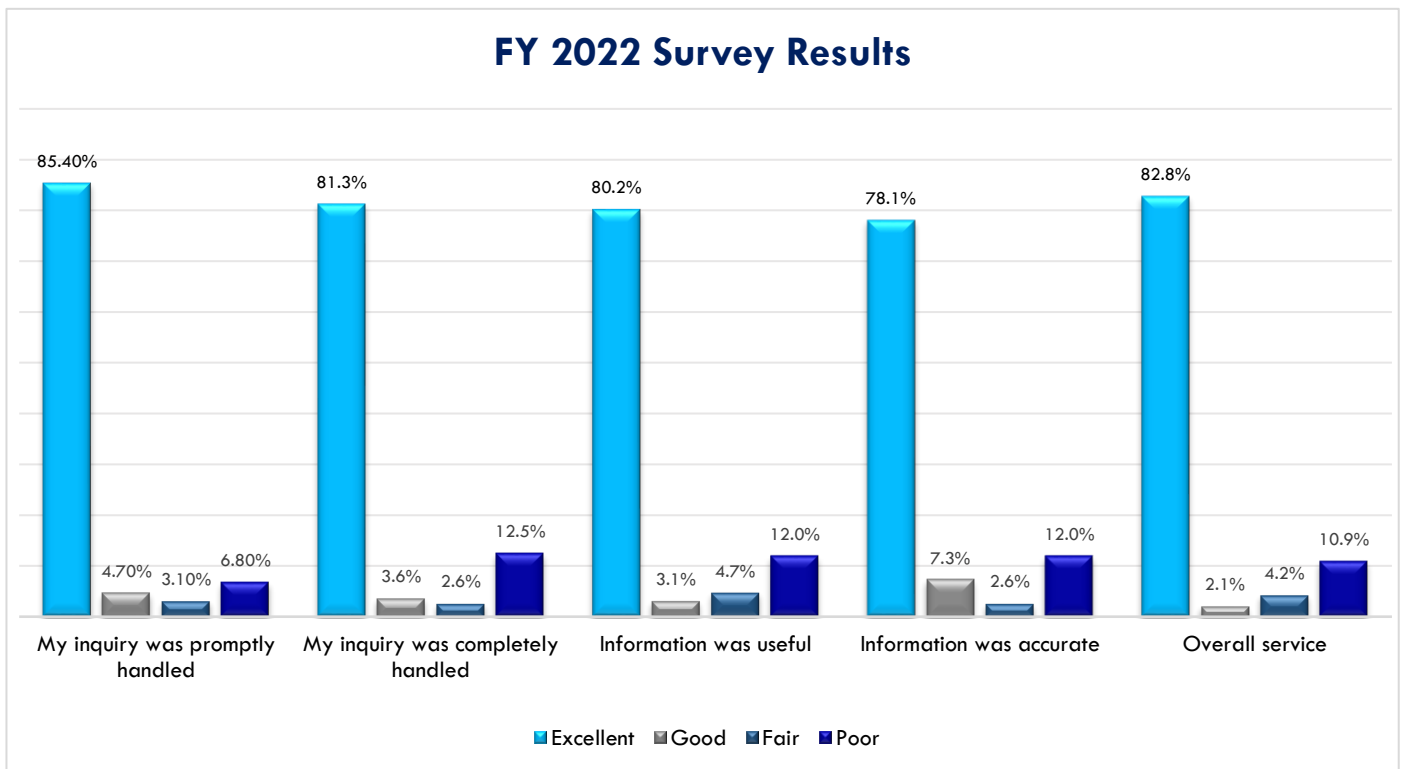
It is important for us to receive feedback from the citizens we help so that we can evaluate our performance, correct shortcomings, and improve our service. One way we get feedback is through our customer satisfaction survey we distribute at the close of cases. The survey measures how well we are accomplishing six standards that we developed in our strategic plan.

These standards are:

- Treat everyone **fairly**.
- Treat everyone with **courtesy and respect**.
- Respond **promptly** to citizen inquiries.
- Provide as **complete** a response as possible.
- Provide **useful** solutions to citizens.
- Provide **accurate** responses to citizen complaints.

WE WELCOME FEEDBACK

The chart and comments on the following pages summarize the results of the survey for FY2022.



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KUDOS AND COMMENTS FROM CITIZENS WHO USED OUR SERVICES IN FY2022:

“It is great to know there is a place the taxpayer can go to inquire about a problem. Thanks.”

“The absolute best interaction with a public official I have ever had. Honest, clear, and helpful information.”

“I was so grateful Governor Douglas Ducey recommended you to me. John was so helpful getting this situation taken care of promptly and professionally. I feel John's presence ensured the AZ State Board took this seriously and responded accordingly. I just can't thank him enough for his quick response and wise advice.”

“Yvonne took extreme care to fully answer all my questions with patience and knowledge. I was also supplied with several links to resources to aid me with my issues. A+++”

“I will be forever grateful to Frank for his courteous response and never-ending willingness to help me get through to AZDES. Regardless of the fact that he had several people contacting him with the same issue, he always read my concerns and took action as if I were the only complaint on his desk.”

“I'm a believer in good quality government and I'm happy Connor has chosen to serve the State of AZ. Your job is important, and I appreciate you.”

“Thank you to Danee for his timely response. My questions were answered promptly, courteously, and thoroughly.”

“I spoke with Brandon, and I can't express how helpful and knowledgeable he was. Thank you so much, Brandon!”

“I really doubt my situation would have been resolved without the assistance of your office. After 12 weeks of jumping through hoops, nothing had helped move my unemployment claim forward until I called your office. Alyssa was able to get it resolved within a week of making a phone call to her. Thank you so much, you have no idea how much this has helped my family to finally get this resolved.”

“Alicia, thank you for the information. You have been very helpful.”

“I cannot say enough about the remarkable people that work for the Ombudsman's office. I have requested your help several times in the past and you always respond quickly and courteously and help me with my problems. You are a blessing to those who need you. You have never let me down. Humbly and sincerely, I thank you.”

“Without the help from your office, I doubt I ever would have received a response from the agency involved. Thanks for the help.”

“Thankful that this office exists in AZ to help taxpayers from abuse.”

“Wow!! Yes, it got done. I am so relieved and pleased this is resolved. Thank you so very much for seeing this through to the end. John, you did a fantastic job. I am indebted to your devotion and integrity for your job.”

“Frank was kind and empathetic to my dire situation, as well as always quick to respond to my emails. If not for his thorough and compassionate responses, I would have given up. However, I felt compelled to continue filing my claim, which has now been resolved. Thank you all for being there.”

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“Yvonne was very knowledgeable and patient and took the time to truly listen to my current situation with sincere empathy. As a single 52-year-old woman who has exhausted all resources and did not know where to turn for help, Yvonne made it easy for me to open up and talk about the difficult situation I am currently facing and offer all possible connections that might be able to help me. I am extremely grateful for her services.”

“I just wish the AZDOR was as good as those that work for this office.”

“Your representative was very professional, thoughtful, and thorough.”

“Thank you, Connor, for the extensive list you provided to me back in March 2022. I didn't think I would need to utilize it anymore. However, I did today in reference to another matter. With that information, I was able to prevent an eviction.”

“Thanks for all of your help Brandon. I don't think this would have been cleared up without it.”

“I think Frank gets a '10'.”

“Thank you, your resources were wonderful.”

“From my first interaction with this office until my issue was resolved, I was treated with courtesy and respect. I had been trying to resolve my issue with the Arizona DES Unemployment office since June of 2021. After contacting the Arizona Ombudsman-Citizens' Aide my situation was resolved in a satisfactory manner in less than a week. I'm so very grateful for the support. I know from months of trying that I couldn't have gotten through this in a positive manner without the support of this incredible resource. Thank you so much!”

“Yvonne was wonderful helping me with my concerns. She was very patient. I appreciate her guidance and information she has emailed me.”

“Thank you, John, for getting back to me about the problem of not being able to get through the Az Medical Board last week. Your help was fast and effective.”

“Danee is amazing and extremely helpful!”

“Thank you, Connor! I sincerely appreciate your help on the phone yesterday as well as the mail you sent.”

“I had the privilege of speaking with Alyssa who was most courteous, kind, and professional. After many calls and failed interactions with several others, Alyssa was very kind, courteous and resolved the issue I was calling about.”

“Professional, courteous and took the time needed to assist me.”

“Excellent and needed service!”

“Staff were incredibly helpful and informative. They made me feel validated by listening to my concerns and clearly outlined an action plan that I could follow to ensure my issues were addressed. They even gave me information on additional resources for assistance that I was unaware of. Their top-notch job and efforts helped me more than I can express!”

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“My investigator responded very promptly and was very helpful. I could not ask for anything more.”

“Staff were very personable and helped me a lot - great customer service skills.”

“After several months of no response from the state, in less than a week my assigned Ombudsman was able to successfully connect me with someone who was able to resolve my issue. Without the assistance of my Ombudsman my issue would not have been resolved in such a timely manner.”

“Thank you, Daneel!”

“Thank you, Connor, for your help! I have very rarely received such polite, caring, helpful treatment, especially from a government office. So, I really appreciate how much you did for me.”

“John is a very valuable asset to your team and I wish we had more people like him working in every AZ state division. Amazing follow-up and attention to detail, and great care with every issue.”

“I would like to thank Yvonne for her courteousness and the knowledgeable solution she supplied to me. It has been the most difficult beginning for us in this new place and until we contacted her, we have been met with incorrect information, rudeness, and an overall brush-off attitude from the AZ MVD. Yvonne was amazing, very precise, and very welcoming. I had given up all hope of possibly getting treated fairly before speaking to her. I can't fully express how great it is to feel like someone has your back when it feels as though everyone else is against you.”

“Frank was absolutely wonderful. I have been dealing with an issue from November 2021 and have had the hardest time getting ahold of DES or anyone that could help me. DES could not answer any questions for me over the phone or give any type of time frame to help. Once I got Frank to help in the spring, he hung with me and is probably the only reason I am on track to possibly getting this resolved.”

“Excellent, that I felt like if I finally got heard.”

“Due to your office promptly contacting the state agency involved, I received a response after trying for months with no success. Hopefully, now that they have at least communicated with me, I can move forward to resolve the issue. Thank you very much, I don't believe they would have responded without your assistance. Much appreciated!”

“Went over and beyond to help me by giving me the proper information and who to contact for my problems.”

“John helped me receive the money owed to me by the government way faster than everyone else I tried getting help from. Very happy with the fast outcome!”

“Yvonne was more helpful than I could ever have imagined! It is my personal opinion that this woman cannot possibly be getting paid what she is worth. I would also say that with all of the people I have conversed with in the last year, she was by far the most helpful. She was courteous, she took more than enough time to make sure that I understood everything that she said!!! I give her my utmost respect and gratitude for the way she did her job!! And this woman deserves a raise! I have not felt so confident in anyone in a long time. She was truly a 'godsend' in my opinion. And I hope someone in your office lets her know that.”

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“The Ombudsman I spoke to was a pleasure to work with. She is very knowledgeable, resourceful and I appreciated the opportunity to speak with her.”

“Wonderful service!”

“Frank is an asset to us all. I most certainly would not have been able to navigate through my unfortunate circumstance with ADES without his aid/guidance. He has been thorough, attentive, fair, and kind - remaining at my side for the entire six months it took to find resolution. I'm so grateful to Frank and this office. Most importantly, you gave me hope when I needed it most. Being in need is a humbling experience, I don't know what I would have done without you!”

“Thank you so much for pointing us in the right direction, Connor!”

“Thank you, Danee.”

“The person I spoke to was very helpful.”

“I appreciate the kindness.”

“My investigator treated me with kindness and respect. In less than two weeks, he was able to resolve an impasse I had experienced with DES that lasted 11 months. I am truly grateful that the Arizona Ombudsman-Citizens' Aide exists and that they are so quick to respond and so capable.”

“I called not knowing which agency to contact and received the direction I needed! Much appreciated!!!”

“The employee I spoke to was truly outstanding in my efforts to resolve my Unemployment Benefits issues with the AZ DES. She was very professional and detail oriented, and took the time needed to best guide me to a problem resolution. She is deserving of major positive recognition and praise for doing her job very, very well.”

“This office has been more than fair and extremely helpful. They have been a voice for me when mine was not being heard. My investigator ALWAYS responded promptly and was so very informative. He never left me in the dark and always followed up with me. Thank you, Arizona Ombudsman-Citizens' Aide!”

“Awesome job!!!! Very informative.”

“Very thankful for this service. I was having a problem with the AZ Dept. Of Revenue not responding to my repeated requests for help. Once I contacted this office it was handled promptly.”

“John was always prompt, thorough and communicated in all of his responses to me.”

“Thank you, Yvonne, for your calmness, professionalism and most of all your insight and new way of thinking on how to approach a very, very difficult and painful subject for me. I can't tell you how thankful I am for your words and mentorship on how to deal with such a less than desirable circumstance. You were wonderful and fantastic to work with. Thank you, thank you, thank you, thank you!”

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"I have had to fight for nearly a year now for ADES to resolve the discrepancy on my case. Frank has remained at my side the entire time. He has been steadfast, patient, and genuine. I'm quite sure I would have been lost and overlooked indefinitely without such fine and thorough advocacy. Not to mention, the added aspect of 'hope' he graciously provides. It is humbling, and often disparaging, to be in need. I'm not sure how I would have been able to navigate through my hardships. There are no words to properly convey my gratitude."

"The Ombudsman was dealing with a difficult party, but worked things out to my satisfaction."

"From the person who answered the phone to my communications with my investigator, I can easily say that they were supportive, informative and did their very best to help me resolve an issue with Arizona DES Unemployment. I would absolutely recommend the Arizona Ombudsman's office to anyone who needs support with a state agency. Thank you."

"Thank you for your prompt attention and assistance with DES."

"The person I spoke to was efficient, courteous, patient and polite during our phone interaction. I was very pleased with how kind, resourceful and professional she was!!"

"You were the reason I was able to get this done with ADES at all, it is my belief."

"I sent over my email today and I got a response today. Made me feel great and that someone cares about these unfortunate issues."

"Thank you, Frank, you are awesome!!"

"Yvonne was awesome!!!!!!!!!!!!!!!!!!!! Thank you."

"John was a huge help. He responded immediately, followed up with me, and kept his word. This is huge. In a time where bureaucracies seem to complicate things more, he made this smooth and helped me get the information and support I needed. Bravo to the whole Ombudsmen team. I wish more people knew you were all there to help. You do great work and I'm happy to have our taxes support a group like yours. Blessings!"

"Great work!!!! You solved in a week what I've been trying to do for two months and five emails!"

"Staff very quickly called me back to give me information! The best."

"The employee I spoke to was very thorough and actually took the time to explain the process in detail. She gave us some good insight and generally seemed concerned. Thank you so much!"

"Frank is truly an asset to the community. Knowing he gets hundreds, perhaps thousands of emails daily, it felt like he treated my case like it was priority and I greatly appreciate that."

"Thank You - over a year, no help, no responses. In less than a day or two I've received an answer, reassurance that help is there. Thanks to you all!!!! 🍷🍷🍷🍷"

"Excellent info."

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“Very kind and helpful. Thank you very much.”

“Very knowledgeable, helpful, patient, informative, responsive and courteous. Explained navigating the website and associated sites without doubting the steps.”

“Yvonne went above and beyond. She provided me so many important and helpful details while taking so much time to ensure I understood everything. She provided me with examples as to how to communicate effectively with the various contacts I need assistance from, which helped me tremendously. I am very stressed out and have sadly exhausted all savings. It’s so bad that when you have to describe it all, it’s so overwhelming and I have a hard time articulating what I need. You are so very fortunate to have Yvonne in your group.”

“John was AMAZING and a great help to a problem with AZ DES. It was resolved with his intervention and support, and I am so grateful. Hooray for John and this office!”

“Your representative could not have been kinder or more efficient! Thank you!”

“The whole office is ALWAYS incredible. Phenomenal customer service and super attentive to all inquiries. Thank you for all you do!”

“For months I was getting digital and generic responses to my concerns. Once I contacted this office, I received personal service and felt that the concern for me and my problem was sincere. Much obliged.”

“Staff were very professional when I came in and spoke to them. I was a Senior Sleuth for five years for the Attorney General’s office and helped many people who were scammed but can’t seem to help myself.”

“Excellent because of the time involved. The person I spoke with at least seemed to have compassion to understand what I am experiencing.”

“I had months of back-and-forth complications with Az MVD, no direct communication, and lost documents. This office helped me resolve a four-month ongoing issue in one afternoon. I appreciate your help immensely.”

“Good information on other agencies; clear about this organization’s purview; and, willing to be part of the solution, within scope, with ways that might assist further. Very Good.”

“I am very impressed with the immediate and most excellent service I received!”

“I have been trying for six months to get progress from DES. Even a month after I had won my appeal DES gave me a hard time. It wasn’t until I contacted John that I received my benefits. Thank you very much, John!!”

“Yvonne is very professional and has helped me to solve my problems.”

“Frank was extremely helpful!”

“Very thorough and helpful.”

“I wish I knew about this office sooner.”

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"She was excellent in providing all the information and steps that I needed to take. Thank you a million."

"I went around and around in circles until the kind gentleman directed me to the correct agency."

"If it wasn't for this office, I would probably still be waiting for my payments....thank you!!!!"

"My investigator was amazing in assuring my claim got the attention needed to resolve the many issues caused by a dishonest employer. He made it clear what his position was and what he could and could not do from the beginning. He was both compassionate and empathetic to my situation and has the patience of a saint! I know I wasn't the easiest to deal with it. I sent numerous emails, of which not one went unanswered, and every phone call was returned. He was the calm in the middle of a storm and was by my side every step of the way when DES wouldn't give me the answers to questions I had! I'm very grateful for his assistance!"

"Yvonne is a pleasure to speak with. She is very kind and knowledgeable. She is a true asset to your organization. Thank you."

"Frank is amazing."

"Thank you for your help! We really appreciate your services."

"My three-month-old outstanding issue with DOR was resolved within two hours of my initial request for help. This organization is a lifesaver for a small sole proprietor. Thank you!"

"The representative did an amazing job of helping me. She asked the right questions and gave me useful information. She did a great job of listening and assessing the appropriate course of action for me to take regarding my issue."

"My investigator was fantastic! Polite, concerned and helped me immensely!"

"Customer service was outstanding. My questions were taken seriously, suggestions as how to proceed going forward were useful. I felt that my concerns were listened to. Excellent work."

"Very helpful."

"Very helpful and thorough. Went the extra mile and sent me the contact information that I was looking for all day in just a few minutes."

"Thank you, for all your help. I will keep in touch if I need your assistance again."

"The Arizona Ombudsman-Citizen' Aide is the last vestige for seeking some piece of justice, fairness, honesty, integrity and resolution."

"Excellent communication."

"They were extremely helpful in this matter. I was very happy that she called and gave me all the information."

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"After 12 1/2 long weeks, I got payment today and I wanted to tell you thank you again for all your hard work and dedication on my case. Your office's existence is extremely important to people like myself, and I hope the Legislation never fails to realize that. You guys are our voice when we cannot be heard."

"I have asked for assistance from the Ombudsman several times in the last few years and you have always taken care of my problems! You guys are the best!"

"I wanted to thank you again for ALL your amazing help and to let you know that I am OFF the DES payroll and back to work (not full time but better than nothing). I had great help from the DES Ombudsman's office as a result of your intervention."

"Yvonne is knowledgeable and thorough."

"I wanted to thank you for all your effort and time you invested in my claim. I couldn't be more grateful as I don't think my issue would've been resolved without you reaching out to them. My claim has since been resolved and I have received all my past due payments."

"I got my back pay money!! It's finally over!! I am so thankful for you and helping with the communication."

"A lovely person from the DES Return to Work Bonus Program called and said they had it all fixed and were letting me apply. I can't thank you enough and your office has my vote of confidence."

"Just wanted to share my sincere appreciation for all of your dedication, hard work, and compassion in helping me get this matter taken care of."

"You are the greatest. Just got paid. I know a lot of people in need of this kind of help."

"I would like to take the time to express my sincere appreciation for the exemplary service provided."

"I am so impressed and thankful for the swift action with my problem! This was my first time reaching out to an ombudsman regarding any matter, and I couldn't be happier with your service. You get the job done. Thank you!"

"All in all, a great outcome. I want to thank you very much for assisting me. It was exactly the type of help I was searching for but didn't know how to find."

"Thank you for being my intermediate as it finally ends three months of dead-ends. I really appreciate your service."

"Yvonne was stellar, couldn't have asked for a better person. She went above and beyond in assisting me."

OPTIMIZING OUR STATE GOVERNMENT

COMPELLING CASES

The following case summaries are examples taken from the 6751 cases we handled in FY2022.

GENERAL COMPLAINTS ABOUT STATE AGENCIES

Our intervention resulted in better service for the citizens as exemplified by:

2104612. Department of Economic Security - Employment and Rehabilitation

A resident applicant complained they were entitled to Unemployment Insurance (UI) benefits, but an issue prevented the benefits from being issued by the Department of Economic Security (DES). Further, they were having trouble contacting anyone from DES to help them. The resident claimed they were stuck. They believed they had submitted everything that DES had asked of them but didn't know what was causing the delay. We reviewed the case to ensure their claim had been submitted correctly and answered the complainant's questions. We followed up with our contacts over at the DES Ombudsman's Office over the next month to get attention and assistance to the case. DES reviewed the matter and assisted the complainant to resolve the claim. The benefits were issued to the complainant who thanked us for helping to facilitate a resolution and helping them receive their benefits.

2203005. Board of Occupational Therapy Examiners

An occupational therapist contacted our office regarding an issue reaching the Board of Occupational Therapy Examiners. They alleged that the Board had not responded to a complaint they submitted several months prior. We reviewed the matter and asked the Board to respond to the complainant. The therapist contacted our office later that day letting us know they had been contacted by the Board and their concern had been addressed and resolved.

2200950. Department of Public Safety

A security guard complained he had issues with renewing his license and having his Fingerprint Clearance Card processed. The man claimed he was having trouble contacting the Department of Public Safety (DPS) and had been waiting for weeks to get assistance.

We asked DPS to investigate the matter. DPS did so and contacted us within a day to inform us they had processed and cleared the fingerprints and printed the card. The card was available to be picked up by the complainant. We thanked DPS for reviewing and addressing the security guard's complaint.

2200993. Arizona Department of Revenue

A taxpayer was having a problem with a missing tax refund from their 2020 tax filing. The taxpayer stated they had made several unsuccessful attempts to receive, or at a minimum, find the status of their refund from the Arizona Department of Revenue (DOR). DOR had not resolved the issue, so the complainant contacted us.

OPTIMIZING OUR STATE GOVERNMENT

Our office reviewed the situation and then asked DOR to review the taxpayer's records, filings, and complaint to determine if the taxpayer was indeed owed a refund.

DOR responded several days later to advise they had reviewed the taxpayer's information and agreed that the person was owed the refund. DOR further advised that the taxpayer could expect the refund within approximately ten days. Several days later the taxpayer emailed our office thanking us for our assistance and stating the problem had been corrected.

2108102. Board of Barbers

A barber contacted our office regarding a processing delay of their license application with the Board of Barbers. The barber was told it would take 60 days for the application to be processed, but it had been more than the 60-day timeframe. They also stated that the Board would not give an updated timeline to finalize the application. We contacted the Board about the processing delay and shortly thereafter, the Board informed our office that it processed and approved the application. We informed the complainant and closed the case.

2104768. Department of Economic Security - Employment and Rehabilitation

A resident claimed they had been waiting for an adjudicator to review their Unemployment Insurance (UI) application for months. The person further stated that representatives from the Department of Economic Security (DES) had been contacted repeatedly but had failed to resolve the issue.

We repeatedly pressed DES over the next two months to resolve the complainant's claim. DES informed us the complainant had been assisted, yet the complainant countered that DES had actually failed to fix the UI issues and no monies had been released. We followed up on a consistent basis with DES, until the complainant received their benefits. The complainant thanked us for our persistence, and we closed the case.

2106002. Department of Revenue

A taxpayer contacted our office after waiting several weeks for the Department of Revenue (DOR) to process a Power of Attorney (POA) form. We asked the DOR Ombudsman to consider the matter and asked them to help ensure the form was processed. The DOR responded within 24 hours to inform us the form had been processed and the issue was now resolved. The taxpayer thanked us for our intervention.

2200053. Department of Economic Security - Child Support Services

A mother complained about the Department of Economic Security's (DES) Division of Child Support Services (DCSS). She had difficulty reaching someone at DCSS regarding issues with her child support payments. She stated that too many fees were being taken from her payments and she could not reach anyone from DCSS to explain and request her account be corrected.

We requested the DES Ombudsman's Office review and fix the case, as necessary. A DCSS Case Manager contacted the parent to address the concerns and to send relevant financial documentation. The agency and the mother resolved the issues with the case. The parent thanked us for our assistance.

OPTIMIZING OUR STATE GOVERNMENT

Our intervention resulted in stopping an unfair financial burden on a citizen as exemplified by:

2104942. Department of Economic Security - Employment and Rehabilitation

A resident contacted our office about having trouble obtaining assistance regarding their Unemployment Insurance (UI) claim when contacting the Department of Economic Security (DES). The complainant had not received benefits for several months and asked if we could help facilitate ensuring their claim received attention and assistance. We reached out to our contacts at DES and continually followed up on the claim for over a month until finally receiving a response that the complainant received their benefits. DES issued a payment to the complainant for the 16 missing payments that had been held. The complainant thanked us for helping ensure their case was addressed and they received their missing benefits.

2106110. Arizona Department of Administration

Our office was contacted by a former state employee regarding an ongoing billing issue with their dental provider through the state. We contacted the Arizona Department of Administration (ADOA) to ensure the concern was handled properly. We also forwarded supporting documentation provided by the complainant. ADOA promptly responded to say they would investigate the matter and ensure it was appropriately addressed. Shortly after, the complainant informed our office they had been contacted by ADOA and received a refund check for the duplicate charge. The complainant thanked us for intervening and facilitating a resolution to an issue that had been ongoing for months.

2106327. Department of Transportation - Motor Vehicle Division

A motorist contacted our office to dispute owing state taxes on a vehicle purchase made the prior year. The complainant provided proof that the taxes had already been paid.

We contacted the Arizona Department of Transportation, Motor Vehicle Division (MVD) about the issue and provided the supporting documentation from the complainant showing the taxes for the vehicle had been paid. MVD reviewed the information and confirmed the agency made an error. We learned that the fees were collected by the MVD but were not sent over to the Department of Revenue (DOR), causing the system to reflect the taxes were still owed. MVD staff processed the payment in the system to correct and resolve the problem. MVD then informed the complainant.

2106480. Department of Revenue

A taxpayer contacted our office to dispute a \$50 penalty return fee that had accrued and was owed to the Department of Revenue (DOR). The taxpayer didn't understand why they were being charged this fee and were having trouble contacting the Department of Revenue (DOR). We asked DOR to review and address the concern.

DOR reviewed the complainant's account and explained that there was a recent return funds fee penalty assessed for their recent payment that was due that month. DOR found that the payment was returned because the complainant did not enter the first two digits of the account number when the payment was online. Due to this being an honest error, no prior return funds fees over the last year, and a replacement payment being made within a week of being returned, DOR abated the return funds fee penalty. The

OPTIMIZING OUR STATE GOVERNMENT

complainant thanked our office for helping ensure DOR reviewed and addressed the problem, which resulted in them not having to pay the penalty return fee.

2201755. Arizona Health Care Cost Containment System

Our office received a complaint from an Arizona Health Care Cost Containment System (AHCCCS) provider. They alleged that an error created by AHCCCS resulted in a hardship for their business. The provider claimed their business's AHCCCS contract was canceled in error by AHCCCS, so they were no longer getting paid by AHCCCS, nor receiving referrals for their contracted services. The provider claimed this was affecting their business and threatening their ability to keep employees. They claimed they had tried to resolve the issue with AHCCCS but were informed it may take up to 90 days to correct the issue. The provider explained they were afraid their business may not last 90 days.

Our office reached out to our contacts at AHCCCS and explained the issue and requested that AHCCCS please review the complaint and determine if a correction could be made if it was found that the agency caused the error. AHCCCS responded several days later that they had reviewed the provider's case and were communicating with them to expedite a correction of the error.

2106901. Department of Revenue

A taxpayer contacted our office regarding an error on their tax form resulting in a tax penalty of \$1,500. We reached out to the Department of Revenue (DOR) and requested that they review the complainant's allegations to determine if the penalty fee was issued incorrectly. We learned that the taxpayer's Certified Public Accountant (CPA) made a mistake with the father and son's Social Security Numbers, submitting the same one on both returns. DOR explained the issue to the taxpayer, fixed the issue for processing, and notified them that the account had been cleared. The taxpayer thanked both DOR and our office, and we closed the case.

Our intervention helped resolve a grievance against a state agency as exemplified by:

2105624. Department of Education

A resident contacted our office regarding issues accessing their Empowerment Scholarship Account (ESA) funds and having trouble contacting the Arizona Department of Education (ADE) for assistance. The complainant stressed that the funds in their account were showing a zero balance and that none of the telephone numbers that were designated to contact ADE about ESA problems were working.

Our office reached out to ADE with the details of the concern and inquired about the issue. We learned that ADE had notified all ESA parents of the delay one week prior and provided an estimated timeframe for funds to transfer and the Class Wallet accounts to activate for funds to be made accessible. ADE explained that they were also working closely with the Treasurer's Office regarding the status of the fund migration and had a follow-up email planned for that day to keep parents informed. We determined that ADE took appropriate steps to notify and update parents regarding the delay and promptly addressed the issue to the complainant's satisfaction.

OPTIMIZING OUR STATE GOVERNMENT

2107304. Registrar of Contractors

A homeowner complained that the Registrar of Contractors (ROC) was failing to discipline a contractor who had botched a roof repair. The complainant alleged that the ROC refused to investigate the matter due to a small diverter they installed to stop the leak while waiting for the ROC to send an inspector out. The homeowner claimed that the diverter was necessary in order to prevent further damage to their home when it rained. We reached out to the ROC regarding the allegations and to learn more about the case.

The ROC explained that the complainant had not hired the contractor to repair the leak and provided us with a recording that showed the complainant had installed their own underlayment in the roof, significantly modifying the area that was the subject of the initial complaint. Additionally, as per statute, the ROC is required to dismiss a case brought before them when a worksite was subject to modification by a third party.

After reviewing the information, our office found that the complainant had incorrectly conveyed the situation. The ROC had acted appropriately and in accordance with the law when dismissing the complaint against the contractor. We closed the case.

2107652. Department of Economic Security – Employment and Rehabilitation

A resident who was legally blind said they had been denied Unemployment Insurance (UI) benefits. They claimed they had contacted the Arizona Department of Economic Security (DES) and requested an accommodation for their disability so they could receive assistance with their UI appeal request. The complainant stated they were told they would be contacted by a DES representative to assist with arranging the accommodations; however, they were never contacted and the deadline for the appeal had passed.

Our office alerted DES and requested the agency review and address the matter. Shortly after, DES informed our office that the agency agreed the complainant was entitled to an accommodation related to their disability and would reschedule an appeal.

Our intervention resolved cases that no one else was able to resolve internally:

2105155. Department of Economic Security – Division of Developmental Disabilities

A resident contacted our office about the maintenance of a parcel of land in her neighborhood that wasn't being maintained. The resident tried to notify the owner directly, but she had trouble ascertaining who the owner was. She contacted the Division of Developmental Disabilities (DDD), then went on to the administrative section of the Department of Economic Security (DES). From there, she contacted the Arizona Department of Land Management, then the Arizona Department of Administration (ADOA), and finally our agency. The resident also made a public record request looking into the vendor in charge of the land and whether the land is licensed with a state agency.

OPTIMIZING OUR STATE GOVERNMENT

We spoke to the various agencies. ADOA, discovered a deed to the land showing it is owned by ADOA but is assigned to DES in order to run a group home for developmentally disabled adults. We checked to see if the Department of Health Services (DHS) had jurisdiction because it usually has oversight over group homes. However, DES noted that a unique provision in law exempted them from DHS oversight of the property. Thus, DES DDD was responsible. We informed them of such and DDD administrators said they would have the overgrown landscaping cleared and the house appearance neatened. We informed the complainant.

2107301. Department of Transportation – Motor Vehicle Division

A motorist contacted our office seeking assistance with resolving an issue involving the Arizona Department of Transportation, Motor Vehicle Division (MVD). They alleged that their MVD record incorrectly reflected a medical suspension and revocation of their license and said they were guilty of a misdemeanor. The error was creating issues in the complainant's current state of residence. The complainant was further frustrated after unsuccessfully attempting to resolve the matter directly with MVD. They had called MVD and were repeatedly placed on hold for several hours.

We reviewed the matter and asked MVD to examine the motorist's situation and correct the record if the motorist's assertions were found to be correct. MVD looked into the case within the week and confirmed the agency had erred. MVD fixed the complainant's record in the Arizona MVD files and sent a correction letter via mail to the motorist's current state of residence to ensure that state jurisdiction was notified of the error and correction. The complainant thanked us for intervening and facilitating a resolution to their concern.

2203006. Arizona Department of Economic Security – Employment and Rehabilitation

A man said he had a problem clearing a fraud issue on his account. The man claimed that he had never been unemployed and had never applied for Unemployment Insurance (UI) benefits; however, the Arizona Department of Economic Security (DES) claimed that he received UI benefits fraudulently. DES then intercepted his tax return as a partial re-payment to the state for the fraud. The man said that DES had even tagged his social security number with a fraud alert, which adversely affected his credit. The man claimed this was unfair, as he had reported the fraud as soon as he became aware and had followed all instructions provided by DES. Regardless, the issue had been ongoing now for almost five months, yet DES still had not resolved the issue, returned his withheld tax return funds, or otherwise progressed his case.

Our office reached out to our contacts at DES to inform them of the man's claim and request they review his case. A few days later the man contacted our office saying that since our involvement, he had now received communication from DES; however, DES staff had sent him emails intended for other individuals even though they had spoken to him.

At the same time, DES also contacted us. Agency staff stated that the man's fraud issue had been cleared up and said they provided him with instructions about how to obtain a refund.

OPTIMIZING OUR STATE GOVERNMENT

After relaying the information received from DES to the complainant, the man countered that his fraud issue had in fact not been cleared, and DES was still not releasing his funds.

Our office recontacted DES staff and asked them about the contradictory information they had provided. DES said that the fraud issue was unresolved as the man had reported. DES staff explained that several divisions were now involved, and although one division seemed to show the issue as being resolved, other divisions still had to do their parts. Several days later, DES told us the man's fraud issue had now been fully resolved, the fraud tag had been removed from his social security number, and a check had been mailed to the man for the tax refund the agency had intercepted.

Our office informed the man and closed the case.

Our intervention identified a field practice that was not in accordance with the agency's stated procedures and statutes, as exemplified by:

2108150. Department of Public Safety

A resident contacted our office about a Concealed Weapons Permit application they had submitted and were still waiting for the Department of Public Safety (DPS) to process. The complainant alleged that they had been waiting for almost three months for their permit when it should have been processed within 60 days. We reached out to the DPS Ombudsman and learned that there were significant delays due to understaffing and an increase in Concealed Weapons Permit applications. The DPS Ombudsman confirmed receipt of the complainant's application and informed our office that the permit was approved and had been mailed to the applicant. Additionally, the DPS Ombudsman explained that the agency was actively taking steps to reduce processing times. We thanked DPS for their efforts in identifying the issue, resolving it, and assisting the complainant. We later closed the case.

2104849. Department of Economic Security – Employment and Rehabilitation

A Department of Economic Security (DES) beneficiary was having issues with their Unemployment Insurance (UI) benefits. They said they had not received the prior month's payment due to being incorrectly marked as not being eligible. They said they submitted all the documentation requested as well as followed the steps to receive benefits from our review.

We contacted the agency's Ombudsman regarding this issue. The DES Ombudsman's Office had the UI section staff analyze the situation. Subsequently, the office informed us that the beneficiary had been contacted and the issues were cleared. DES confirmed that the disqualification was in error and noted that the Deputy Supervisor coached the adjudicator about the error. The beneficiary contacted us saying that all the open issues had been resolved and the payment had been deposited into their account. They thanked us for facilitating a resolution to their issue.

OPTIMIZING OUR STATE GOVERNMENT

Our intervention found a negative trend as exemplified by:

2201828. Arizona Department of Housing

A mortgage lender said that a refinance process was being inappropriately stalled for her client because a lien had not been removed by the Department of Housing's Pathway to Purchase. The complainant said they had made numerous attempts to contact the Department of Housing to resolve the problem. They wanted the Department to follow standard procedures in such cases and remove the lien since the debt was paid off in a refinancing deal.

We reviewed the matter and then asked the Department of Housing to do the same as it appeared to be a legitimate request. The Department of Housing reviewed the file information and communications and decided to remove the lien as requested. The complainant mortgage worker confirmed her client's lien had been removed by the Department of Housing.

2202184. Arizona Department of Housing

A homeowner who had participated in the Arizona Department of Housing's (DOH) Save our Home Program contacted our office regarding a problem with DOH not releasing their home's lien, after having successfully completed the program's requirements. The homeowner claimed the lien should have been released several months earlier. Our office reached out to our contacts at DOH and requested the agency either release the lien on the complainant's home or advise why it could not. DOH responded a few days later to advise that the agency had reviewed the matter and released the lien. The homeowner thanked us for intervening and facilitating a resolution.

OMBUDSMAN INTERVENTION IN DCS CASES

The Arizona Ombudsman Citizens' Aide looks into complaints people have against the Department of Child Safety (DCS). Parents, grandparents, and other relatives of the child often seek help from our office when they believe DCS has treated them unfairly. Other sources of complaints include foster parents, adoptive parents, community service providers, and members of the Arizona State Legislature.

The majority of the coaching and assistance inquiries we receive involve clarification of DCS recommended services, explanation of the DCS and dependency processes, facilitation of communication by the caseworker and legal counsel, and explanations about visitation or placement issues.

Our Department of Child Safety cases were 22% of our total caseload in FY2022.

We contact DCS to gather agency administrators' perspectives on assistance and investigation complaints. Typically, a phone call or e-mail message to DCS staff can resolve frequently received complaints such as caseworker assignment problems, copies of case plans, failure to receive notification of staff meetings, requests for the Foster Care Review Board (FCRB), or court hearing dates. Case managers, supervisors, or

OPTIMIZING OUR STATE GOVERNMENT

upper DCS management may provide clarity as to events, laws, or policies and procedures. We facilitate clear communication between families, our office, and the various points of contact within DCS.

Some of the complaints we receive require an in-depth review of the case and direct contact with the caseworker or agency representative. These are often complaints where residents feel that the agency violated their rights or failed to provide adequate services. With these complaints, our office may initiate full-file reviews, request documents and other supporting data, and/or meet with DCS staff. We review case correspondence, therapeutic reports, and the DCS GUARDIAN database as sources of information to help facilitate the resolution of disputes.

Many of the complaints that we address are fairly isolated or case specific. However, for some issues, we identify patterns among multiple complaints that indicate systemic issues or deficiencies regarding DCS actions. In these situations, resolving one particular complaint is not enough. Instead, we identify the recurring issues and bring them to the attention of DCS management for systemic resolution.

Most often with DCS cases, we serve as an information guide to the public. We go to great lengths to equip parents, other family members, fosters, service providers, mandatory reporters, and even the older children in the system about how they can better inform themselves and improve the outcomes for their particular child safety situation. We developed two resource booklets with the Supreme Court Improvement Committee that our staff distributes frequently in DCS cases.¹ We recommend these booklets for legislative staff as we think you will find them to be great resources. One booklet is a collection of reference and explanatory materials for those who find themselves involved with DCS or in a dependency case. The second booklet is a resource compendium of community services that might be helpful to people in a variety of circumstances.

OMBUDSMAN DCS CASE LOG FY 2022 KEY CATEGORIES

The following chart shows who and where some of our DCS calls come from as well as the type of complaints.

¹ See page 3 for links to the booklets.

OPTIMIZING OUR STATE GOVERNMENT

DCS Complainant Information Chart –July 1, 2021 – June 30, 2022	
DCS Complaint Source Relationship	
Parent/Guardian	1031
Kin/Significant Contact	340
Service Provider	14
Child	5
Foster	75
Attorney	11
Agency Worker	6
Other	40
Type of Complaint	
Removal Issues	112
Service Issues	58
Visitation Issues	152
Communication Issues	430
Record Issues	69
Placement Problems	208
Investigation Issues	190
Inadequate efforts toward the case plan goal	169
False Allegations	125
DCS Process Questions	310
Adoption	15
Caseworker	415
Payment Issue	24
Judicial Issues	57
Attorney Issues	24
Criminal Investigation Issues	5
Special Task	4
Other	138
Unknown/NA	82

The Legislature instructs us in our budget note to emphasize DCS cases. During the FY2022 period, 22% of our total cases were about DCS. Of the State’s major agency divisions 1,496 cases concerned DCS, 926 cases concerned DES Unemployment Insurance, and 454 cases concerned DES Nutrition and Medical Assistance in FY22.

OPTIMIZING OUR STATE GOVERNMENT

Below are some examples where our intervention helped resolve concerns with DCS.

Our intervention identified a field practice that was not in accordance with the agency's stated policy/procedure, statutes, or case law as exemplified by:

2200979. Department of Child Safety (DCS)

A paternal grandmother said she was assisting her adult son as he had not received the records that he requested from the Department of Child Safety (DCS). Her son was involved in a DCS matter. She alleged her son requested the records from DCS four months prior. She provided the DCS Records Request Form that the father told her he had used to submit the request to the agency.

We reviewed the matter and relevant laws. Regarding a records request of DCS, the Arizona Administrative Code R21-1-104(C) says that "within 30 workdays of the receipt date," the Department shall provide the requester with a written response. Additionally, Arizona Revised Statutes § 39-121.01(D)(1) says state agencies must provide records "promptly."

We then asked the DCS Ombudsman's Office to provide information regarding the records. DCS Ombudsman staff looked into the situation and confirmed the records had not been sent to the father yet. DCS realized the error and expedited the records request. The agency sent the father his records about a week after our intervention.

2108167. Department of Child Safety (DCS)

A grandmother contacted our office with concerns regarding her foster certification. She had already completed all the required steps, including applying for foster certification on November 8, 2021.

Our office reviewed the matter and then asked the Department of Child Safety (DCS) Ombudsman's Office to check on the status of the application. According to Arizona Administrative Rule R21-6-407(D), the DCS Office of Licensing and Regulation (OLR), has sixty days to process the application and provide an answer on the status of the license. According to the DCS Ombudsman's Office, this would put the deadline on January 7, 2022.

DCS missed the deadline, but our office continued to follow up with the agency throughout January regarding the licensing status. On January 26, 2022, the DCS Ombudsman's Office revealed that there were issues with multiple ICPC requests, which further delayed processing. On February 2, 2022, the OLR claimed that additional documentation was needed before they could finalize the application. The requested documentation was provided to OLR later that same day.

OPTIMIZING OUR STATE GOVERNMENT

On February 8, 2022, the grandmother contacted our office again, as she still had not heard anything and had not received her license. She stressed the urgency of the matter and alleged that officials from another state involved in the case were ready to put the child up for adoption. We continued to follow up with DCS regarding this concern to help ensure it was receiving the necessary attention. On February 17th, DCS issued the license to the grandmother who confirmed receipt.

2200256. Department of Child Safety (DCS)

A father alleged he received a blank Notice of Duty to Inform (NDI) and that he was unaware of the allegations against him. He also provided a copy of the Notice that he had received from the Department of Child Safety (DCS), confirming his allegation. Arizona Revised Statute § 8-803(A)(2) requires that DCS's NDI must state in writing, "The specific complaint or allegation made against that person."

We asked the DCS Ombudsman's Office to provide the father with a new NDI with the specific allegations against him. The office let us know the investigator had emailed the father with an updated copy of his NDI with the specific allegations.

2201014. Department of Child Safety (DCS)

A mother contacted our office seeking guidance with her Department of Child Safety (DCS) case. She stated DCS substantiated allegations against her and she wanted to know how to get her child returned to her custody. We noted that under the law, she may appeal the decision made by the Protective Services Review Team (PSRT) and walked her through that process. We also suggested she speak with an attorney about her situation and legal options regarding the custody of her child.

The mother also alleged DCS did not provide her with the allegations against her when the agency first initiated contact. She provided a copy of her Notice of Duty to Inform (NDI) that showed the intake number rather than the specific allegations against her. This confirmed DCS acted contrary to law because Arizona Revised Statutes § 8-803(A)(2) requires that the NDI must state in writing, "The specific complaint or allegation made against that person." The NDI provided to the mother did not state the allegations as required by law.

We asked the DCS Ombudsman's Office to provide the mother with a new NDI. We also recommended DCS ensure parents receive the specific allegations against them in writing as well as verbal communication in accordance with the law and agency policy. DCS refused to provide a new NDI because they are issued on a specific date. However, they did send the mother a written email and spoke with her over the phone to confirm the allegations against her had been provided.

OPTIMIZING OUR STATE GOVERNMENT

2202377. Department of Child Safety (DCS)

A mother alleged she received a letter of substantiation with an appeal packet in English, although her native language is Spanish. As such, she did not know how to file the appeal. She received the determination about 15 days before she contacted our office. We let her know that she only had 20 days to appeal the decision. We contacted the DCS Ombudsman's Office to ensure DCS would get the mother the correct paperwork. We also asked if the mother's timeline for appeal would change based on her not being sent the form in a language she fully understood.

DCS let us know the mother had been sent a letter of proposed substantiation and the Protective Services Review Team (PSRT) is still reviewing her case before it makes a final decision. Therefore, the 20-day timeline did not yet apply to this case. DCS had also asked the case manager to change the mother's native language in DCS's case management system to reflect the mother's primary language as Spanish. This will ensure that the PSRT decision letter will be in the mother's primary language.

We later confirmed with the mother that she received a determination letter from PSRT that was in Spanish. She didn't agree with DCS's findings and wanted to know her next steps. We informed her about the appeal process and encouraged her to avail herself of this option. We reviewed the time frames in which to file the appeal. We invited her to return if she had any questions.

2202698. Department of Child Safety (DCS)

A mother expressed concern regarding her Department of Child Safety (DCS) caseworker. The mother explained her caseworker contacted the police and falsely informed them that she was intoxicated during her visits, which caused her visit to be canceled. She complained that the caseworker's bias and false statements had harmed her, and there was no truth to the caseworker's claims. She spoke with the supervisor to request a new caseworker, but the concern had not been resolved. Therefore, she turned to our office.

We reviewed the situation and spoke with the DCS Ombudsman Office. We asked them to examine the mother's concerns. DCS agreed. The agency assigned a new caseworker to the mother's case after speaking with the supervisor regarding the mother's concerns. The agency informed us and the mother of the result.

2202436. Department of Child Safety (DCS)

A father alleged the Department of Child Safety (DCS) did not notify him before it placed him on the Central Registry. He received a notification through his employer that he did not pass a background check because he was on the Central Registry. The father previously had a DCS case, but the judge assigned to his case did not substantiate the claims against him. As such, he did not think he was supposed to be on the Central Registry.

OPTIMIZING OUR STATE GOVERNMENT

Our office reviewed the DCS case management system, Guardian, but did not see any Protective Services Review Team (PSRT) determination letters associated with the father's most recent case. We asked the DCS Ombudsman's Office: If a letter of substantiation was sent to the father by PSRT, would the letter be located in Guardian? Similarly, would the case manager's letter of proposed substantiation be located in Guardian?

The DCS Ombudsman's Office let us know that the father's case was ruled on by a judge as a part of a dependency, not by DCS. Therefore, PSRT would not have sent the father a determination letter as the father would be notified by the courts during one of the hearings. DCS also provided us with the judge's findings. The court initially substantiated against the father, but he appealed the decision, and the decision was overturned. This may have created a misunderstanding, which led to the father mistakenly being placed on the DCS Central Registry. Upon further reviewing the court findings, DCS found that the father should not have been substantiated against in its files and placed on the Central Registry. DCS then sent him a letter showing that his case has now been changed to "un-substantiated" and DCS removed him from its Central Registry. DCS also clarified the situation with his employer. We confirmed that the father's concerns were addressed, and he thanked us.

Our intervention identified a negative trend as exemplified by:

2201053. Department of Child Safety (DCS)

A father alleged the Department of Child Safety (DCS) did not provide him with the contact information for his DCS case manager nor their supervisor when given his Notice of Duty to Inform (NDI). He also relayed that the NDI didn't show the specific allegations being investigated, only the intake number. Arizona Revised Statutes § 8-803(A)(2) requires that DCS's Notice of Duty to Inform must state in writing, "The specific complaint or allegation made against that person."

The father had not yet been to the DCS Ombudsman's Office for assistance, so we asked the office for intervention and requested it review the notice. DCS confirmed the NDI had not been properly filled out by the DCS caseworker. The office then provided the father with an updated and corrected NDI. The new NDI now stated the specific allegations and contact information for the case manager and the supervisor. We confirmed with the father that his concerns were resolved.

Our intervention resulted in financial savings for a citizen or stopped an unfair financial burden on a citizen as exemplified by:

OPTIMIZING OUR STATE GOVERNMENT

2201961. Department of Child Safety (DCS)

A foster parent alleged the Department of Child Safety (DCS) had not provided her with daycare reimbursement, nor had the agency given her an allowance for clothing or school supplies. We asked the DCS Ombudsman's Office to address her concerns.

DCS let us know the daycare referral had not been placed by the case manager. The case manager was asked to enter the referral as soon as possible and update the foster parent. DCS confirmed that the requests for the clothing and school supply allowances had also been put into the system, but the agency had not yet issued an invoice. DCS worked with the foster mother to ensure the invoice had been issued and the foster parent was paid. The foster mother later confirmed that she had been provided all of the money she was owed by the department.

2107822. Department of Child Safety (DCS)

A foster mother contacted our office regarding Department of Child Safety (DCS) concerns. She was having communication issues with the original case manager and alleged that the case manager was not adhering to the case plan adequately. She noted there was now a new case manager on the case, so we suggested she first work with the new case manager to address possible concerns. The foster mother also claimed that she had submitted a rate change several months prior due to DCS putting a medically complex child in her care, but DCS had not corrected her account. She claimed she had reminded DCS repeatedly with follow-up emails regarding the change, but the agency had not acknowledged, nor updated, her file to reflect this.

We reviewed this with the DCS Ombudsman's Office staff. They noted the resource unit had not received the rate change form yet. DCS contacted the foster parent and told us the agency would release the funds shortly. We notified the foster mother and encouraged her to return if any other concerns arise.

Our intervention resulted in better service to citizens as exemplified by:

2107684. Department of Child Safety (DCS)

A mother contacted our office because the Department of Child Safety (DCS) had not selected her father as a placement option for her child. The maternal grandfather had been contacted by DCS months before undergoing a background check. We reached out to the DCS Ombudsman's Office to address the mother's concerns.

The DCS Ombudsman's Office let us know the case manager had resumed contact with the grandfather after our inquiry, and the agency had updated the mother. We later spoke with the

OPTIMIZING OUR STATE GOVERNMENT

mother who confirmed her father had been contacted and a background check had been performed, but he was now awaiting results.

2107845. Department of Child Safety (DCS)

A father contacted our office upset because the Department of Child Safety (DCS) was not addressing his case properly. He had previously been in contact with the DCS Ombudsman's Office. A father contacted our office upset because the Department of Child Safety (DCS) was not addressing his case properly. He had previously been in contact with the DCS Ombudsman's Office but felt his concerns were not handled properly there. He said he believed his case was in severance, but he had not been provided with services to attempt reunification as required in law. He also provided a list of family members who could be responsible adults, but they seemingly were not being considered by DCS as potential placements. The father also said he had missed several visits, but his case manager had not attempted to reschedule them.

We asked the DCS Ombudsman to address these concerns. DCS let us know the father had four cases - three were in severance and adoption, and the last was in reunification. DCS also stated the case manager was unable to reach the father to set up a meeting to discuss the case plans. DCS asked that we have the father contact his case manager to schedule this discussion. DCS also stated the father had not addressed his concern about the responsible adults with the agency, but DCS would consider the relatives and update the father when a decision is reached. Finally, DCS agreed it owed the father 16 visitation hours, and the case manager would work with the father to determine a schedule that worked for both him and the children.

We spoke to the father about our findings. We suggested that he talk to his attorney about possible legal options. We also encouraged him to return if he had any further questions.

The father later returned stating his visit was canceled for the week, but his case manager was trying to double the visits for the following week. We noted the possibility that DCS did not have enough staff to supervise a visit for the current week but should offer to make up the time soon. We suggested he try that option but contact our office or a DCS supervisor if the case manager did not make an effort to make up the visit.

2107846. Department of Child Safety (DCS)

A grandmother contacted our office regarding various concerns with the Department of Child Safety (DCS). She stated she had not received any notification of her placement denial for one of her grandchildren. Further, she said she had not been informed whether she was approved or denied for placement of another grandchild. Finally, she had not received any visitations with the grandchildren and had not received contact from the case manager regarding the visits.

OPTIMIZING OUR STATE GOVERNMENT

We reached out to the DCS Ombudsman's Office which let us know the agency had not received the grandmother's appeal paperwork and requested it to be resent. DCS stated that a determination letter had been sent to the grandmother after our inquiry regarding the placement of the other child. Additionally, the case manager was looking into options for visitation for both children and would be in contact with the grandmother when further options were known. We discussed our findings with the grandmother, and she thanked us.

2200236. Department of Child Safety (DCS)

A mother contacted our office regarding an issue with the Department of Child Safety (DCS). She stated she was having issues with in-home services being set up. Someone should have come out no later than January 14, 2022, but she had not heard from anyone, and it was a week after that date.

We reached out to the DCS Ombudsman's Office and asked when the mother was expected to be contacted by In-Home Services. DCS confirmed and let us know someone from In-Home Services should contact the mother within two days. The DCS Ombudsman's Office also provided contact information for the DCS employee who was assigned to the case.

We relayed the contact information for the In-Home Services employee to the mother and encouraged her to return should she need further assistance.

2200246. Department of Child Safety (DCS)

A mother contacted our office regarding Department of Child Safety (DCS) concerns. She believed the allegations stated by DCS were against her ex-husband and not her. Additionally, she received a Notice of Duty to Inform (NDI) alleging sexual abuse, which she said confirmed her worry and prompted her to call.

We reviewed the matter and then asked the DCS Ombudsman's Office about the allegations as the allegations against the mother seemed to be incorrect. DCS confirmed that the allegation was in fact neglect by her, not sexual abuse. They also noted they spoke to the mother as she was also seeking information on how to obtain DCS Records. DCS said they clarified the allegations when they walked the mother through the records process.

We reached back out to the mother to confirm all her concerns had been addressed.

2200597. Department of Child Safety (DCS)

A father alleged the Department of Child Safety (DCS) was restricting his ability to see his son, but he was not aware of any allegations made against him. He also said he did not have the contact information for his case manager or the supervisor.

OPTIMIZING OUR STATE GOVERNMENT

We asked the DCS Ombudsman's Office to provide the father with the allegations against him as well as contact information for his case manager and their supervisor. We also asked about the father having visitations with his child.

The DCS Ombudsman's Office confirmed the problems existed. The agency gave the father the relevant contact information. The DCS Ombudsman's Office noted it was not able to provide the father with a Notice of Duty to Inform (NDI) but stated it had asked the case manager to do so. The DCS Ombudsman Office also relayed that the case manager was not aware the father was being restricted from visiting with his child since they had not placed this restriction. DCS let us know the case manager's supervisor had spoken to the father and relayed that his case manager would schedule a time to meet with the father.

2200897. Department of Child Safety (DCS)

A mother alleged the Department of Child Safety (DCS) was not acting promptly on placing her children with her sister. She also claimed DCS was not allowing her to have virtual visits with her children, although the judge noted that would be allowed. Finally, the mother mentioned that services had not been set up for her son in a timely fashion.

We asked the DCS Ombudsman's Office to address the mother's concerns. DCS provided explanations and addressed the concerns. DCS said the mother should work with her case manager and their supervisor to receive the visits virtually if she wishes. We told the mother to return to us if the situation did not improve along these lines.

2201342. Department of Child Safety (DCS)

A father alleged the Department of Child Safety (DCS) was not giving him court-ordered visitations and that he was having issues getting in contact with his case manager.

He had not yet addressed his concerns with management at DCS, so we asked DCS to intervene and assist him. DCS then had staff contact the father. DCS stated it had made arrangements so that the father now had a new plan to make up for the missed and future visits. The agency also let us know the assigned case manager had contacted the father to address other concerns he may have.

2201502. Department of Child Safety (DCS)

A mother alleged she had not been contacted by her Department of Child Safety (DCS) case manager and was unaware of how to reach them. She also wanted to make sure her children were safe. We asked the DCS Ombudsman's Office to provide the mother with her case manager's contact information as well as information for their supervisor. We also asked about the date the children were last seen.

DCS let us know the agency had provided the relevant contact information to the mother and when the agency had last seen the children and that they are safe.

OPTIMIZING OUR STATE GOVERNMENT

2201818. Department of Child Safety (DCS)

A mother alleged the Department of Child Safety (DCS) Ombudsman's Office was unresponsive to her. She alleged that she had sent them several communications about her situation and issues, to no avail.

We asked the DCS Ombudsman's Office to contact the mother and address her concerns. DCS let us know they were short-staffed, so their response times had been delayed. They subsequently contacted the mother and addressed her issues.

2201872. Department of Child Safety (DCS)

An aunt of a child in the Department of Child Safety's (DCS) care, who was also a licensed foster parent, asked to become the placement for the child.

We took her request to the DCS Ombudsman's Office. DCS let us know the foster had been asked to obtain a medically fragile license. DCS said they were working with her to get the new upgraded certification. We confirmed this with the aunt and encouraged her to return if she needed further assistance. She thanked us.

2201911. Department of Child Safety (DCS)

A mother alleged the Department of Child Safety (DCS) Ombudsman's Office was not being responsive to her. She noted that she emailed the agency on April 21, 2022, but she had not received any further contact as of April 26th, when she reached out to our office. We asked the DCS Ombudsman's Office to contact the mother.

DCS let us know the agency had requested identifying information from the mother, but the agency had not heard back from her; however, because our initial contact with DCS had supplied the information it needed, the agency used that to further investigate the mother's concerns. The agency later let us know it had requested further information twice but did not receive further contact from the mother, so the agency attempted to resolve the mother's initial concerns through her case manager and the DCS supervisor. The DCS Ombudsman's Office ensured the mother had been contacted several times by the case manager.

2201682. Department of Child Safety (DCS)

A mother requested clarification on her Department of Child Safety (DCS) case. She alleged that DCS removed her children without providing her any paperwork. As such, she did not know the allegations against her or the next steps in the process.

We attempted to get further clarification of the status of the case by looking into the DCS Guardian system. There were no updated documents, so we could not determine how or why the children were removed. We then requested that the DCS Ombudsman's Office provide us

OPTIMIZING OUR STATE GOVERNMENT

with the court order, the Temporary Custody Notice, or the Present Danger Plan so that we could clear up the confusion with the mother. We also asked that the agency provide us with the Notice of Duty to Inform so the mother was aware of the specific allegations against her.

We confirmed this with the mother. She let us know that she had found a few people who could be responsible adults. She was waiting to hear of their approval status. She also wanted to know what her next steps were. We suggested contacting the case manager to question whether the responsible adult was approved. We let her know that if they were, the children would return to her home, according to the safety plan. We encouraged her to return if she had any further questions or needed further assistance. She thanked us.

2201692. Department of Child Safety (DCS)

A foster parent contacted our office regarding an issue with her licensing agency. She was concerned that her license had been closed, and she was unaware of the reason. She addressed her concerns through the Office of Licensing of Regulation (OLR) but felt that the office did not properly investigate. She had not contacted the Department of Child Safety (DCS) Ombudsman's Office, so we asked that office to review the case.

DCS let us know the agency had contacted the foster parent. DCS sent the foster parent various details about how OLR had investigated and how OLR had acted within the agency's policy to investigate the concerns. DCS also provided information from an email stating she would like to close her license at which point her license was closed. DCS suggested she speak with her licensing agency if the license had been closed by mistake.

We followed up with the foster to ensure her concerns had been addressed and closed the case.

2202816. Department of Child Safety (DCS)

A woman sought to become kinship placement of a child in the custody of the Department of Child Safety (DCS). She stated that her husband was the paternal uncle of the child and that she just found out the child was in DCS custody. She also noted that if the parent's rights were to be severed, they would like to adopt the child. She said there was an upcoming adoption hearing, but they didn't know the exact date. The woman also let us know that she had called the DCS Ombudsman's Office about three weeks prior but had not heard back from. We let the woman know that our agency is separate from DCS and explained the difference between our office and the DCS Ombudsman's Office.

We contacted the DCS Ombudsman's Office and reviewed the issues about the case. DCS agreed to address the woman's concerns. DCS spoke with the woman and got her in contact with the case manager. DCS addressed several issues with the woman.

OPTIMIZING OUR STATE GOVERNMENT

The woman asked our office for guidance on her next steps to get the child placed with her. She relayed that her family had completed the home visits, interviews, and background checks already and everything seemed to have gone well.

We informed her that the judge would ultimately decide whether to place the child with her and her husband. We confirmed that DCS had completed almost everything it needed to and was working on the remaining items. We encouraged her to return if she needed any further assistance. She thanked us.

2202673. Department of Child Safety (DCS)

A grandmother alleged she was not receiving court-ordered visitations with her granddaughter. She had been told by the Department of Child Safety (DCS) case manager and their supervisor that the visits had not been ordered by the court, so she was confused and needed clarification. She also was told DCS was going to complete a home study for her, but it would not occur for several months, and she wanted to know if she could receive visits elsewhere while she waited. We asked the DCS Ombudsman's Office to address her concerns.

DCS let us know that the court had denied placement with the grandmother but left visitation up to the discretion of the department. DCS further explained various aspects of the matter. DCS sent this information to the grandmother as well and encouraged her to work with the case manager to receive visitations while they waited for additional steps to be completed.

2202470. Department of Child Safety (DCS)

A grandmother expressed concern regarding the Department of Child Safety (DCS) not choosing her as the placement of her grandchildren. The grandmother claimed DCS had not provided her with a denial letter explaining the agency decision as is required by Arizona statute.

We spoke with DCS. DCS could not find a denial letter but claimed it was sent to the grandmother. With the agency unable to corroborate the original denial letter, we recommended that DCS distribute a new letter so that the agency could comply with due process laws by giving the grandmother an explanation of her appeal rights and access to the appeal process. DCS agreed. DCS further informed us that it held a Team Decision Meeting (TDM) with the family and determined the children would be returned home instead of kept at a placement. DCS then followed up to inform us a letter was sent to the grandmother.

2203317. Department of Child Safety (DCS)

A father expressed concern regarding the caseworker that was assigned to his Department of Child Safety (DCS) case. The father explained the DCS Specialist had been unprofessional with him and in how they handled the case.

OPTIMIZING OUR STATE GOVERNMENT

We reviewed the case and asked DCS to speak with the parties and investigate the actions and behavior of the DCS Specialist. DCS did so and subsequently agreed that further training for the DCS Specialist was in order. The DCS Ombudsman staff also stated they were further elevating the father's concerns to the DCS Program Manager to facilitate additional review and to discuss the situation further. The father stated he would update our office if any new concerns arose.

Our intervention identified a problem that resulted in a change in agency policy as exemplified by:

2200555. Department of Child Safety (DCS)

A mother alleged she had several false allegations made against her by a third party to the Department of Child Safety (DCS). We relayed our jurisdiction and provided information on Arizona Revised Statutes § 8-807(M). We also suggested she contact the Superior Court of her county for further assistance with filing a false allegation petition.

We later spoke to both the mother and the father who alleged DCS did not contact their Tribe when the case was initiated. We asked DCS to clarify the policy regarding notifying Tribal Nations of an open DCS case. DCS explained that Tribes are to be notified if a child is removed from the home, but there is no policy if the child has not been removed from the parent's custody. The child was not removed from the home in this case. However, DCS later decided to notify the Tribe of the agency's involvement with the children. We relayed the information to the parents.

2105913. Department of Child Safety (DCS)

A father complained that the Department of Child Safety (DCS) substantiated an allegation against him and placed him on the Central Registry, but never told him about his right to appeal the DCS decision. He also stated he was denied the right to appeal the decision. Upon further investigation and corroboration, we made several recommendations to DCS.

We recommended that DCS cite Arizona Administrative Rule R21-1-505 in its policy as it pertains to exceptions to one's right to a hearing. We also recommended DCS amend its Protective Services Review Team (PSRT) form letter to acknowledge and explain the rule as well. We further recommended that DCS amend the applicable FAQ to provide this information to parents in similar situations.

DCS partially accepted the recommendations. DCS claimed the policy manual should not be used for PSRT determinations and thus, it would not need to be altered. The agency did, however, note it would remove the current FAQ and replace it with an updated version.

OPTIMIZING OUR STATE GOVERNMENT

Our intervention resolved a case involving more than one agency or more than one level of government as exemplified by:

2200865. Department of Child Safety (DCS)

A sister asked for our assistance in helping her become placement for her sibling, who was a ward of the state through the Department of Child Safety (DCS). We relayed that we would not be able to order DCS to make her the placement but could investigate whether she had been properly considered for placement. The sister relayed she did not know what was happening with her sibling's case, nor did she know the current case manager.

We reviewed the DCS case management system, Guardian, but we did not see any indication that the sister was attached to the sibling's case. Federal and state statutes require DCS to contact all the relatives of children in state custody to inquire if they are interested in providing kinship care. We asked the DCS Ombudsman's Office if the sister had been considered and provided her contact information for further review. DCS let us know they had not been aware the sister wanted to be the placement of her sibling, but they reached out to her after our inquiry. The Interstate Compact on the Placement of Children (ICPC) paperwork was then completed so the child could be transferred to her sister who lives in another state.

2200953. Department of Child Safety (DCS)

An aunt contacted our office regarding several Department of Child Safety (DCS) questions. She recently obtained temporary custody of her nieces through a court order from another state, but she wasn't sure if DCS needed to be involved in the case. She also relayed she was having issues getting the children signed up for Arizona Health Care Cost Containment System (AHCCCS). We walked the aunt through the DCS process regarding Interstate Compacts on the Placement of Children (ICPC) and directed her to the DCS Policy and Procedure Manual for further guidance. We also provided contact information for the Department of Economic Security (DES) for assistance applying for AHCCCS. We encouraged her to return if she had any further questions. She thanked us.

OMBUDSMAN INTERVENTION IN PUBLIC ACCESS CASES

Outreach and Education

Educational Materials

We provided hundreds of our office's booklets on the Public Records Law and the Open Meeting Law directly to elected officials, non-elected public officials, public employees, advocacy groups, and members of the public. We also provide digital versions of the booklets on our website. In addition, we continue to share and help develop training materials for public bodies and officials. We continue to update our website with publications, training

OPTIMIZING OUR STATE GOVERNMENT

opportunities, and new developments in the open meeting and public records law, such as new case law, legislation, and Attorney General Opinions.

Trainings

In the 2022 fiscal year, we provided Public Records Law and Open Meeting Law training both in-person and through remote means, for public and private entities in locations throughout the State. For instance, we conducted trainings for public bodies in Phoenix, Camp Verde, Tucson, Pima County, and Mohave County. We conducted trainings for a variety of different types of public officials, such as municipal clerks, county clerks, professional licensing boards, and irrigation districts throughout the state.

In addition to general training in which we discuss public access requirements, we developed and presented customized trainings to address the specific needs of public officials upon request.

Lastly, we continue to provide recordings of recent open meeting and public records law training we conducted to interested elected officials, non-elected public officials, public employees, advocacy groups, and members of the public.

Newsletters

We continued to publish a public access newsletter on about a quarterly basis. Our newsletter *The Public Record* touches on interesting and timely open meeting and public records law issues that are relevant to the duties and responsibilities of public bodies and officials throughout the State. For example, we addressed various court decisions pertaining to the public records law and the open meeting law. We also provided up-to-date summaries and analysis of new Arizona public access legislation.

Arizona State Library, Archives and Public Records sends our newsletter to a listserv of public officials and employees throughout the State. Additionally, we also send our newsletter to our own list of public officials and employees who have contacted our office directly to receive our newsletter.

Inquiries and Investigations

In the past fiscal year, our office handled 343 cases regarding matters related to public access. Of those calls, 196 were public record law inquiries, 129 were open meeting law inquiries, and 18 concerned both public records and open meeting law. Table 1 provides a breakdown of the number of inquiries received from the public, the media, and government agencies. Table 2 provides the number of inquiries received about state agencies, county agencies, city or town agencies, school districts, and other local jurisdictions.

OPTIMIZING OUR STATE GOVERNMENT

Table 1

	Public Inquiries	Media Inquiries	Government Agency Inquiries	Unknown
Number of inquiries	241	13	88	1

Table 2

	State Agencies	County Agencies	City or Town Agencies	School Districts	Other Local Jurisdictions
Number of inquiries	146	40	69	57	31

PUBLIC ACCESS CASE EXAMPLES

2105154. Mesa Police Department.

A resident contacted our office about a request for records she said she made a few months prior to the Mesa Police Department (MPD). She said she had not received the records. She sent us a copy of a request receipt from the city.

We reached out to the City Attorney's Office about the request. The resident then followed up to say the city said it would provide the records to her. She said the city was confused and had incorrectly thought she wanted to inspect them.

An MPD employee wrote us back explaining that the records were ready for the complainant. The city said it would be getting an invoice out to the complainant later that day and would provide the records once the payment was received.

2104978. Paradise Valley School District.

An employee for the Paradise Valley Unified School District (PVUSD) contacted our office concerning a public records request the district had received. The public records request was from a retired teachers association and the request included the names, home addresses, and personal phone numbers of former employees of the school district. The PVUSD employee wanted to know if public record law required the release of that information.

We explained that the records are likely public records presumed to be subject to disclosure; however, the agency likely could make reasonable arguments for withholding some of the information on privacy grounds. We provided her with relevant resources for further guidance.

OPTIMIZING OUR STATE GOVERNMENT

2105147. Arizona State Land Department.

A resident contacted our office regarding a request for records she said she made to the Arizona Land Department in December 2020. She had requested a variety of records related to a mining operation. She said the agency told her it would provide at least some of the records by February 26th; however, the agency did not.

We reached out to the agency. The agency provided evidence it had provided records to the resident via email. We forwarded it to the resident who said she had not received it. We asked the agency to again email the resident the records. The agency agreed to do so and did.

2105341. Pima County Attorney's Office.

An attorney contacted our office about two public records requests he had made to the Pima County Attorney's Office (PCAO).

First, he had requested pleadings submitted to a federal court for a particular case. Second, he had requested the names and case numbers of defendants seeking expungement of their convictions under Arizona Revised Statute § 36-2862.

According to copies of letters PCAO provided to us by the attorney, the office had denied both requests. PCAO cited an American Bar Association (ABA) opinion for denying the first request. PCAO seemed to be denying the request on the grounds that the records were covered by some sort of attorney-client privilege or confidentiality duty. The argument was not clear and did not seem compelling based on the fact the records at issue were court pleadings. We reached out to the attorney who issued the denial letter for more information. He cited an Arizona State Bar ethical rule that restricted attorneys from disclosing information related to the representation of the client without client consent. He explained that the county has explicitly refused to consent.

We conferred with our legal counsel on the issue. We concluded that the interplay between the agency attorneys' ethical obligations and the agency's responsibilities under the public records law was not entirely clear. As a result, we could not confidently conclude that the agency acted contrary to law by denying the request, and we could not recommend the agency disclose the records. To make such a recommendation, one might reasonably argue, would require agency attorneys to act unethically and possibly subject them to ethics investigations and sanctions. We shared our findings with the attorney. He was displeased.

As for the second request, the agency appeared to deny it on the grounds that it would defeat the purpose of a statute that entitles people to expungement and sealing of conviction records in some situations. In our assessment, disclosure would essentially allow a requester to perpetuate the existence of records that the Legislature intended to be expunged (a state interest argument) and would harm the subject's nascent interests in the records being

OPTIMIZING OUR STATE GOVERNMENT

withdrawn from the public sphere (a privacy interest argument). This argument was reasonable on its face and better left to a judge to decide. We explained as much to the attorney, and he thanked us.

2105629. Mescal J-6 Fire District.

A resident contacted our office about the Mescal J-6 Fire District. She alleged that the District held a call to the public during its July 28, 2021 governing board meeting; however, the call to the public was not listed on the agenda for the meeting.

We formally investigated the matter. The District corroborated what the resident alleged. The District did not provide a legally sufficient rationale for why its conduct was permissible; nevertheless, it maintained that the conduct was not a violation of the open meeting law. We produced a public report in which we found that the Mescal J-6 Fire District acted contrary to law by holding a call to the public during a governing board meeting without including the call to the public on its agenda for the meeting.

2105457. Department of Transportation – Motor Vehicle Division.

A resident contacted our office regarding the difficulty he said he was having with the Arizona Department of Transportation, Motor Vehicles Division (MVD).

The resident said his commercial driver's license had been lost or stolen. He said he tried to obtain a duplicate from MVD. He said the local MVD branch told him his license had been suspended because he had tried to obtain a license in another state. He said the MVD said it sent him a letter about the suspension about a year ago. He said he never received it and had not attempted to obtain a license in another state. The resident said the MVD employees were rude and would not provide any documentation or information about the supposed attempt to obtain a license in a different state. He said he tried to speak with a supervisor, but the MVD employee he was speaking with hung up the phone on him.

We reached out to MVD and explained the allegations. An MVD representative reached out to the resident and explained that his license had actually been "suspended and revoked for failure to provide his DOT physical report." He said he explained how the issue could be resolved and apologized for any misinformation he may have received.

We followed up with the resident who confirmed that the MVD representative had reached out to him. He was satisfied and thanked us.

2105987. Phoenix Police Department.

A resident contacted our office in regard to the difficulty she said she was having in obtaining records from the Phoenix Police Department (PPD). She said she was trying to get records related to her ex-boyfriend's actions toward her.

OPTIMIZING OUR STATE GOVERNMENT

We contacted the agency. The agency said there was a misunderstanding among staff that records needed to be withheld. The agency straightened out the issue and provided records. We then worked with the resident and the agency to facilitate the production of other outstanding records. The resident thanked us.

2105573. Unknown.

A member of an Irrigation District Board contacted our office with questions concerning posting meeting notices and agendas. He said the person who had posted on the agency's website quit. We walked him through the law and answered his questions. He thanked us.

2105975. Scottsdale Unified School District.

A resident contacted our office about the Scottsdale Unified School District (SUSD). The resident's complaint concerned an August 17 meeting of the SUSD governing board. She said the meeting was conducted remotely and only available to watch online. She said that during the meeting, viewers could hear chimes indicating that board members were chatting online. She said at one point, "[T]he board president begins to make several references to the 'chat box' that the governing board is using. He also mentions sharing links in the chat including amendments to a motion under discussion. The public does not have access to the governing board's chat box, thus I am concerned this is a violation of the open meetings law of Arizona."

We watched a recording of the meeting. The recording supported the resident's assertions. It appeared that the President might have simply sent the other members the proposed language he was reading aloud to the members and the public.

We reached out to the President for clarification as to how the chat was being utilized and what was being said. She said the board used the chat primarily for board members to indicate that they wished to ask a question or speak during the meeting. She provided us with the chat log. It confirmed that a majority of the chat was devoted to brief communications like those described by the lawyer. The chat also contained language proposed and read aloud by the Board President. We saw nothing that amounted to non-public substantive discussion or consideration of board business. We explained our findings to the resident and provided her with the chat log. She thanked us.

2106031. Department of Economic Security.

On August 20, 2021, a woman filed a complaint with our office that the Arizona Department of Economic Security (hereinafter, "DES") had not responded to a request she had made to DES four months earlier for tax records concerning unemployment insurance benefits she received in 2018 and 2019. We formally investigated the matter and issued a public report.

We found that DES acted contrary to the law by failing to provide the complainant with the requested records in a timely manner. We also found that DES acted unreasonably and

OPTIMIZING OUR STATE GOVERNMENT

performed in an inefficient or discourteous manner by failing to respond to the complainant's request in a timely manner. The complainant submitted her request as DES instructed; however, DES did not respond to the complainant's request for over four months and did so only after our agency became involved in the matter. DES did not provide the complainant with a copy of her DES tax records until over six months after she requested them and over two months after our office became involved.

2106646. Department of Economic Security – Employment and Rehabilitation.

An attorney contacted our office in regard to the difficulty he said he was having in obtaining public records for a client. He said he had made multiple requests to the Department of Economic Security's (DES) vocational rehabilitation office in Tucson for his client's records but had not received the records or a response.

We contacted the DES Ombudsman office and an employee at the Tucson rehabilitation office about the matter. The employee's supervisor responded and apologized for the oversight. He said he expedited the request. He followed up and said the agency provided the records. The attorney's office confirmed and thanked us.

2106101. Scottsdale Unified School District.

An employee of the Scottsdale Unified School District contacted our office seeking advice on handling troublesome public records requesters and overly broad or burdensome requests. We provided him with some guidance as well as relevant resources and court case decisions. He thanked us.

2106769. Department of Economic Security – Division of Developmental Disabilities.

A resident contacted our office about the Department of Economic Security's (DES) Division of Developmental Disabilities (DDD). She stated she had been investigated by DDD and her employment had been suspended pending the outcome of the investigation. She said DDD told her that the results of the investigation had been sent to her employer; however, her employer told her they never received any information from DDD.

We contacted the DES Ombudsman's Office regarding the matter. DES said it had previously explained to the resident how to request the records. DES said it followed up with her again after we reached out and had employees contact her by phone to straighten the underlying matter out. DES said that the resident was satisfied. The resident did not contradict DES.

2106873. Chandler Unified School District.

A resident contacted our office about the difficulty she said she was having in obtaining copies of public records from the Chandler Unified School District (CUSD). The resident said she had requested records. She said the District made the records available for inspection. She said she then requested copies of the records. She made it sound like CUSD staff refused, despite her

OPTIMIZING OUR STATE GOVERNMENT

indicating that she would understand if it took some days to produce the copies. She said she emailed the CUSD Director of Community Relations about the matter but did not hear back.

We reached out to the District. The Director responded to us and explained that the resident had expected copies immediately. He said the District would certainly make the copies for the resident and provide her with the cost figure. He said her email to him had been about a week prior and that she had received an automated message that he was on vacation.

We asked the Director to let us know when CUSD contacted the resident to let her know the copies were ready.

We relayed to the resident what the Director told us. She was very thankful. The Director followed up and showed us emails between the resident and him showing that he told her the copies were ready and how much they cost.

2107406. AHCCCS.

A resident contacted our office about the Arizona Health Care Cost Containment System (AHCCCS). He said he had been unable to figure out how to submit a public records request to AHCCCS and had had no luck calling the agency. We contacted the agency and asked what the best way is to make a public records request to the agency. The agency explained how, and we relayed it to the resident. He thanked us.

2107459. Yavapai County School Superintendent.

The Yavapai County School Superintendent contacted our office. He wished to discuss how executive session minutes should be handled differently than regular meeting minutes. We explained what the law says and that it is vague on most handling issues. We reviewed and provided positive feedback on four ideas he had for safeguarding executive session minutes.

2107903. Camp Verde.

A Camp Verde employee contacted our office seeking a copy of our office's open meeting law slide presentation. He also asked us to review and provide feedback on the open meeting law portion of a slide presentation he created. We provided him with our presentation and feedback on his presentation. He thanked us.

2108313. Cochise County Sheriff.

A resident contacted our office about a record request he said he made to the Cochise County Sheriff's Office. He said he was a pedestrian hit by a car in the parking lot of a gas station. He said it had been six months since he made a request for the police report and a copy of the surveillance video of the incident, but he had not received either.

We contacted the agency. The agency asserted that it sent him the records. The agency said it sent them a second time via certified mail, but the delivery attempt was unsuccessful. An

OPTIMIZING OUR STATE GOVERNMENT

agency official said she followed up with the resident about it, and he said he would go to the post office to obtain the delivery.

We worked with the agency to have it provide the records to the resident. He then confirmed receipt of the video but not the report. We continued working with each. Soon, the agency sent the report to the resident and our office electronically. The resident confirmed receipt and was very thankful.

2202710. Department of Emergency & Military Affairs.

A reporter contacted our office about the difficulty he reported having in obtaining public records from the Arizona National Guard. He said, "For 10 months I've been waiting for a simple breakdown of race by MOS (job) and rank from the national guard."

The reporter said the National Guard initially made it sound like it was not "under the state for jurisdiction." He said an agency employee then said the matter was on a colonel's desk. We reached out to the Department of Emergency and Military Affairs, which oversees the Arizona National Guard, about the matter. The agency said the reporter "has been harassing our staff to the point of making threats. The process is bureaucratic and slow, but we have provided updates over the last year. Nevertheless, we have received answers to his request this week from the National Guard Bureau. He should expect to receive his response next Wed. or Thurs."

We relayed to the reporter that he should receive his records shortly. He thanked us and did not follow up again. We asked the agency for more information about why the request took as long as it did. The agency provided no explanation, so we conclude that the agency did not act promptly.

2205581. Peoria Unified School District.

A resident contacted our office about the Peoria Unified School District. She said that the district had a "science adoption committee" that was improperly holding closed meetings. We contacted the district about the matter. The district's attorney said the district reviewed this matter and concluded that the committee was indeed improperly holding closed meetings. He said the district has stopped the committee's meetings while it amends its policies to bring the committee into compliance with the law going forward. He asserts that the committee took no legal action as defined by the open meeting law. As a result, he asserts, the committee took no actions that would be null and void due to the violations and would need to be ratified or taken again. We relayed what the district said to the resident.

2205623. Coconino County.

A resident contacted our office in regard to the difficulty he said he was having in obtaining public records from Coconino County. He said he requested "a list/copy of the registered

OPTIMIZING OUR STATE GOVERNMENT

bidders (also showing what bidding number is assigned to each name) for this years Coconino County tax lien auction."

He said the agency was quoting him unreasonable fees for records and refusing to let him inspect the records at no charge. He said the agency did not promptly provide the records. We contacted the agency and spoke to an attorney at the county attorney's office about the matter. The attorney said he spoke to the treasurer's office about the matter. The attorney said the treasurer said the resident was essentially asking for login access to the treasurer's system. We explained our understanding of what the resident sought.

As far as fees, the attorney said the fee schedule was set by the board of supervisors. We asked for the legal basis for the fees. We also pressed the attorney as to why the resident could not inspect the records at no charge.

The attorney said he would speak to the treasurer's office and follow up with us. When the attorney followed up with us, he said he would reach out to the resident to try to provide him with what he requested in a reasonable manner. We informed the resident. He responded that the attorney "was very helpful and was able to provide me the record in electronic form for no cost. Thank you as well for helping facilitate this."

2205665. Sedona Fire District.

A representative for the Sedona Fire District contacted our office with a public records law question. She asked, "if a fee can be charged for public records research and copies." We provided her with a comprehensive explanation of what the public records law permits a public entity to charge. She thanked us.

2201686. Phoenix Police Department.

A journalist contacted our office about the difficulty she said she was having in obtaining public records from the Phoenix Police Department (PPD). The journalist said she had requested two police reports from PPD "months ago." She said she had not heard back. She sent us a copy of a letter a lawyer had sent to PPD on April 18 following up on her behalf. Based on the letter, the journalist made her initial requests on December 6, 2021.

We reached out to the city. An attorney for the city said the city needed more time. She said the city had now completed one of the requests and "the requestor was invoiced via email on March 24, 2022, for an additional amount due (\$79.00). Once the additional payment is received, the record for this request will be released." She said the other request "was completed and an email was sent to the requestor on April 6, 2022 advising the record was available for downloading through the online portal account. No additional fees were due for this record."

OPTIMIZING OUR STATE GOVERNMENT

We reached out to the journalist to confirm what the city said. The journalist said she received the invoices, paid the invoices, and received the records. She thanked us.

2202323. Peoria.

A resident contacted our office about a public record request he said he made to Peoria for "a police report." He said the police department's record staff emailed him saying, "The reacted [sic] case report was sent to the city attorney's office for review. Please be aware it can take 4-6 months for the report to be approved for release." He thought this was an unreasonable amount of time.

We contacted the police department's records supervisor. He said he forwarded our inquiry along to the city attorney's office. He explained that it could very well take less than four months and that they handle the requests in the order they come in. The city attorney reached out to our office and left a message. The same day, the resident said he received the records.

2205522. Scottsdale Unified School District.

A school district employee contacted our office with a public records law question. He wanted to know if the district could essentially deny a public records request unless the requester provided the district with their legal name. We explained that this is likely not permitted under the public records law.

Our Cases – Statistics of Note

INVESTIGATIONS

We managed our investigations in FY2022 as noted in the following tables.

OPTIMIZING OUR STATE GOVERNMENT

Table 3 – Investigations – July 1, 2021 – June 30, 2022

Discontinued²	46
Declined³	513
The complaint was withdrawn or resolved during the investigation⁴	5
Investigation Completed	146
Ongoing	105
TOTAL REQUESTS FOR INVESTIGATION	815

Table 4 – Investigative Findings – July 1, 2021 – June 30, 2022

SUPPORTED/PARTIALLY SUPPORTED⁵		47
Requires further consideration by the agency	22	
Other action by the agency required	13	
Referred to the legislature for further action	0	
The action was arbitrary or capricious	0	
The action was an abuse of discretion	2	
Administrative act requires modification/cancellation	0	
The action was not according to the law	7	
Reasons for administrative act required	0	
A statute or rule requires an amendment	0	
Insufficient or no grounds for an administrative act	4	
INDETERMINATE⁶		28
NOT SUPPORTED		71
TOTAL COMPLETED INVESTIGATIONS		146

² “Discontinued” is marked when the complainant stops responding and the Ombudsman-Citizens’ Aide Office is unable to proceed with inquiries.

³ “Decline” is marked pursuant to authority in A.R.S. §41-1377(C). In those cases, the Ombudsman-Citizens’ Aide Office may decline to investigate a complaint if there is another adequate remedy available; the matter is outside the duties of the ombudsman-citizens aide; the complainant has had knowledge of the matter for an unreasonable time period; the complainant does not have sufficient personal interest in the subject; the complaint is trivial or made in bad faith; or the resources of the office of the ombudsman-citizen aide are insufficient to adequately investigate the complaint. By law, we must decline an investigation if we find the complainant is coming to us prematurely. In those cases, we coach the complainant about how to initially proceed with the agency.

⁴ “Withdrawn or Resolved During Investigation” is marked when the complainant asks us to cease an investigation

⁵ The individual count for “total supported or partially supported findings” count in the right-side column will always be equal to, or greater than, the left column of specific reasons because each case must have at least one finding, but may have multiple “supported” or “partially supported” findings.

⁶ “Indeterminate” is marked when an investigation is completed, yet there is not enough evidence to discern whether something is “supported,” “partially supported,” or “not supported.” Example: two witnesses with opposite stories and no evidence to tip the balance.

OPTIMIZING OUR STATE GOVERNMENT

OVERALL CASE STATISTICS

As explained on page 2 of this report, we respond to citizens' complaints in three ways: coaching, informal assistance, or investigation.

Contacts by Agency

The Contacts by Agency table shows the distribution of our contacts with an agency. Cases involving Child Protective Services comprised 22% of our total for FY2022 with 1,496 total cases. We note that the Department of Economic Security (DES) Unemployment Insurance (UI) Division had 926 cases in FY22, which was substantially better than the year before. In FY21, DES UI had 3,109 cases, in FY20, they had 933, and in FY19 they only had 55 cases. We looked deeper into the source of DES complaints and found the following in FY22.

DES Unemployment Insurance Complaints –July 1, 2021 – June 30, 2022	
DES UI - Type of Complaint	
Phones are not answered, or DES hangs up on me	454
DES staff are unable to clear problems and do not promptly elevate	224
Password problem	2
No one gets back to me in a reasonable time	581
I never got a card	0
I never got money put in the card account, yet I was approved	24
DES removed money from the card	3
DES froze my account over "an issue" but they do not communicate with me	15
I was told I need an adjudicator	32
I was told I do not qualify, but the reason is not true	26
Fraud concern about my claim	34
The person is sent a card or funds for no reason	0
Funds are incorrect	18
LWA account problem	2
PUA account is pending and unresolved	99
Regular UI is pending and unresolved	119
ID.me issue	6
Other	41

A few other agencies we noted had above-average case contacts. ADOT's Motor Vehicle Division (MVD) improved from FY21 when they had 635 cases. In FY22, MVD had 215 cases. Effects of the Pandemic hit the agency rather significantly and a problematic computer system conversion seemed to contribute to the MVD difficulties, but they appear to have turned the corner and are now trending in a more positive direction.

OPTIMIZING OUR STATE GOVERNMENT

The Department of Revenue had 168 contacts in FY21 and slipped a few past that to 208 cases in FY22.

CONTACTS BY AGENCY

Agency	Coaching	Assistance	Investigation	Total
Accountancy Board	3	0	2	5
Administrative Hearings, Office of	0	0	1	1
ADOA - Administration, Department of	15	8	0	23
Agriculture - Wt. and Measures	8	0	0	8
Agriculture, Department of	6	0	3	9
Agriculture, Pest Mgmt. Office	1	0	0	1
AHCCCS	63	18	12	93
Alpine Sanitary District	0	1	0	1
Apache County	1	0	0	1
Arizona State Hospital	1	0	0	1
ASU -Arizona State University	1	0	0	1
Attorney General, Office of	26	1	5	32
Auditor General	3	0	1	4
AZ POST - Peace Officer Strd & Training Brd.	0	0	1	1
Barbers, Arizona Board of	1	1	0	2
Behavioral Health Examiners, State Board of	12	1	2	15
Benchmark Preschool and Elementary School	0	0	3	3
Buckeye	2	1	0	3
Camp Verde	1	3	0	4
Cave Creek Unified School District	0	0	1	1
Central Arizona Project	1	0	0	1
Chandler Unified School District	1	0	1	2
Charter Schools, Arizona State Board of	3	1	1	5
Chiropractic Examiners, State Board of	1	0	1	2
Chloride Water Improvement District	2	0	1	3
Choice Academies, Inc. Governing Board	0	1	0	1
Christopher-Kohls Fire District	0	2	0	2
Civil Rights Advisory Board	2	0	0	2
Clarkdale	6	0	0	6
Cochise County	2	0	1	3
Cochise County Attorney	1	0	0	1
Cochise County Board of Supervisors	0	1	0	1

OPTIMIZING OUR STATE GOVERNMENT

Cochise County Sheriff	0	0	1	1
Coconino County	0	0	1	1
Colearn Academy	1	0	0	1
Colorado River Union High School District	0	0	1	1
Commerce Authority of Arizona	3	1	0	4
Commission of Judicial Conduct	3	0	0	3
Corporation Commission	19	1	5	25
Corrections, Department of	83	2	9	94
Cosmetology, Board of	28	3	1	32
Cottonwood	1	1	0	2
DCS - Community Advisory Committee	3	0	0	3
DCS - Department of Child Safety	992	118	377	1487
DCS – Off. of Licensing Certification Regulation	3	0	0	3
DCS - Other	3	0	0	3
Deaf & Hard of Hearing Commission	1	0	0	1
Deaf and Blind, Arizona School for the	1	1	0	2
Deer Valley Unified School District	3	0	2	5
Dental Examiners, Board of	27	10	2	39
DES - Aging & Community Services	245	3	8	256
DES - Benefits and Medical Eligibility	364	57	33	454
DES - Child Support Service	38	22	8	68
DES - Developmental Disabilities	16	8	2	26
DES - Employment and Rehabilitation	558	246	122	926
DES - Other	58	12	7	77
DES- Adult Protective Services	54	5	1	60
Developmental Disabilities Council	1	0	0	1
DPS - Department of Public Safety	32	16	7	55
Education, Board of	8	0	3	11
Education, Department of	21	6	1	28
Eloy Fire District	1	0	0	1
Emergency & Military Affairs, Department of	1	1	1	3
Environmental Quality, Department of	9	2	3	14
Exposition & State Fair Office	2	0	0	2
Financial Institutions Department	22	3	0	25
Fingerprinting, Board of	1	0	0	1
Flagstaff Police Department	0	0	1	1
Flagstaff Unified School District	0	0	2	2
Forestry & Fire Mgmt.(formerly Dept.FBLS)	2	0	0	2
Funeral Directors & Embalmers, State Board of	1	1	0	2

OPTIMIZING OUR STATE GOVERNMENT

Game and Fish, Department of	16	9	1	26
Gaming, Dept.	2	1	1	4
Gaming, Racing Department	0	1	0	1
Gila County	1	0	1	2
Gila County Industrial Development Authority	0	0	1	1
Glendale	1	0	0	1
Globe	1	0	0	1
Golder Ranch Fire District	1	0	0	1
Goodyear	1	0	3	4
Governor, Office of	9	0	0	9
Graham County	1	0	0	1
GRRC	0	1	0	1
Health Services, Department of	171	2	0	173
Health Services, Psychiatric Review Brd.	1	0	0	1
Health Services, Vital Records Office	9	1	0	10
Housing Dept. -Manufactured Housing Office	3	0	0	3
Housing, Department of	53	5	4	62
Industrial Commission	66	2	4	72
Insurance, Department of	90	2	0	92
Judicial Conduct, Commission on	4	0	0	4
Kingman School District	1	0	0	1
Kyrene Unified School District	2	0	0	2
La Paz	1	0	0	1
Lake Havasu City	0	0	1	1
Lake Mohave Ranchos Fire District	0	1	1	2
Land, Department of	0	0	2	2
Legacy Traditional Schools	0	0	1	1
Legislature	16	0	1	17
Liberty Elementary School District #25	2	0	0	2
Liquor Licenses and Control, Department of	10	4	0	14
Litchfield Elementary School District	1	0	0	1
Litchfield Park	1	0	0	1
Lottery	2	0	0	2
Marana	0	2	1	3
Marana Drainage & Water Improve. Dist.	2	0	0	2
Maricopa	3	1	0	4
Maricopa County Attorney	0	0	2	2
Maricopa County Department of Public Health	1	0	0	1
Maricopa County Medical Examiner	1	0	0	1

OPTIMIZING OUR STATE GOVERNMENT

Maricopa County Public Defender	0	1	0	1
Maricopa County Recorder	1	0	1	2
Maricopa County Sheriff	0	0	1	1
Massage Therapy, State Board of	11	9	1	21
Mayer Fire District	1	0	0	1
Mayer Water District	0	1	0	1
Medical Board, Arizona	39	4	1	44
Medical Student Loans, Board of	1	0	0	1
Mesa	0	0	1	1
Mesa Police Department	1	0	2	3
Mesa School District	1	0	0	1
Mescal J-6 Fire District	1	0	3	4
Mohave	2	0	0	2
Mountain Line	1	0	0	1
Naturopathic Physicians Medical Examiners	1	0	2	3
NAU - Northern Arizona University	1	0	0	1
Northern Arizona Consolidated Fire District #1	1	0	1	2
Nursing Care Institution Administrators & Assisted Living Managers Examiners Board	5	2	1	8
Nursing, State Board of	10	1	4	15
Occupational Therapy Examiners, Board of	1	1	0	2
Ombudsman	29	8	0	37
Optometry, State Board of	3	0	0	3
Osteopathic Examiners, Board of	2	0	0	2
Other - Arizona in general	393	3	0	396
Other - Federal	107	0	6	113
Other - Government	244	8	19	271
Other - Private	247	8	11	266
Paradise Valley School District	2	0	0	2
Parker	1	0	0	1
Parks, Department of	0	1	0	1
Patagonia	1	0	0	1
Peoria	0	0	2	2
Peoria Unified School District	3	1	4	8
Pharmacy, Board	12	1	1	14
Phoenix	0	0	1	1
Phoenix Police Department	2	0	6	8
Phoenix Union	0	1	0	1
Physician Assistants, AZ Regulatory Board of	0	1	0	1

OPTIMIZING OUR STATE GOVERNMENT

Pima	1	0	1	2
Pima County Attorney's Office	0	0	1	1
Pima County Community Colleges	0	1	0	1
Pima County Sheriff's office	2	0	0	2
Pinetop-Lakeside	0	1	0	1
Prescott	1	0	0	1
Prescott Valley	3	0	0	3
PRIVATE Post-Secondary Education Board	5	0	1	6
Psychologist Examiners, State Board of	2	0	1	3
PUBLIC Post-Secondary Education Commission	2	0	1	3
Real Estate Dept. - HOAs	25	0	1	26
Real Estate, Department of	15	2	3	20
Registrar of Contractors	47	4	9	60
Respiratory Care Examiners, Board of	1	0	0	1
Retirement System, Arizona State	10	2	1	13
Revenue, Department of	110	83	15	208
Rim Country Education Alliance	0	0	1	1
Riverbend Preparatory Academy	1	0	0	1
Sahuarita	0	0	1	1
Santa Cruz	1	0	1	2
Scottsdale	0	0	1	1
Scottsdale Unified School District	5	1	4	10
Secretary of State, Office of	9	1	3	13
Sedona Fire District	2	0	0	2
South Tucson	0	0	2	2
Summit Fire and Medical District	1	0	0	1
Sunburst Farms Irrigation District	1	0	0	1
Superior Court	2	0	0	2
Supreme Court	1	0	0	1
Technical Registration, Board of	6	0	2	8
Tempe	0	0	1	1
Tourism, Office of	1	0	0	1
Transportation, Department of	54	9	6	69
Transportation-Motor Vehicle Division	165	31	19	215
Tucson	1	0	2	3
Tucson Airport Authority	0	0	1	1
Tucson Police Department	0	0	1	1
U of A - University of Arizona	0	0	1	1
Unknown	4	0	0	4

OPTIMIZING OUR STATE GOVERNMENT

Unknown charter school	3	0	0	3
Unknown city	7	0	1	8
Unknown school district	7	0	0	7
Unknown state agency	279	0	1	280
Vernon Fire District	1	0	0	1
Veterans Home	0	0	1	1
Veterans Services Advisory Commission, Arizona	1	0	0	1
Veterans' Services, Department of	9	2	1	12
Veterinary Medical Examining Board	1	0	2	3
Water Resources, Department of	2	0	0	2
Whetstone Fire District	0	1	0	1
Willcox	1	0	0	1
Willow Creek Charter School	0	0	1	1
Yavapai County School Superintendent	1	0	0	1
Yuma County	2	0	0	2
Yuma County Sheriff's Office	0	0	1	1
Yuma Police Department	0	0	1	1
TOTAL NUMBER OF CONTACTS	5157	779	815	6751

Agency Count: 204

About the Ombudsman and Staff

Dennis Wells – Retired Ombudsman-Citizens’ Aide.

Dennis became the Ombudsman-Citizens’ Aide on July 2, 2012, following confirmation by the Legislature and Governor, and was re-appointed in 2017. Dennis holds a master’s degree in Public Administration and a Bachelor of Science in Geology from Northern Arizona University. He participated in a fellowship program at Harvard regarding studies in State and Local Government. He has ombudsman training from the U.S. Ombudsman Association (USOA) and is an investigator certified by the Council on Licensure, Enforcement & Regulation (CLEAR). In the public sector, Dennis was an elected supervisor and chair of the Coconino County Board of Supervisors, State Land Commissioner for Arizona, a member of the Arizona State Parks Board, and served as City Manager for Williams, Arizona. In the private sector, Dennis began his career working in the family business, *The Williams Grand Canyon News*, which was continuously published by the Wells family for 100 years. Following graduation from NAU, Dennis worked for firms in oil exploration and drilling in Texas, Louisiana, and overseas (Africa and the Middle East). Dennis retired on June 30, 2022, at the end of FY2022.

Joanne MacDonnell – Ombudsman-Citizens’ Aide.

Joanne became the Arizona Ombudsman-Citizens’ Aide on July 1, 2022, following confirmation by the Legislature and Governor. She joined the office as Deputy Ombudsman in 2005 after serving nearly eight years at the Arizona Corporation Commission, as the Director of Corporations. Before working in government, Joanne worked in the private sector at FCC Investors, Inc. serving on the Board of Directors and as an accountant. She also worked in real estate as a licensed Realtor associate and real estate appraiser. Joanne has Bachelor of Science degrees in Business Administration and Real Estate from the University of Arizona, is an investigator certified by the Council on Licensure, Enforcement & Regulation (CLEAR), and completed mediation training through South Mountain Community College. She has additional training including the ADOA Executive Course, Project & Investment Justification Training, the Leadership Module through Rio Salado College, and Arizona Government University; and ombudsman training prescribed by the U.S. Ombudsman Association (USOA). She has trained, been certified, and uses the DCS database “GUARDIAN.” She is active in the U.S. Ombudsman Association, having served multiple years as a Board Director and Officer and as a Conference Committee and Outreach Committee Member. She is currently USOA’s Secretary/Treasurer. She was Chairman of the USOA Children and Family Chapter for four years. She was a member of the Association for Conflict Resolution and qualified in the “Practitioner” category. She was a member of the DCS Citizen Review Panel Committee for seven years and was a member of the Supreme Court’s Special Committees on Parent Representation and Guardian Ad Litem Standards. She has served on the Arizona Juvenile Court Improvement Committee since 2011. She has served as a judge for the Central Arizona Better Business Bureau (BBB) Business Ethics Award for the past twelve years.

Danee Garone – Staff Attorney.

Danee is a staff attorney for the Ombudsman’s Office and specializes in open meetings and public records law matters. He frequently teaches public access courses. He is the author of the Ombudsman Office Quarterly Public Access Newsletter – *The Public Record*. He joined the Ombudsman’s office in 2014. Before joining the Ombudsman’s office, Danee completed a legal internship with the Arizona House of Representatives. Additionally, he completed a legal externship with the United States District Court for the District of Arizona and interned for the United States Small Business Administration. Danee has a Juris Doctor degree from the Sandra Day O’Connor School of Law at Arizona State University (ASU) and is a licensed attorney. Additionally, he graduated from ASU summa cum laude with a Bachelor of Arts degree in journalism and a Bachelor of Arts degree in political science.

Shante Harvey – Legal Analyst

Shante Harvey joined the Ombudsman team in May 2022 as a Legal Analyst. Prior to joining the office, Shante began her legal career in Nevada as a civil litigation attorney in the private insurance sector. Shante has a Juris Doctor, with a concentration in Health Law, from William S. Boyd School of Law at the University of Nevada – Las Vegas. Additionally, she graduated from Florida State University with a Master of Science in Clinical Mental Health Counseling and a Bachelor of Science in Psychology.

Frank Rutledge – Senior Investigator/Writer Ombudsman.

Frank joined the Ombudsman team in June 2016 after working for almost nine years with the Arizona Department of Economic Security (DES). During his time at DES, Frank worked in the Rehabilitation Services Administration, the DES Office of Procurement, and most recently with the Division of Developmental Disabilities. Frank brings a wealth of knowledge including contracting, procurement, and DES services to the team. Frank has completed the New Ombudsman Training prescribed by the United States Ombudsman Association (USOA), and is certified as an Investigator/Inspector by the Council on Licensure, Enforcement, and Regulation, and certified in Arizona State Public Procurement. He has trained, been certified, and uses the DCS database “GUARDIAN.” Frank has resided in Arizona for over 36 years, and is a graduate of Northern Arizona University’s School of Communication, with an emphasis in Journalism.

Jennifer Olonan – Assistant Ombudsman.

Jennifer began working for the Ombudsman’s Office in 2014. She previously worked in the medical field as a team lead and manager, where she obtained extensive clinical experience. She has received a Bachelor of Science degree in Health Science (Healthcare Policy) from Arizona State University. She has a Master of Public Administration with an emphasis in Government and Policy from Grand Canyon University. Jennifer is trained on and utilizes the DCS Guardian data system. Jennifer is proficient in American Sign Language. Jennifer completed the New Ombudsman training by the United States Ombudsman Association (USOA). She has also completed the Council on Licensure, Enforcement & Regulation (CLEAR) training.

John Wicus – Investigator/Writer Ombudsman.

John joined the Ombudsman’s Office as an intern in January of 2018 while completing his Master’s in Politics at Arizona State University (ASU). He previously worked as a Teacher’s Assistant at ASU and taught the courses Political Ideology, Problems of Democracy, and Contemporary Political Theory. He received a Bachelor of Science in Politics (Global Studies) and a minor in European History from ASU. John attended ASU and then went to work for the State Ombudsman-Citizens’ Aide Office after graduation. John completed the New Ombudsman Training offered by the United States Ombudsman Association (USOA) and the National Certified Investigator and Inspector Training (NCIT) offered by the Council on Licensure, Enforcement and Regulation (CLEAR). He is proficient in American Sign Language. He has trained, been certified, and uses the DCS database “GUARDIAN.”

Yvonne Rothblum – Assistant Intake Ombudsman.

Yvonne joined the Ombudsman team in November 2016. Previously, she worked at the Arizona Commerce Authority (formerly known as the Arizona Department of Commerce) and the Arizona Department of Revenue. She has a Bachelor’s Degree in Communication with a minor in Spanish from Arizona State University. Yvonne completed the New Ombudsman training prescribed by the United States Ombudsman Association (USOA) and has taken the Council on Licensure, Enforcement & Regulation (CLEAR) training.

Alicia Nugent – Assistant Ombudsman.

Alicia began working at the Ombudsman’s Office in January 2020 as an intern. In May of 2020, she was promoted to an Assistant Intake Ombudsman and then to an Assistant Ombudsman position. Alicia earned a Bachelor of Arts in Philosophy from Arizona State University (ASU) in 2020. She is in a Master’s program at ASU in Legal Studies. Alicia completed the New Ombudsman Training through the United States Ombudsman Association (USOA). Alicia is trained and utilizes the DCS Guardian data system.

Brandon Rosas – Assistant Intake Ombudsman

Brandon Rosas joined the Ombudsman’s Office in January 2021. Brandon studied at Arizona State University (ASU) and received a Bachelor’s in Criminology and Criminal Justice with a certificate in Law and Human Behavior. He started off as an intern with the ASU Legislative Internship Program and was promoted into an Assistant Intake Ombudsman position. Brandon is a Spanish speaker.

Connor Mueller – Assistant Intake Ombudsman

Connor Mueller joined the Ombudsman team in January of 2022. Connor studied at Arizona State University (ASU) and received a Bachelor’s in Political Science. He joined our office as an intern with the ASU Legislative Internship Program and was promoted to an Assistant Intake Ombudsman position.