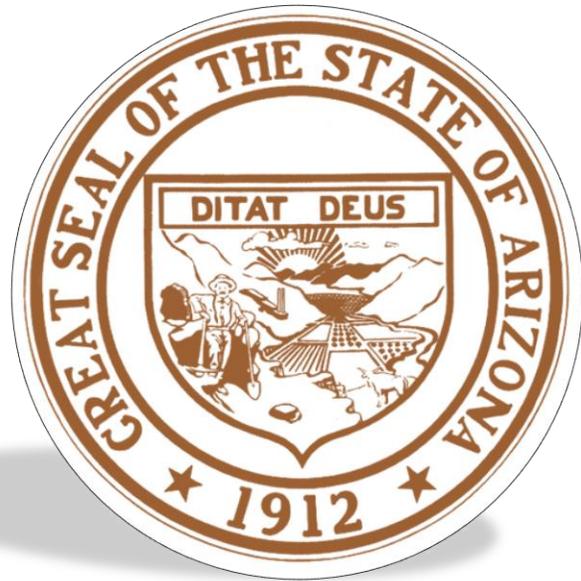


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SEMIANNUAL REPORT

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Submitted by Arizona Ombudsman-Citizens' Aide, Dennis Wells
September 18, 2013

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OPTIMIZING OUR STATE GOVERNMENT

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.

OUR ROLE

The Arizona Ombudsman-Citizens' Aide is an independent agency of the Arizona Legislature that was established to make government more responsive to Arizona citizens. It is the office that Arizona citizens can turn to 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 is given its authority by Arizona Revised Statute sections 41-1371 through 41-1383 and operates under Arizona Administrative Code title 2 chapter 16.

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 are able to resolve their own concerns when they are aware of the services available. We help these residents by educating them on the options available to them based on their specific complaint. 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.

Informal Assistance

Sometimes coaching isn't 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 an action between agencies. Our investigators are working on

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a continual basis to foster relationships with agency personnel in every state agency to enable efficient resolution of complaints prior to escalation.

Investigation

More serious complaints do not always lend themselves to informal techniques and 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 it to their attention. If the allegations are unsupported, we explain our findings to complainants. If necessary, we write investigative reports of our findings and recommendations, sent to the agencies investigated, legislature, governor, and the complainants.

CUSTOMER SATISFACTION

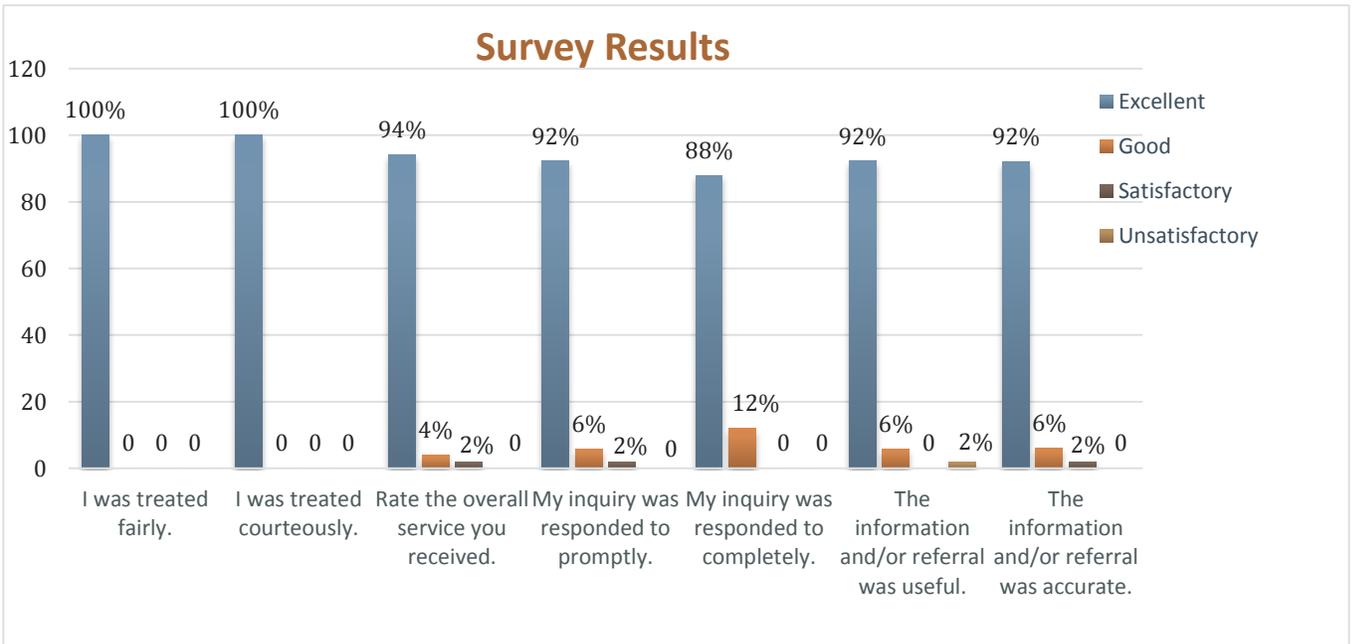
It is important for us to receive feedback from the citizens we help so that we can evaluate our performance, correct shortcomings and improve our service. One way we get feedback is through our customer satisfaction survey we distribute at the close of cases. The survey measures how well we are accomplishing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

The chart and comments on the following pages summarize the results of the survey for first half of the calendar year 2013.

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WE WELCOME FEEDBACK

The following comments are from citizens who used our services between January 1 and June 30, 2013:

"I rarely mark "excellent" on surveys that I complete since most of the time it is very good service that you receive. For that matter, I rarely fill out surveys since it takes my time which is valuable to me. My experience with your office is one of the rare exceptions in which I can't rave enough about."

100% of our survey respondents said we treated them courteously and fairly.

"Those who managed my inquiry did so quickly, efficiently...and on a Friday afternoon before a holiday weekend. Impressive service!"

"When I was stymied by a School Superintendent who didn't want to follow the law, I only had one place to turn without paying money to go to Superior Court. Your part of the Government is truly one that provides an incredible service to taxpayers."

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“Sara was very friendly and courteous to me. In addition, she was extremely helpful and prompt in assisting with me on an ongoing issue. I would like to recognize her for her excellent customer service skills.”

“The people I dealt with were very courteous and helpful. They helped me find my granddaughters in a very timely manner.”

“Carmen Salas was knowledgeable, she showed no biases when assisting in resolving the inaccurate information placed on the web about me by the nursing board.”

“It means so much when someone cares. . . Sarah was wonderful! Caring, compassionate and prompt.”

“Twice you have come to my aid, both times everything was helpful plus useful”

“He was very courteous and kind. I appreciated his patience.”

“Thank you so much for the assistance in this matter. It is nice to know there is a service such as this to help the common people of Arizona.”

“Kate is absolutely professional and ethical and so wonderful. I am grateful and really appreciate all her assistance. :) My life and my children’s life are better due to her help.”

“I needed assistance with a special tax refund issue and I had a response from the Department of Revenue less than a week later - I was very pleased...and this was after I had tried and failed to obtain assistance via my state senator and the governor’s office.”

“Thank God I thought of contacting you, or I would still be sitting here very frustrated.”

“This is an invaluable service as government rapidly adjusts to online information storage.”

“Sarah Bruce was quite informative and helpful in assisting me in seeking the proper person at ADC to allow me to get the final critical questions answered we have.”

“Kathryn was extremely helpful. I got in touch with her by contacting Kate Otting who was also very helpful.”

“I very much appreciated the help of Sarah Bruce in helping me to find the proper law, which articles had been moved, thus, unable for us to find and read it.”

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“Thanks again for this opportunity to be able to contact knowledgeable persons in an Ombudsman-Citizens Aide Office.”

“I am impressed by the level of service I received from Kate and your office. I am excited to know that your office exists and have been telling my friends about my experience. Keep up the good work!”

“They resolved my issue within less than 24 hours.”

“The service was 5 star. Great job keep up the good work.”

“The agent that assisted me was very friendly and helpful. (Also patient, as I was highly agitated with CPS when I called).”

“I highly recommend anyone who is dealing with CPS to utilize this service.”

“My experience with Sarah was outstanding. It is rare today to find the professionalism, courtesy and friendliness that she exhibited. Therefore, in my opinion, she is an exceptional employee that we could use many more like her.”

“. . . services your office provide are truly heaven sent and a prayer answered. “ WOW”, is the best expression I could think of at the moment of my sincere appreciation towards all of you. Thank you so very much, today was the first day me speaking with CPS and felt like a human being rather than less than. It makes such a big difference, and I have you to thank for it. Have a beautiful day and once again, thank you for helping me in my situation and for giving me HOPE in the system where I thought there was none . . .”

“Thank you so much. I feel empowered.”

“I wasn't aware that your office existed before this interaction. The only improvement that I can offer you is to make more people aware of the services that you offer.”

“How I came to your office was through the Attorney General's office. I called them about a MVD issue I could not get resolved and I was told to hold and then I was connected with Kate. I told Kate my circumstance and she asked a couple of questions and then told exactly what she was going to do. She had a contact at the director's office in the MVD and she would email her about my issue. Kate then followed up with me to ensure that the MVD had reached out to me. I was able to resolve a very difficult issue as a result of Kate getting me in touch with the "right" person. Even if I had not received the answer I wanted from MVD it was such a relief to be able to tell my situation to one person and get the information I needed.”

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Compelling Cases

The following case summaries are examples taken from the 2,516 cases we handled in the first half of 2013.

GENERAL COMPLAINTS ABOUT STATE AGENCIES

Cases we resolved involving more than one agency or more than one level of government

1301406. Department of Agriculture

An organic farmer complained the Department of Agriculture (AzDA) harassed him. He sold his vegetables to grocery stores and restaurants in the Camp Verde area. The Arizona Department of Agriculture told him to abide by three statutes. The man said that the statutes are for large grocery chains and not local farmers.

We contacted an administrator at AzDA who reviewed the case. The administrator said the man actually had problems with the Yavapai County staff handling the matter on their end. The Department explained the man needed to deal with the US Food and Drug Administration, Yavapai County and the Department of Agriculture. An administrator from the Department contacted the farmer and explained everything to help him sort out what issues go with each agency. The Department then got back with us and said they believed the man now has a full understanding of issues.

We called the man and he confirmed he understood everything he needed to do. He indicated he would contact us again if he needed further assistance.

1302930. DES - Benefits and Medical Eligibility

A DES benefits recipient was required to complete certain steps with the Division of Child Support Services (DCSS) to ensure her AHCCCS was renewed. She was surprised when DES Division of Benefits and Medical Eligibility later said they never received the information from

Our Three Focus Areas

Our office has three focus areas, and we cite examples from each:

1. General complaints about state agencies;
2. Child Protective Services (CPS) cases and
3. Public access cases.

Under the general case summaries, we also highlight ways in which the resolutions reached **added value** to our state government.

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DCSS. DES Benefits and Medical Eligibility said the woman needed to obtain the information again from DES-DCSS and submit it in order to for them keep the benefits flowing.

We contacted DES Benefits and DES-DCSS. DES Benefits said they had no information from DCSS. DCSS sided with the complainant and confirmed they had sent the support information into DES Benefits already. DCSS agreed to help the woman and forwarded the information again to their division.

We called and confirmed with the complainant. She thanked us for our help. She noted the miscommunication between the departments happened because the two departments are not synchronizing their data even though they are the same agency.

Cases we resolved that no one else was able to resolve internally

1302438. DES - Benefits and Medical Eligibility

DES filed an injunction against a benefits recipient with a serious mental illness. Based on the order he could not contact DES directly or visit any offices. In the past we helped him renew his benefits since he could not call DES or go into the office to complete his interview. He proceeded to manage his benefits online, but ran into other problems. He needed to get his online password reset, but could not call DES. He also needed to request a letter confirming his benefits for a program he was dealing with.

We noted these problems to DES. We asked a DES administrator to notify him with DES contact information for the future. DES agreed they still had obligations to provide the man with services in accordance with law and must set up a work-around. They designated a DES manager to contact the man, reset his password and be his future point of contact. This contact would be the person who the complainant could communicate with via email and U.S. postal mail when he has issues.

We called the complainant and he confirmed DES helped him and reset his password. We explained he should receive information about his point of contact. He was concerned that contacting them might be a violation of his injunction. We told him to contact us if this became a problem, since we had written confirmation from DES that he was allowed to write and email this person. We confirmed with him that he could not call the contact person. He thanked us for our assistance.

1300443. Transportation-Motor Vehicle Division

A woman discovered that her address was changed in the Department of Transportation Motor Vehicle Division's database. She spoke with an investigator who told her an outside

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source submitted the address change, but he could not tell her who it was. She wanted to know for sure who changed her address to ensure her identity was not being stolen. She also wanted the suspension caused by her not receiving MVD notifications taken off her record.

We contacted the MVD and they looked into the issue. They found a third party title and registration service changed the address in error while attempting to edit another driver's record. The service was very apologetic and wrote a letter to the complainant. The MVD Third Party Management Support Unit also apologized. In addition, the MVD contacted the complainant and let her know she could contact Risk Management if she felt she lost any money because of the error. We called the complainant to confirm and left a voice mail for her to call us back. She confirmed that she received the apology letter as well as a packet regarding risk management. She thanked us for our assistance and said she would follow through with the packet.

Example of a case in which we provided an alternative avenue to a more expensive dispute resolution mechanism

1300335. Department of Weights and Measures

A shuttle operator called complaining about the Department of Weights and Measures (DWM). He claimed he had left several messages to the Department of Weights and Measures director and the director had not returned his calls. He also claimed that some other DWM workers were rude to him.

We contacted administrators at the DWM. After they reviewed the file, they informed us the man had some violations and he did not want to correct them. DWM said the man did not have the correct equipment to operate as a taxi. He was legally considered a livery operator (shuttle) and he did not abide by those laws so the agency cited him. DWM also said the man parked his livery car in designated taxi-only areas which caused the taxi drivers to complain he violated those laws. The director said he would contact the livery operator to hear his response.

The livery driver called and informed us that the director had called, reviewed the laws and assured him that he would talk to his staff to make sure they would not be rude to the man. The shuttle operator said he was satisfied and would call back only if he had other problems.

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Cases where our intervention identified a problem with or led to a change in statute, rule, or policy

1300951. Medical Board, Arizona

A previous complainant was upset the Arizona Medical Board (AMB) would not investigate the doctor who treated her husband. We contacted the medical board to inquire about her case. They informed us that they previously looked into the complaint and decided not to open the case.

We were not familiar with the determination “Do Not Open” and found no reference specific in statute or rule, so we inquired about what that meant. The Board explained this classification meant the investigator looked into the complaint and found the board had no jurisdiction. The board usually uses it for cases where the complainant does not complain about actual care, a non-licensure, or someone in the hospital who did not provide them care. However, in this case, they made the determination “Do Not Open” because the board already reviewed some care provided by the doctor when they investigated previous complaints about the same hospital stay and found no actions beyond the standard of care in those instances. We asked if the complainants would receive appeal rights so the additional care questions could be put to the AMB members. They explained the complainant did not have appeal rights because technically the Executive Director performed no action.

We were concerned that a case about care could be withheld from the AMB board members and the complainant would never be able to appeal the decision directly to the Board. We contacted our attorney regarding the legality of deeming a case “Do Not Open” and denying complainants a right to appeal. Our attorney concluded, "A complainant has the legal right to appeal a decision by the Executive Director not to open an investigation." We notified the AMB of this legal conclusion.

The Board offered to amend their policy to comply with the law. They agreed to set up a policy where no cases are deemed “Do Not Open” if they have anything to do with care. However, the AMB staff would continue not to open cases that did not pertain to care, did not involve a licensee, or was relevant to those who were not responsible for care. If a complainant challenged the dismissal determination by staff, then the decision would be shifted to the AMB board members as outlined in statute. It would protect complainant’s statutory right to appeal such decisions to the board members themselves.

1300828. DES, Benefits and Medical Eligibility

A son and his mother called and explained that DES turned down the disabled mother's application for AHCCCS, but they approved her for food stamps. The mother had worked all

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of her life, but became disabled. Social Security Administration approved her for total disability due to severe heart issues and for age-related mental health issues. Because she could no longer work, the woman applied for Department of Economic Security (DES) medical assistance.

DES turned down the mother on December 27, 2012, despite the paperwork from Social Security and her doctor. The family attempted to address the rejection with DES, but they were told nothing could be done because they had "missed the deadline."

The family explained DES had not given them a deadline. The family provided the copy of the DES letter X464 and said that the fair hearing date was not clearly stated. They were unaware they only had 30 days to apply for a fair hearing.

We reviewed the letter. We agreed the DES letter was confusing because DES had not made the appeal deadline due date apparent. The due date was unlabeled and even the date of the letter was not clear. Further, the letter body was incomprehensible. We told the family we would check with our DES contact because the mother had been approved by Social Security for disability and this usually covered Arizona citizens applying for AHCCCS.

Despite the family being beyond the fair hearing date, we took the case to DES managers and asked them to reconsider. We noted the flawed letter and asked them to address it as a systemic problem because a variation of it was going out to other applicants as well. They agreed to do so and alerted their management and policy unit. They also looked into the woman's case and noted the Federal poverty amount was higher than the state's, but they said that would change in a month and the woman would qualify then. In the meantime, they got in touch with her and referred her to Supplemental Security Income - Medical Assistance Only.

We informed the applicant and she expressed great appreciation that we were able to get the matter resolved for her and others.

Cases in which our intervention led to a change in an agency's procedure or practice or corrected a systemic problem

1300023. Department of Revenue

A taxpayer complained the Department of Revenue (DOR) abused their statutory authority. He claimed he received a call from a representative of the DOR who informed him the agency was missing his 2003 return. He indicated that when he sent in the copy of his return to DOR,

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they told him he owed the back taxes and interest for that year. He was very upset because he felt trapped by the DOR when they had not been timely in their review of his return. He requested a review of his tax files by DOR managers.

We contacted the problem resolution officer for DOR. He reviewed the file and was not happy that a representative of the DOR had asked the man for a copy of his 2003 return, as it was beyond legal timeframes. The manager let the employee's supervisor know of the problem. He also called the taxpayer, explained the error and apologized.

1300859. Department of Revenue

A taxpayer complained the Department of Revenue (DOR) told him that they did not have his taxes for 2005. He sent the DOR a copy of his 2005 return. He then received a letter indicating he owed taxes for 2005 along with the penalty and late fees. He requested a review his case.

We contacted the DOR problem resolution officer who they informed us that the agency's representative who called the complainant did not have proper training in how to look for the older tax records and made a mistake. The DOR indicated that they talked to the complainant and corrected the problem.

We followed up with the taxpayer. He indicated that he received a call from the problem resolution office assuring him the problem would be corrected.

1302017. DES - Employment and Rehabilitation

An unemployed engineer noticed the Arizona Revised Statutes concerning unemployment insurance eligibility did not line up with the information provided on the Unemployment Insurance (UI) website. He alleged the Department of Economic Security-Unemployment Insurance (UI) directly would not address his concerns. He filed a complaint with the Attorney General's office and they sent him to our office. We took the case, reviewed the law and went over the information provided on the website regarding eligibility.

We found Arizona Revised Statute § 23-771 (A) (4) regarding eligibility for benefits is split into two subsections. Subsection A states that to be eligible for benefits the claimant must be ready for work and "engaged in a systematic and sustained effort to obtain work during at least four days of the week." Subsection B adds that they must also make "at least three work search contacts during the week."

The UI website reminds claimants they must be looking for work at least 4 days of the week, but often does not mention they need at least three work search contacts. In two places on the website, DES - UI misquoted the law and stated that claimants must have four work

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search contacts a week. An example was on the UI Online Claim form, which is one of the primary places claimants file their weekly claims.

We notified UI of the systemic problem and discrepancies between the laws, their website and claim forms. They contacted their policy team and acknowledged the discrepancies. They informed us that they originally described eligibility this way so that it would be less confusing. Before the law passed, claimants simply had to keep a record of their work search at home, but on a weekly basis only had to certify they were looking for work. As of August 2012, claimants needed to prove they were searching for work at least four days a week, and making three work search contacts a week.

UI explained they planned to implement the actual law as claimants got the hang of the new system. They agreed to change the wording of their website and documents referring to eligibility. They offered to send our office updates once the changes were completed. DES-Unemployment Insurance also checked the accounts of the engineer to ensure the discrepancy did not adversely affect his claims. They found the agency did not deny his claims.

We contacted the engineer to notify him that UI agreed to correctly cite the law. We explained that once UI made the changes, claimants would need to show they were making work search inquiries four days a week and had at least three contacts with employers. He thanked us for our assistance.

Example in which our intervention revealed a field practice that was not in accordance with the agency's stated policy/procedure, statutes or case law

1302519. Department of Environmental Quality

A concerned citizen complained the Department of Environmental Quality (ADEQ) did not respond to his concerns. He reported to the ADEQ that the landfill at Huachuca City had not been covered for over two weeks and should be covered daily. He considered the uncovered pile a health hazard to the community. He said he reported this to ADEQ and they did not correct it.

We contacted ADEQ and informed them of the complaint. ADEQ reviewed the concerns and then assigned an inspector to check the landfill issue the following day. ADEQ said they would act upon any violation. We contacted the man and informed him of the ADEQ plan. The man was satisfied and said he would call us back if the agency did not resolve his concerns.

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Example in which our intervention resulted in better service to citizens

1300389. DES - Benefits and Medical Eligibility

A woman questioned the documentation required from DES-Benefits to verify income. DES wanted the woman to submit a signed affidavit from her ex-husband stating he paid her monthly child support payments. DES policy seemed to state they would accept other forms of verification, but would not accept them in this case. We were puzzled by the inconsistency.

We contacted DES to inquire about the required extra documentation and review the case file. DES claimed there was a discrepancy in the amounts of child support ordered on the documents the applicant had provided. We requested a copy of the documents from the complainant. In contrast to the DES claim, the documents clearly stated the amounts of child support the mother received monthly. It turned out the DES workers had misread the documents and this led to the confusion. We asked DES to correct their error and they did so. We followed up with the applicant to ensure everything was resolved. She thanked us for our assistance.

OMBUDSMAN INTERVENTION IN CPS CASES

The Assistant Ombudsman for Child Protective Services (CPS) helps individuals experiencing problems with the state agency dedicated to protecting children. The Assistant Ombudsman for CPS handles the bulk of the CPS cases as it is her exclusive task, but the other assistant ombudsmen also help with CPS cases as well.

Parents, grandparents, and other relatives of the child seek help from our office when they believe CPS has treated them unfairly. Other sources of complaints include foster parents, adoptive parents, community service providers and members of the state legislature.

Our CPS caseload increased by 34% in the first half of 2013, as compared to the previous year's semiannual report.

The majority of the coaching and assistance inquiries we receive involve clarification of CPS recommended services, explanation of the CPS and dependency processes, facilitation of communication by the case worker and legal counsel, and explanations about visitation or

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placement issues. These cases are easily rectified as we facilitate effective communication between families and CPS.

Similarly, we contact CPS to gather agency administrators' perspectives on complaints. Typically, a phone call or e-mail message to CPS staff can resolve frequently received complaints such as caseworker assignment problems, copies of case plans, failure to receive notification of staff meetings, requests for Foster Care Review Board (FCRB), or court hearing dates. Case managers, supervisors or upper CPS management offer clarity to events, laws or policies and procedures. We facilitate clear communication between families, our office and the various points of contact within Child Protective Services.

Additionally, 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 types of complaints, our office may initiate full-file reviews, request documents and other supporting data or meet with CPS staff. We review case correspondence, therapeutic reports and the CPS CHILDS database as sources of information to help facilitate the resolution of disputes.

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

1300067. DES – Child Protective Services.

A family was upset that they applied to be a placement for their kin, but after a home study advised against it, CPS did not notify them of the findings as required by A.R.S. §8-514.03. The family further claimed the judge in the case ordered CPS to disclose the reason. They said they contacted our office as a last resort after CPS case managers failed to abide with the statute and the order.

We contacted CPS managers and they reviewed these points with us. They supported the denial of the placement, but they agreed their caseworker staff failed to send out a letter notifying the family of the rationale for the placement denial as required by law. CPS managers then corrected the oversight by sending out the required information and the appeal information.

1300148. DES – Child Protective Services.

A mother complained her child was not receiving proper attention in his placement, allegedly evidenced by his appearance and appetite during visitation. The mother also stated the child appeared at the visitation with a large scrape on his head and she was concerned the wound was inflicted.

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We reviewed the case record and did not find any helpful information regarding the care and treatment of the child in the foster home. We contacted CPS and learned the CPS specialist and Guardian Ad Litem made unannounced visits to the foster home the prior month. At the visits the child appeared to be well cared for and happy. CPS reported no concerns about the child in the foster home.

We checked back with the mother and she provided us photographs of the child taken during a recent visit to support her concerns. The photographs captured the child's excessive dry and flaky skin, small scabs from chapped skin, laceration above the eye, and the thin sweater worn in markedly cold weather. We forwarded the photographs to CPS for further consideration. CPS agreed to obtain medical treatment for the child.

1300800. DES - Child Protective Services

A mother said her husband had a prolonged open case with CPS. She said the agency informed her the case was closed, but said the family had not received a closing letter.

We contacted CPS workers who explained the agency sent the letter to the last known address, but the post office returned the letter. We provided CPS with the correct address so they could resend the letter. CPS assured us they would do so quickly. However, one week later, the mother called and reported she still had not received the letter. We again contacted CPS and they confirmed they had failed to follow through, but said they would send it out the next day.

The mother contacted us a week later to say CPS sent the closing letter for the wrong case. We verified CPS had the correct dates for the case and asked them to send the letter for the correct case. CPS emailed us a copy of the letter and advised us they would mail out a corrected copy that day.

When the mother received the letter she informed us CPS should address it to the husband, as he was the subject of the investigation. We asked CPS to make this change and resend the letter. CPS refused the request and informed us the husband would need to request the letter himself. We advised CPS of A.R.S. § 8-811(K) that requires CPS to mail a closing letter to the subject of the investigation upon the closure of a case. The supervisor advised us CPS would update the record and send a corrected letter.

1301320. DES - Child Protective Services

A mother was upset CPS did not issue a Temporary Custody Notice (TCN), as required in statute, upon their removal of her children. We contacted CPS and asked for a review of the record. CPS managers later confirmed to us the caseworker failed to provide the TCN. CPS

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managers informed us they delivered a TCN to the mother and would address the mistake in its entirety with the worker.

1300276. DES - Child Protective Services

A grandmother, given legal custody of her grandson, complained Child Protective Services (CPS) failed to follow through on services for her grandchild as provided by law. She lives in Nevada, but her grandson was previously in CPS custody in Arizona. CPS informed her she was to receive financial assistance, plus medical benefits for the child once the child came to live with her. She was unable to get any assistance or guidance from Arizona CPS. She requested a review of her case to obtain the promised benefits for the child. We agreed to see what benefits the child was entitled in law.

We contacted CPS and informed them of the case issues. After they reviewed the file, CPS informed us an Arizona CPS manager had authorized some allowances for the grandmother so she could get the assistance for the grandson. CPS also noted they discovered the grandson was eligible for Social Security benefits. CPS talked to the grandmother and advised her how to apply for her grandson's social security benefits. CPS confirmed they were assisting the grandmother in applying for medical benefits for the child in Nevada. CPS said they would keep in touch with the grandmother to ensure the child transitioned to Nevada medical care and help her ascertain whether the child is eligible to receive social security benefits.

We contacted the woman and she verified a CPS worker in Arizona was assisting her. She thanked us for the putting her in contact with him.

1302111. DES - Child Protective Services

A mother was upset CPS removed a child from her care and placed him with the father. The mother was concerned because the father had no custody rights and had threatened to take the child and go to another state. She alleged she and other family members told CPS the father abused drugs, but CPS went ahead and placed the child with the father without testing the dad to rule out drug abuse.

We looked into the case notes in the CPS system and confirmed the mother and three paternal relatives notified CPS that the father may be on drugs, and may leave the state with the child. We also saw the parents had a 2007 case for prenatal exposure to drugs where the parents each agreed to a safety plan and then ran away. The case was deemed unsubstantiated and closed for reasons that were not clear. We contacted CPS with these concerns.

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The caseworker confirmed they were not going to drug test the father, did not set up a safety plan or file for dependency. She said she had no concerns about the father's ability to parent the child and planned to close the case. We contacted upper management and they assured us they would intervene as the caseworker had erred. CPS managers agreed to drug test the father. They said the mother did not have enough proof she had sole custody, so they moved forward as if the father had joint custody. We concurred that there were no court minutes online, but pointed out the Superior Court's case history website says there is a sole custody plan.

Shortly thereafter, the mother notified us the father absconded with the child. CPS confirmed that the father left with the child as soon as they asked him to do a drug test. The mother called us back a few days later to tell us the father dropped the child off with her. She thanked us for all our assistance. She said she was going to notify CPS. CPS confirmed the mother called, but when they got there the mother had already fled with the child. They had never signed a safety plan or filed a dependency so there was no limit on their custody rights.

We spoke with CPS managers afterward and they concurred the case team should have done a drug test prior to placement based on the situation. They also admitted that they should have looked into the custody issue and used a safety plan or a dependency until it was clear what the custody agreement was. They cited obtaining custody documents as a difficulty and explained that court documents are not uploaded in real-time so it can take weeks or months for documents to appear in record searches. There is no quick way for CPS to obtain court records, so it can take weeks for CPS to see the information unless the parents can provide a copy of the record they are given.

1301229. DES - Child Protective Services

A mother complained CPS took custody of her children, but she did not receive a temporary custody notice, was not consulted on the safety plan, and had not received a closing letter for her former case. She also alleged CPS did not investigate her concerns about the placement, the children's father.

CPS confirmed that they investigated the mother's concerns and they were satisfied about the father's ability to care for the children. We also checked on the documentation the mother should have received. CPS admitted that the mother did not receive a Notice of Duty to Inform, a copy of the safety plan, or the prior closing letter. CPS managers agreed to address the error. The Assistant Program Manager on the case transferred to case to a new caseworker and supervisor who collected the required documents to provide them to the mother.

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1302840. DES - Child Protective Services

A kinship foster placement was frustrated that CPS had not set up the requisite support for her and the children they placed with her. She could not reach the case team. She cared for three children, one of them with special needs. CPS had not followed through on transferring Social Security payments to her. They also had her fill out a DES benefits application, which was denied and did not help her re-file. They were also not sending her foster care stipends. Lastly, the caseworker had not visited the home in nearly two months.

We contacted CPS and notified them of the issues. The Assistant Program Manager for the case sent a case aide out to rectify all of the paperwork issues. They set in motion the process to transfer social security benefits, and taught the placement the correct way to fill out the stipend paperwork in order for her to get it on time and looked into the issue with DES benefits. They explained that the first caseworker went on family medical leave and her cases were transferred to a new caseworker whose supervisor quit shortly after the caseworker received them. We called the placement and left a voice mail. We asked her to call us back if she had any questions or concerns.

1302885. DES - Child Protective Services

A former kinship foster mother was not notified when her former special needs foster child went back into CPS custody around two years later. When she found out that the child was in foster care she left messages on the CPS hotline, as well as the caseworker's voice mail and email stating she wished to be a kinship foster placement for the child, and would like to adopt the child if the case went to severance. Three weeks went and no one from CPS returned her calls.

We looked into the case and noted that the relative's contact information is in the former case's documentation. We contacted the present CPS workers and they reported the parents did not notify them of the former foster family, and they did not work on the former case. They got in touch with the former kinship foster placement and agreed to consider her. The family offered to adopt not only the special needs child she fostered before, but also her two siblings. CPS agreed to set up a home study and a background check on the couple. We told the couple to contact us if there were any further problems.

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OMBUDSMAN INTERVENTION IN PUBLIC ACCESS CASES

Outreach and Education

Educational Materials

We released updated Ombudsman Booklets on Public Records Law and Open Meeting Law on our website in April 2013. In addition, we shared and helped develop training materials for public bodies. We continue to update our website with publications, training opportunities, and developments in the open meeting and public records law: new case law, legislation, and Attorney General Opinions.

Trainings

There is a huge demand for training throughout the State. During the first half of 2013, we provided nine training sessions. In an effort to streamline training and reduce expenses, we have successfully worked with several counties to coordinate centralized trainings; reaching out to the various local entities: county departments, towns, cities, local boards, commissions, and committees, school districts, charter schools, fire districts, and all special districts. We posted a link on our website to Public Records Law and Open Meeting Law video trainings offered by our office and the League of Arizona Cities and Towns.

Inquiries and Investigations

In the first half of 2013, our office received 387 calls regarding matters related to public access. Of those calls, 210 were public record inquires and 177 were open meeting inquiries. 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.

Table 1			
	Public Inquiries	Media Inquiries	Government Agency Inquiries
Number of inquires	233	21	133

Table 2					
	State Agencies	County Agencies	City or town agencies	School Districts	Other Local Jurisdictions
Number of inquires	119	53	102	31	82

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Public Access Case Examples

1300645. Arizona Secretary of State

Staff for the Secretary of State's Office requested clarification on appropriate fees for copies of records. They are considering increasing their fees from \$.10 per page. We discussed that a person requesting copies, printouts, or photographs of public records for a non-commercial purpose may be charged a fee for the records. A.R.S. § 39-121.01. An agency may charge a fee it deems appropriate for copying records, including a reasonable amount for the cost of time, equipment, and personnel used in producing copies of records, but not for costs of searching for the records. A.R.S. § 39-121.01(D)(1); *Hanania v. City of Tucson*, 128 Ariz. 135, 624 P.2d 332 (Ct. App. 1980); Ariz. Att'y Gen. Op. I86-090.

1300671. Mayer Water District

A resident complained that a Mayer Water District is charging too much for public records. The current policy states that the cost is one dollar per page and twenty-five dollars per hour for staff time making copies. We contacted the custodian of records, the district attorney and a board member. We discussed that an agency may charge any fee it deems appropriate for copying records, including a reasonable fee for cost of time, equipment and personnel used in producing copies of records subject to public disclosure, but not costs of searching for the records (Op. Atty. Gen. No. I86-090). There is no fee to inspect the records. The district agreed to review their existing policy to ensure it is consistent with the above guidance.

1300677. Quartzsite

A member of the Planning and Zoning Commission complained that the Town Manager was behaving inappropriately. She was concerned that a prior Open Meeting Law violation was being blamed on the Commission when the Town Manager instructed the Commission to act in the manner that violated the Open Meeting Law. We discussed the prior meeting and the audio. We discussed that she was free to discuss her concerns at a properly noticed Commission meeting, during the call to the public at a Town Council meeting or to Council member individually. She reported the Town was not posting their approved minutes consistent with the statute. We notified the Town and they agreed to immediately remedy the issue.

1301102. Arizona Board of Technical Registration

A lobbyist for architects requested an investigation of the Arizona Board of Technical Registration. The lobbyist stated that the Board scheduled a meeting with another lobbyist and he wanted to attend the meeting. We contacted the Board and learned that the executive director accepted a meeting invitation with another architecture lobbying group.

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However, a quorum of the board would not be present at the meeting. We discussed with the lobbyist that the Open Meeting Law only applies to a gathering of the quorum of the board. Therefore, the director was not required to make the meeting open to the public.

1301755. Pinetop

A resident of Pinetop complained he could not hear a presenter from the back of the room at the Open Meeting and asked him to repeat his comments. The mayor instructed the presenter not to. Following the meeting, the resident requested copies of the audio and draft minutes of the meeting. He also complained that the mayor's home was foreclosed on and he wanted to confirm that he still lived in the town. We contacted the city clerk and discussed best practices for ensuring the public could hear during the meetings. We discussed available options to confirm the mayor's address through a public records request and comments during the call to the public.

1301793. Maricopa

A former employee of Maricopa County Community College complained about public records requests submitted to Maricopa County Community College and the Arizona State Museum. Her primary concerns were related to the agency's response time and the grounds for redactions. We reviewed both concerns. An agency is required to promptly furnish public records to the requestor. "Promptly" is not defined by statute. The courts have held that defining promptness depends on what is reasonable under the circumstances. The relevant factors to consider are the agency's resources, the nature of the request and the content of the records and the location of the records. We applied these factors to the requests and did not find a violation.

Maricopa Community College redacted portions of the records that were produced. When an agency finds that part of a document should be withheld, the agency is required to redact the withheld portion of the public record and produce the remainder of the public record. Public inspection should not be denied entirely since other alternatives exist such as deletion of specific personal identifying information. Agencies should produce a redacted copy of the document rather than withholding the entire document. *Carlson v. Pima County* (1984) 141 Ariz. 487, 687 P.2d 1242. Maricopa Community College redacted portions of the record based on the Family Educational Rights and Privacy Act (FERPA). Education records are defined as records that are directly related to a student and maintained by an educational agency or institution or by a party acting for the agency or institution. The records appear to meet this definition.

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1302198. Scottsdale

A resident of Scottsdale requested assistance with a public records request for budget material of an independent contractor of Scottsdale. We discussed the content of his request and the options available to him. We contacted the city and discussed the request, remaining records to be produced, and actions to ensure good faith. We forwarded the city the following case law in other jurisdictions to assist them in developing their policies. *Gastreux v. Internal Medicine Educ. Foundation*, 336 SW3d 526 (Tenn. Ct. App. 2009) held that an independent contractor is subject to the public records law based on extent to which the entity performs a governmental or public function, (ex. Prison Services) (held that a nonprofit that acted essentially as a bookkeeper for a University residency program did not perform a government function) the level of government funding of the entity, the extent of government involvement with, regulation of, or control over the private entity, and whether the entity was created by a legislative act or previously determined to be subject to the Public Records Act. *Evertson v. City of Kimball*, 767 NW2d 751 (Supreme Ct of Nebraska 2009) held that the private entity must prepare the records to carry out a public office's responsibilities; the public office must be able to monitor the private entity's performance; and the public office must have access to the records for this purpose. The court concluded, "[G]overnmental entities cannot conceal information concerning public duties by delegating these duties to a private entity." In *Burka v. United States Dep't of Health & Human Services*, 87 F.3d 508 (D.C.Cir.1996) the court held that scientific research created by independent contractors for the benefit of NIH/NCI have, in fact, previously been held to be agency records and, therefore disclosable under FOIA.

1302360. Arizona Corporation Commission

A resident requested assistance with his administrative proceeding before the Arizona Corporation Commission. The resident complained to the Commission almost two years ago that his community was being overcharged for water. The Commission administrative law judge issued subpoenas for records to the water hauling company over a year ago. The water hauling company, Pearson Transportation, has not complied with the subpoena for records related to amount of water hauled relative to the amount the residents were charged for hauling. Despite numerous efforts by the judge and the resident's attorney, the Commission has not enforced the subpoena. We discussed the matter with the executive director of the Commission. Any further action to enforce the subpoena must be initiated by the Commission in Superior Court. We sent the chair and the executive director of the Commission a letter informing them of the resident's complaint and our disposition of the matter.

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Our Cases - Numeric Results

OVERALL CASE STATISTICS

As explained on page 1 of this report, we respond to citizens' complaints in three ways: coaching, informal assistance or investigation. Below is a numeric summary of cases for the first half of 2013. The caseload totaled 2516 for this report – a 17% increase over the same time period in 2012.

Our caseload increased by 17% in the first half of 2013, as compared to the same period in 2012. CPS cases comprised 35% of our total.

Table 3 - Total Requests for Help – January 1-June 30, 2013

Coaching	Assistance	Investigation	TOTAL CASES
1790	623	103	2516

INVESTIGATIONS

We managed our 103 investigations in the first half of the year as highlighted in the following tables.

Table 4 - Investigations – January 1-June 30, 2013

Declined*	5
Complaint withdrawn or resolved during investigation	0
Investigations completed	97
Ongoing	1
TOTAL INVESTIGATIONS	103

* A.R.S. § 41-1377(C) gives the Ombudsman-Citizens' Aide the statutory authority to decline to investigate a complaint.

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Investigative Findings – January 1-June 30, 2013		
SUPPORTED/PARTIALLY SUPPORTED		17
Requires further consideration by agency	8	
Other action by agency required	3	
Referred to the legislature for further action	0	
Action was arbitrary or capricious	1	
Action was abuse of discretion	0	
Administrative act requires modification/cancellation	2	
Action was not according to law	3	
Reasons for administrative act required	0	
Statute or Rule requires amendment	0	
Insufficient or no grounds for administrative act	0	
INDETERMINATE		29
NOT SUPPORTED		51
TOTAL COMPLETED INVESTIGATIONS		97

CONTACTS BY AGENCY

Between January 1 and June 30, 2013 our office handled cases involving 163 agencies. The following table shows the distribution of our contacts by agency. Cases involving Child Protective Services comprised 35% of our total for the first half of 2013.

Agency	Coaching	Assistance	Investigation	Total
Administration, Department of	9	5	1	15
Agriculture, Department of	0	1	0	1
AHCCCS	24	21	0	45
Anthem	1	0	0	1
Apache County	11	2	3	16
Appraisal, Arizona Board of	1	0	0	1
Arizona Association of Counties	1	0	0	1
Arizona Commission for the Deaf & Hard of Hearing	2	0	0	2
Arizona Power Authority	2	0	0	2
ASU -Arizona State University	1	0	0	1
Attorney General, Office of	32	5	0	37
Auditor General	2	0	0	2
AZ Peace Officer Standards & Training Board	1	0	0	1
Behavioral Health Examiners, State Board of	7	7	2	16
Benson	4	0	0	4

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Bowie Water District	1	0	0	1
Bullhead City	1	0	1	2
Cave Creek	2	0	0	2
Charter Schools, Arizona State Board of	2	0	0	2
Chloride Water Improvement District	4	0	0	4
Citizens Clean Elections Commission	1	0	0	1
Clifton	3	0	1	4
Cochise County	5	0	0	5
Coconino County	2	0	0	2
Commerce, Department of	0	1	0	1
Commission of Judicial Conduct	2	0	0	2
Coolidge Unified School District	1	0	0	1
Corporation Commission	10	1	1	12
Corrections, Department of	14	3	1	18
Cosmetology, Board of	1	0	0	1
Cottonwood	1	0	0	1
Deaf and Blind, Arizona School for the	8	1	7	16
Dental Examiners, Board of	6	1	0	7
Department of Economic Security	4	0	0	4
DES - Aging & Community Services	41	1	0	42
DES - Benefits and Medical Eligibility	40	130	2	172
DES - Child Protective Services	646	219	19	884
DES - Child Support Service	13	43	1	57
DES - Children and Family Services	0	3	0	3
DES - Developmental Disabilities	0	3	0	3
DES - Employment and Rehabilitation	15	70	2	87
DES - Office of Licensing Certification Regulation	2	5	0	7
DES - Other	6	3	0	9
DES- Adult Protective Services	9	1	1	11
Desert Marigold School	2	0	0	2
Dewey	5	0	0	5
Douglas	1	0	0	1
Education, Department of	4	2	0	6
Environmental Quality, Department of	2	0	0	2
Financial Institutions, Arizona Department of	6	0	0	6
Fingerprinting, Board of	1	0	0	1
Fire Building and Life Safety, Department of	6	0	0	6
First Things First	2	0	0	2
Flagstaff	4	0	0	4
Game and Fish, Department of	1	2	0	3

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Gaming, Department of	0	0	2	2
Gila County	2	0	0	2
Glendale	5	0	4	9
Golden Valley Fire District	1	0	0	1
Governor, Office of	7	1	0	8
Governor's Council of Aging	2	0	0	2
Harquahala Valley Fire District	5	0	0	5
Health Services, Department of	40	8	0	48
Higley School District	0	0	1	1
Historical Society, Arizona	1	0	0	1
Housing, Department of	5	0	0	5
Industrial Commission	21	5	0	26
Insurance, Department of	9	4	0	13
Iron Springs Sanitary District	1	0	0	1
Judicial Conduct, Commission on	7	0	0	7
Junipine Fire District	1	0	0	1
Juvenile Corrections, Department of	1	0	0	1
Kearny	1	0	0	1
Land, Department of	2	0	0	2
Legislature	10	0	0	10
Library, Archive & Records Dept.	0	1	0	1
Liquor Licenses and Control, Department of	3	0	0	3
Lottery	1	0	0	1
Mammoth	0	0	1	1
Maricopa	11	0	3	14
Mayer Fire District	3	0	0	3
Mayer Water District	5	0	2	7
Medical Board, Arizona	12	1	2	15
Mojave	1	0	0	1
Naturopathic Physicians Board of Medical Examiners	2	0	1	3
Northern Arizona Sustainable Planning Group	0	0	1	1
Northwest Fire District	1	0	0	1
Nursing Care Institution Administrators & Assisted Living Managers Examiners Board	1	0	0	1
Nursing, State Board of	7	0	1	8
Ombudsman	66	0	0	66
Oro Valley	0	0	1	1
Osteopathic Examiners in Medicine and Surgery, Board of	0	1	0	1
Other - Government	182	0	0	182

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Other - Private	124	1	0	125
Other-federal	1	0	0	1
Palominas Fire District	3	0	0	3
Paradise Valley	1	0	0	1
Parks, Department of	1	0	0	1
Payson	1	0	1	2
Pearce Fire District	6	0	1	7
Personnel Board	2	0	0	2
Pharmacy, Board	2	0	0	2
Phoenix	1	0	0	1
Pima	2	0	0	2
Pinal	5	1	0	6
Pinetop	3	1	1	5
Pioneers Home	0	1	0	1
Podiatry Examiners, State Board of	1	0	0	1
Postsecondary Education, Arizona Commission for	1	1	0	2
Prescott	1	0	0	1
Prescott Valley	2	0	0	2
Private Post-Secondary Education, Board for	4	1	0	5
Psychologist Examiners, State Board of	2	0	0	2
Public Safety, Department of	7	0	3	10
Quail Ridge Water District	5	1	0	6
Quartzsite	2	1	6	9
Racing, Department of	1	0	0	1
Real Estate, Department of	1	1	1	3
Regents, Arizona Board of	1	0	0	1
Registrar of Contractors	9	8	2	19
Retirement System, Arizona State	0	2	1	3
Revenue, Department of	23	11	0	34
Salt River Pima-Maricopa Indian Community	1	0	0	1
Scottsdale	0	0	3	3
Scottsdale Unified School District	1	0	0	1
Secretary of State, Office of	7	0	0	7
Sedona Charter School	2	0	0	2
Sierra Vista	0	0	1	1
Sun City	2	0	0	2
Sun City West Fire Board	1	0	0	1
Sunburst Farms Irrigation District	4	0	1	5
Superior Court	12	0	0	12
Supreme Court	1	0	0	1

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Surprise	1	0	0	1
Technical Registration, Board of	0	0	1	1
Transportation, Department of	9	6	1	16
Transportation-Motor Vehicle Division	15	26	0	41
Tucson	6	0	0	6
Tucson Unified School District	4	1	0	5
University of Arizona	1	0	0	1
unknown	12	1	0	13
unknown charter school	3	0	0	3
unknown city	8	0	0	8
Unknown Community College	3	0	0	3
Unknown Conservation District	1	0	0	1
Unknown Domestic Water Improvement District	2	0	0	2
unknown fire district	2	0	1	3
Unknown Irrigation District	2	0	0	2
unknown local jurisdiction	1	0	0	1
unknown school district	10	0	2	12
Unknown state agency	46	1	1	48
Upper San Pedro Partnership	1	0	0	1
Various	4	0	0	4
Veterans' Services, Department of	3	3	1	7
Veterinary Medical Examining Board	1	0	2	3
Water Resources, Department of	1	0	0	1
Weights and Measures, Department of	7	1	0	8
Yarnell School District	0	0	1	1
Yavapai County	1	0	0	1
Young Public Library	1	0	0	1
Yucca Fire District	7	0	1	8
Yuma City	6	2	9	17
Yuma County	1	1	1	3
TOTAL NUMBER OF CONTACTS	1790	623	103	2516

About the Ombudsman and Staff

ARIZONA OMBUDSMAN-CITIZENS' AIDE

Dennis Wells

Dennis became Ombudsman Citizens Aide on July 2, 2012 following confirmation by the Legislature and Governor in early 2012. Dennis holds a Masters Degree in Public Administration from Northern Arizona University and a Bachelor of Science in Geology. His educational background also includes a fellowship at Harvard regarding studies in State and Local Government. He has public and private sector experience. In the public sector, Dennis was an elected supervisor and chairman 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. Dennis' public service also includes serving on the Board of Directors, Foundation for Flagstaff Medical Center and as a board member of the Arizona City and County Managers Association. In the private sector, Dennis began his career working in the family business, The Williams Grand Canyon News, which has been continuously published by the Wells' family for 100 years. Following graduation from Northern Arizona University, Dennis worked for private firms in oil exploration and drilling in Texas, Louisiana and overseas (Africa and the Middle East). Dennis has specialized experience in public management, intergovernmental relations, strategic and public planning and dispute resolution. He has additional training including ombudsman training prescribed by the US Ombudsman Association (USOA) and investigator training by the Council on Licensure, Enforcement & Regulation (CLEAR).

DEPUTY OMBUDSMAN

Joanne C. MacDonnell

Joanne joined the office as Deputy Ombudsman in 2005 after serving nearly eight years as the Arizona Corporation Commission Director of Corporations. Joanne was an active member of the International Association of Commercial Administrators and a director of its Business Sections Committee. Joanne has experience in management, human resources, problem resolution, investigations, customer service, strategic planning and process analysis. Joanne has Bachelor of Science degrees in Business Administration and in Real Estate from the University of Arizona. She 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 Executive Course, Project & Investment Justification Training, various risk management, procurement and ethics courses through Arizona Government University (AZGU); the Leadership Module through Rio Salado College and

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AZGU; and ombudsman and advanced investigator training prescribed by the US Ombudsman Association (USOA). She is active in the U.S. Ombudsman Association, serving as a Board Member and in leadership roles on the Outreach, Children and Family and Conference Committees. She is also a member of the Association for Conflict Resolution (ACR), qualified in the “Practitioner” category. Joanne serves on the Citizen Review Panel of CPS matters, the Arizona Court Improvement Advisory Panel and the Court/Parent Representation event. Prior to working in government, Joanne worked in the private sector serving on the Board of Directors and as an accountant at a farming corporation; with her husband in his law practice; and in real estate as a licensed Realtor associate and real estate appraiser.

ASSISTANT OMBUDSMEN

Sarah Bruce

Sarah joined the Ombudsman office in 2013, after serving as an intern and a contractual employee with the office. She previously interned with the Gila River Indian Community Employment and Training Department, serving pre-teens and teens as a Workforce Investment Act Youth Counselor. Previously, she worked as a Quality Assurance Supervisor for a national tele-survey company. She received her Bachelor of Art degree in History from Arizona State University. Recently, she has completed training with the Child Welfare Training Institution and Department of Economic Security to obtain clearance for the Children’s Information Library & Data Source (CHILDS) Program. She is also an associate member of the National Indian Child Welfare Association.

Kathryn Marquoit

Kathryn joined the office in 2011 as Assistant Ombudsman for Public Access. Kathryn served as legal staff for the Governor's Regulatory Review Council from 2007 to 2010. She has bachelor's degree from Syracuse University, a law degree from Villanova Law School and is licensed to practice law in Arizona.

Kate Otting

Kate is the former Director of Conflict Resolution Programs for the Arizona Attorney General. She founded Interaction Management Associates and has led seminars on mediation and conflict management for businesses and public agencies throughout the U.S. She has mediated employment, housing discrimination, family, ADA, EEOC, US Postal Service and public policy cases. She received mediation training in 1994 through the Iowa Peace Institute, a state agency. She later became the agency’s Director of Conflict Resolution and was featured for her work in a PBS documentary. She previously served as Vice President for International Services with the International Center for Community Journalism, introducing former Soviet journalists

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to free press concepts. She holds a master's degree in international management, with a focus on alternative dispute resolution. She is fluent in French and has worked in Africa, Asia and Europe. She is also a CLEAR-certified investigator.

Carmen Salas

Carmen joined the Ombudsman's office in 2005. She previously worked at the Arizona Corporation Commission for nine years. For three of those years she was the Supervisor in the Corporations Division's Annual Reports Section. For the last two years she was the Management Analyst for the division. Carmen has experience in customer service, process analysis and problem resolution. She received her Bachelor of Science degree in Business Management from the University of Phoenix. She has completed training with the Child Welfare Training Institution and Department of Economic Security to obtain clearance for the Children's Information Library & Data Source (CHILDS) Program and has completed additional training including ethics and various risk management courses through Arizona Government University. She has also completed the Leadership Module through AZGU. Carmen is fluent in Spanish.

Stephanie Willis

Stephanie became the Assistant Ombudsman for CPS matters in 2011 after working as a Child and Family Therapist for EMPACT- SPC. Prior to her employment as a psychotherapist, Stephanie worked for nearly three years with the Department of Economic Security as a Child Welfare Licensing Specialist. Stephanie has served in various systems of care for children and families including. Stephanie earned her bachelor's degree in Deaf Studies- Human Services from California State University at Northridge and master's degrees in Social Work and Public Administration from Arizona State University. Stephanie is licensed as a Licensed Master Social Worker by the AZBBHE. Stephanie left our office in February to work at the state agency, First Things First.