

**FOR IMMEDIATE RELEASE****Contact:** Kate Burkhart, 907-465-4970, [kate.burkhart@akleg.gov](mailto:kate.burkhart@akleg.gov)**OMBUDSMAN INVESTIGATES GUARDIAN AD LITEM'S COMPLAINTS**

JANUARY 4, 2023, JUNEAU — Alaska State Ombudsman, Kate Burkhart, released a report of an investigation of the Office of Children's Services (OCS) today.<sup>1</sup> The complainant contacted the Ombudsman about OCS staff's handling of two child protection cases in which they had been appointed by a court to serve as the guardian ad litem (GAL).

In both cases (A2018-1195 and J2018-0419), the GAL alleged that OCS and the family services worker assigned to both cases did not follow agency policies and procedures, disregarded relevant information in their decision-making process, and did not properly address the safety threats to the children. The GAL alleged that the family services worker assigned to the cases repeatedly failed to protect the children in OCS custody and needed additional training and education.

The Ombudsman investigated the following allegations raised in the complaints:

- OCS failed to protect an infant by not properly documenting and investigating multiple reports of harm.
- The OCS caseworker did not follow agency policy for making protective services reports so that they could be independently assessed by the OCS Intake Unit.
- OCS did not reevaluate case planning for a parent after learning of their substance use disorder relapse and domestic violence.
- OCS erred by finding the complainant's protective services report of maltreatment not substantiated.
- OCS did not provide timely referrals for domestic violence assessments for the parents.

The Ombudsman found the allegations that the OCS caseworker did not follow agency policy and procedure for making protective services reports to the OCS Intake Unit to be justified by the preponderance of the evidence. The Ombudsman found the allegation that OCS did not properly document and investigate multiple reports of harm partially justified.

The Ombudsman specifically found the allegations that the case worker failed to protect the children to be unsupported by the evidence. The OCS case worker acted appropriately attempting

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<sup>1</sup> OCS was within the Department of Health and Social Services (DHSS) at the time of the investigation. OCS is now within the Department of Family and Community Services (DFCS). Governor Michael Dunleavy, by [Executive Order 121](#), divided the Department of Health and Social Services into the Department of Health and the Department of Family and Community Services, effective July 1, 2022.

to keep the children safely in their respective family homes, and reserving removal until other interventions were unsuccessful.

OCS did not dispute most of the Ombudsman's findings. OCS did disagree with the finding that the OCS caseworker did not follow agency policy for making protective services reports so that they could be independently assessed by the OCS Intake Unit in one of the cases.

The Ombudsman made one recommendation to the agency: OCS should include specific procedures for family service workers to follow when reporting new information alleging maltreatment or risk of maltreatment in open child protection cases to the Intake Unit. OCS accepted the Ombudsman's recommendation.

The public report of this investigation is available at <https://ombud.alaska.gov/case-summaries/>.

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