

# DN Work Group


Montana Department of Justice

The Office of Child and Family Ombudsman

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The Office of the Child and Family Ombudsman responds to requests to protect the rights of children and families by improving case outcomes and strengthening Montana's child welfare system.

## **Mission Statement**

OCFO core principles remain:

Independent  
Impartial  
Confidential  
Credible Review Process

**OCFO Public Policy and Procedures**

Revised in 2024

**OCFO Hotline:  
1(844)252-4453**

**DOJOMBUDSMAN  
@mt.gov**

**Online intake  
form**

**How to contact the Ombudsman**

- ✓ **Accessible and responsive to over 2,664 citizens**
- ✓ **Assisted 1,009 families**
- ✓ **Tracked trends within Montana child welfare**
- ✓ **Submitted 91 Findings Reports to DPHHS**
  - **Since the legislative change in 2021, OCFO has concurred with 81% of OCFO's recommendations.**

**OCFO: 10 Years of Service**

# The Office of the Child and Family Ombudsman

Montana Department of Justice



# Citizen Quotes from Request for Assistance forms

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Why does my court hearing keep getting pushed out?

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I don't understand why my court hearing hasn't happened.

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I just want the judge to hear from me.

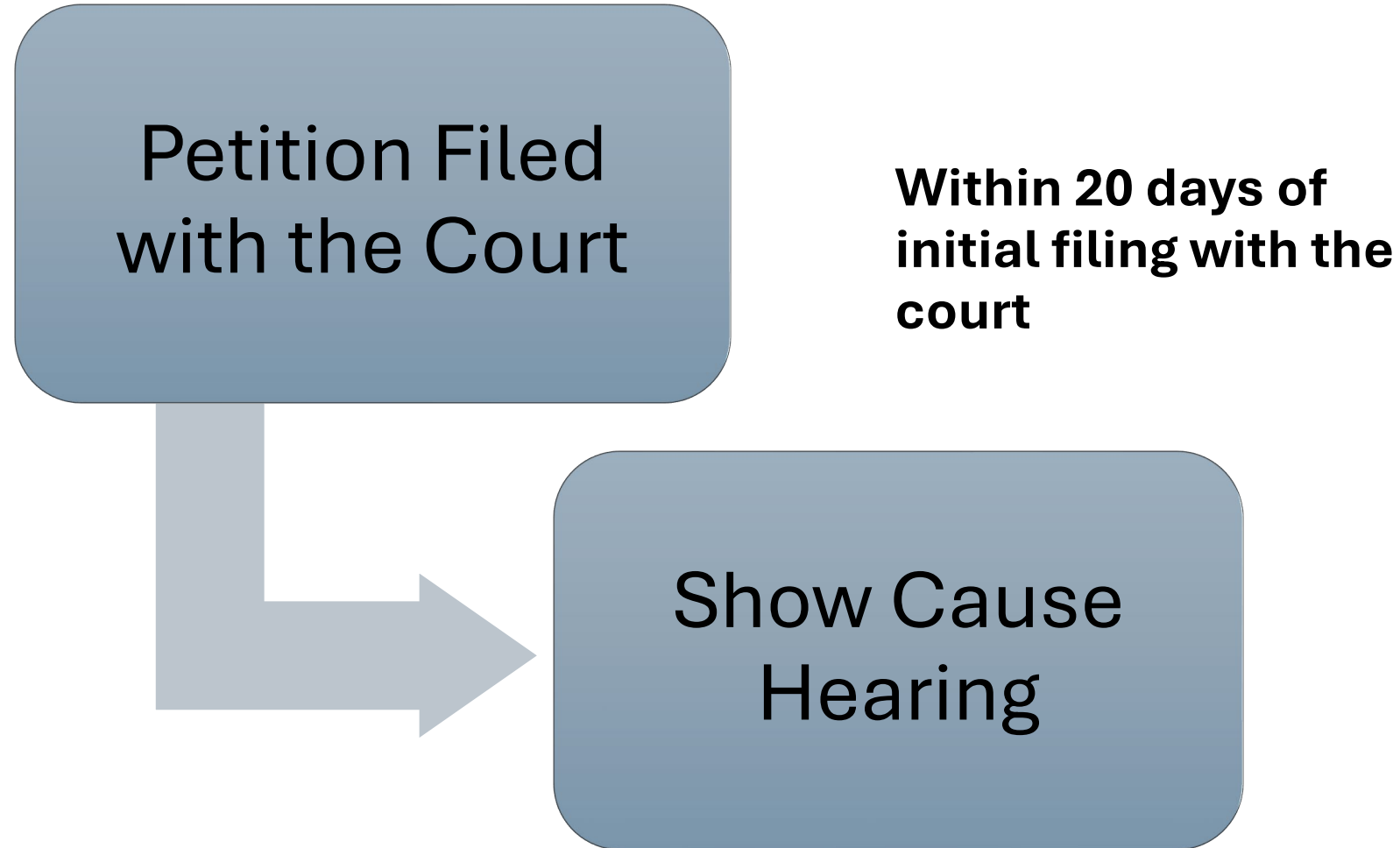
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I want to go (to court) to work on getting my kid back.

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I want permanency for this child!

# MCA Title 41, Chapter 3: Part 4. Abuse or Neglect Proceedings





# Abuse or Neglect Proceedings

## Show Cause Hearing


- The hearing is for the court to review the allegation of abuse and/or neglect.
- The hearing gives the parents the opportunity to admit or deny the allegations in the CPS worker's affidavit.
- The hearing allows for parents to present evidence on their own behalf.

# MCA 41-3-432 Show Cause Hearing -- Order

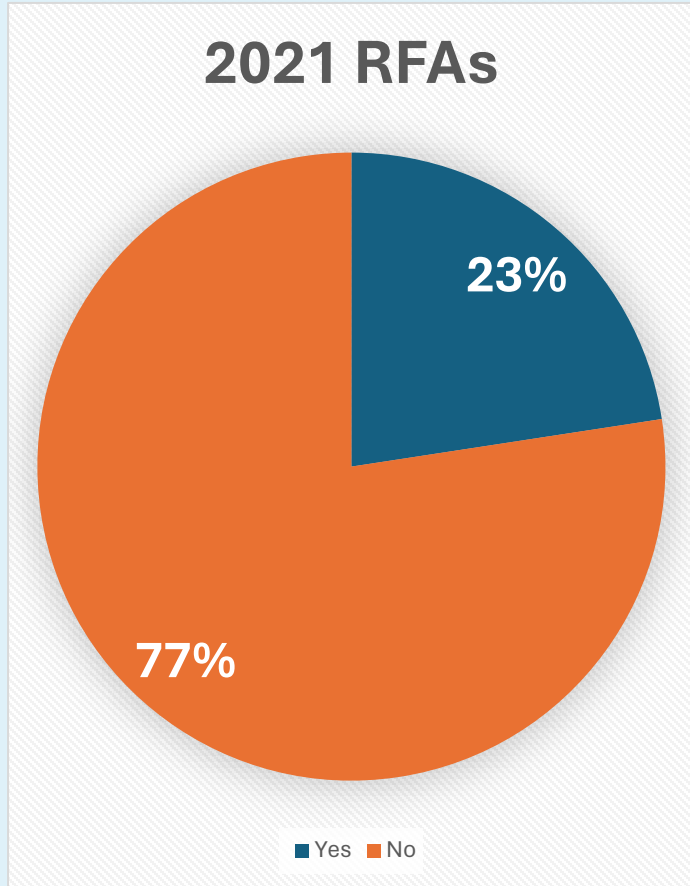
(1) (a) Except as provided in the federal Indian Child Welfare Act or the Montana Indian Child Welfare Act provided for in Title 41, chapter 3, part 13, a show cause hearing must be conducted within 20 days of the filing of an initial child abuse and neglect petition unless otherwise stipulated by the parties pursuant to [41-3-434](#) or unless an extension of time is granted by the court. A separate notice to the court stating the statutory time deadline for a hearing must accompany any petition to which the time deadline applies.



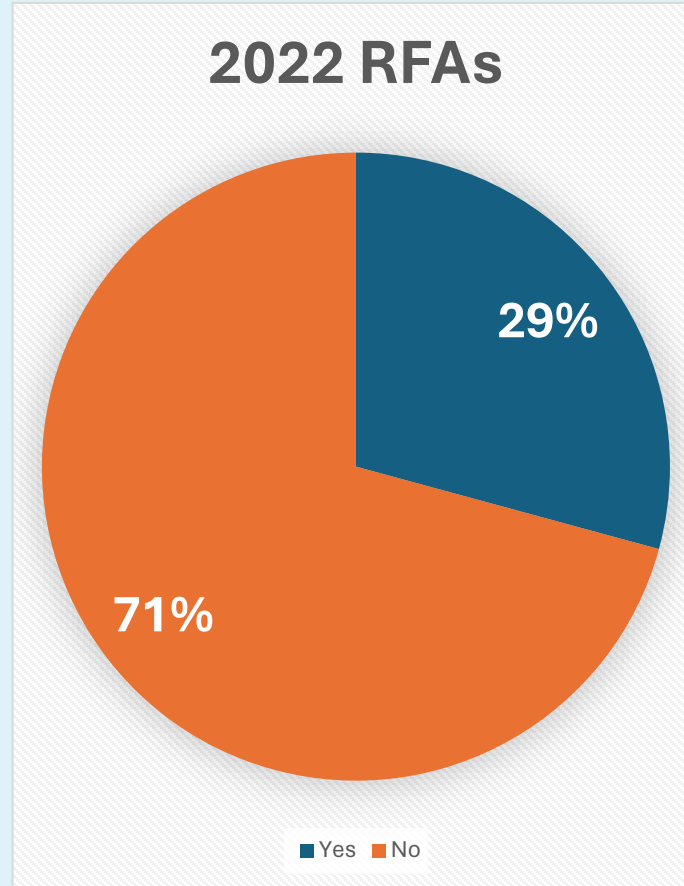
# Data Qualifiers

- Citizens find OCFO through multiple avenues
  - Small sample size, relative to CFSD's overall numbers
    - Only RFAs with legal action (80%)
  - COVID impacted court timelines
  - Aggregated data to protect confidentiality
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- A blue triangular graphic is located in the bottom right corner of the slide, pointing upwards and to the left.

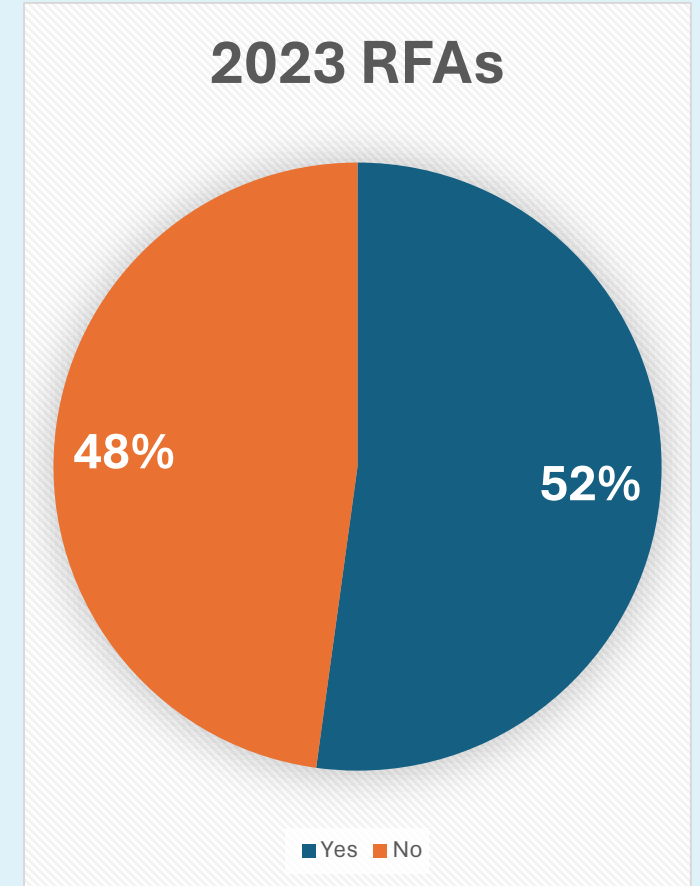
# Meeting the statutorily required Show Cause Hearing in 20 days



92 RFAs



98 RFAs



138 RFAs

# Take Aways

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Every county and family is unique

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27 of 328 Cases had a Show Cause Hearing in less than 10 days

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30 of 328 Cases had a Show Cause Hearing in over 100 days

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One case had a Show Cause Hearing at day 370

# Thank you

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The Office of Child and Family Ombudsman

