



COLORADO OFFICE OF  
**THE CHILD'S  
REPRESENTATIVE**

**Performance Plan Evaluation Report**

**Fiscal Year 2024**

# Summary of FY24 Performance Plan

## OCR WILDLY IMPORTANT GOAL FY24

**OCR will further advance youth rights in Colorado legal proceedings and child welfare and juvenile justice related policy initiatives.** *Youth encompasses the ages of 0-21 years old and it is important to engage in an intentional effort to recognize, define, protect, and advance their interests and rights on individual cases and in the law and policy attorneys rely on to advocate for those interests.*

STRATEGIES	COMPLETED
Develop and implement an affirmative policy strategy focused on youth rights.	<b>Yes.</b> <i>OCR has created and is refining an affirmative policy strategy. In addition, OCR worked alongside youth to seek and help pass legislation providing rights for youth in foster care (<a href="#">HB24-1017</a>).</i>
Improve appellate procedures to ensure children and youth have effective appellate representation that protects their interests and advances their rights. Ensure strong appellate records through effective trial advocacy.	<b>Yes.</b> <i>OCR launched the appellate certification program in 2023. As a result, all children and youth are represented in their D&amp;N appeals by either a Level I or Level II certified Appeals Specialist. In FY24, there are 42 Level I appellate attorneys and 7 Level II appellate attorneys.</i>
Utilize IV-E funding to expand youth access to skilled multidisciplinary legal teams and provide holistic legal representation on civil legal service matters impacting their safety, well-being, and success.	<b>Yes.</b> <i>OCR formed a new partnership with Colorado Homeless Legal Project (CHLP) to provide collateral legal services on civil matters, delivering holistic legal services to children and youth involved in D&amp;N and JD cases.</i>
Provide training targeted to issues impacting youth rights in Colorado.	<b>Yes.</b> <i>OCR training priorities in FY24 included ADA and disability advocacy, Kinship and family connections, and advocacy tailored to older youth. Youth rights are woven throughout the training program which provided 79 CLEs in FY 24.</i>
Protect youth's best interests and advance their rights in juvenile justice proceedings through specialized training, practice supports, and attorney lists.	<b>Yes/In Progress.</b> <i>OCR has increased its specialized training and added a juvenile justice track to the OCR Fall Conference. Through these trainings, additional practice supports were developed and OCR plans to continue to update JD specific litigation supports. OCR began offering JD case staffings and has focused on recruiting specialized attorneys for its delinquency lists.</i>
Identify the impacts of disproportionality and disparities in child protection, juvenile justice, and other OCR cases and identify strategies to address these disparities and advance youth rights through legal advocacy.	<b>Yes/Ongoing.</b> <i>As part of its ongoing efforts to address the disproportionality and disparities in these systems, OCR continues to examine the various factors contributing to them. Midway through the fiscal year, OCR welcomed a new EDIJ attorney. The EDIJ attorney provided a factsheet on the Guided Reference in Dependency (GRID) and is working on a strategic plan to support OCR's efforts to reduce disparities and advance equity. As a result of its policy work, partnerships, and committee work, as well as the</i>

	<i>priority given to quality legal representation in all OCR cases, OCR is well positioned to advance equitable outcomes.</i>
Ensure the right of children and youth to attend and meaningfully participate in D&N proceedings by providing effective advocacy and communication tools, identifying and addressing barriers, and expanding effective practices throughout Colorado.	<b>Yes.</b> <i>OCR continues to disseminate youth in court data, provide resources, and training. Specifically, OCR presented at the NACC and the Colorado CIP Best Practice Convening regarding Meaningful Youth Participation in Court. Additionally, OCR conducted a statewide survey to explore perceptions and barriers around youth in court and has used this to dispel myths and identify concrete strategies to support court participation.</i>
Bolster efforts to support effective advocacy in domestic relations, truancy, and other OCR discretionary appointments.	<b>Yes.</b> <i>OCR began hosting practice area specific case strategy staffings and offered several trainings targeted to these specialized practice areas.</i>

## OCR Performance Goals and Strategies FY24

In addition to OCR’s mandates (found in C.R.S. 13-91-101 et seq.), OCR focuses on these goals throughout the year:

<b>GOAL 1: Provide children and youth a voice in the Colorado legal system through effective and efficient attorney services and advocacy.</b>	Ensure children’s and youth’s voice & interests are paramount throughout the proceedings and in the development of policy, law, and practice.
	Provide and promote effective use of case consultant (CC) support to attorneys.
	Provide oversight & evaluation of attorney practice.
	Establish fair and reasonable compensation for OCR attorneys.
	Recruit and retain a sufficient pool of qualified attorneys to meet each district’s needs.
<b>GOAL 2: Optimize efficiencies in OCR oversight and billing.</b>	Manage appropriations.
	Optimize use and effectiveness of CARES.
	Process, manage, and evaluate attorney billings.
<b>GOAL 3: Ensure attorneys and case consultants remain current in state and federal law and regulations, social science research, best practices in diversity and inclusion, and evidence-based services.</b>	Cultivate a learning & practice environment that supports excellence in legal representation.
	Deliver high-quality accessible training to advance best practices, address emerging topics in relevant fields, and implement OCR Core Competencies.
	Assess attorney and case consultant education and support needs.
	Maintain and disseminate current and relevant resources for attorney and case consultant use regarding relevant law, social science, and diversity, equity and inclusion (DEI) strategies.

### Goal 1: Provide children a voice in the Colorado legal system through effective attorney services and advocacy.

<i>Ensure children’s voice &amp; interests are paramount throughout the proceedings.</i>	FY19		FY20		FY21		FY22		FY23		FY24	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
# of youth events attended or sponsored	5	8	5	8	5	4	5	12	8	12	10	11

# of youth surveys received	50	<b>108</b>	75	<b>85</b>	100	<b>18</b>	100	<b>140</b>	100	<b>137</b>	100	<b>107</b>
% of renewing attorneys w/ at least 1 youth reference interview	60%	<b>77%</b>	65%	<b>92%</b>	95%	<b>88%</b>	95%	<b>100%</b>	95%	<b>99%</b>	95%	<b>87%</b>
% of attorneys stated child's position in court observations <sup>1</sup>	70%	<b>87%</b>	80%	<b>65%</b>	85%	<b>33%</b>	85%	<b>43%</b>	90%	<b>57%</b>	90%	<b>75%</b>
% of youth over 12 who attended a benchmark, permanency, or review hearing	-	-	-	-	Est. Base line	<b>19%</b>	20%	<b>20%</b>	25%	<b>26%</b>	30%	<b>32%</b>
% of youth report attorney talked to them about the right to go to court. <sup>2</sup>	-	-	Est. Base line	<b>62%</b>	70%	<b>63%</b>	70%	<b>83%</b>	75%	<b>83%</b>	75%	<b>88%</b>
% of youth report having contact w/ attorney 1/mo. or more	-	-	-	-	-	-	Est. Base line	<b>70%</b>	75%	<b>67%</b>	75%	<b>77%</b>
% of youth report they trusted their OCR attorney always/usually	-	-	-	-	-	-	Est. Base line	<b>77%</b>	80%	<b>78%</b>	80%	<b>91%</b>
% of initial 30 day visits completed	-	-	100%	<b>97%</b>	100%	<b>97%</b>	100%	<b>95%</b>	100%	<b>95%</b>	100%	<b>95%</b>

In FY24, OCR processed 235 verification and renewal applications and received 42 new applicants. In addition, OCR received and reviewed 348 survey responses from judicial officers, interviewed 184 case references, and observed 202 court proceedings. Data from these various sources is reflected in the charts below.

### Goal 1: Provide children a voice in the Colorado legal system through effective attorney services and advocacy.

Provide oversight & evaluation of attorney practice.	FY19		FY20		FY21		FY22		FY23		FY24	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
Judicial Officers Strongly Agree/Agree the attorney attends all court hearings	97%	<b>96%</b>	97%	<b>96%</b>	97%	<b>99%</b>	100%	<b>99%</b>	100%	<b>92%</b>	100%	Question discontinued
Appointed Attorney Personally Appeared (Ct. Ob)	95%	<b>94%</b>	95%	<b>96%</b>	95%	<b>97%</b>	98%	<b>95%</b>	98%	<b>97%</b>	98%	<b>96%</b>
Attorney provided current, independent information	90%	<b>86%</b>	90%	<b>80%</b>	90%	<b>72%</b>	90%	<b>76%</b>	95%	<b>87%</b>	95%	<b>90%</b>

<sup>1</sup> For youth 5 & older when the attorney is acting as a GAL (CFY are always advocating for the youth's position and are not included in this number). This number cannot account for instances when a GAL may not state a position in accordance with the child's wishes.

<sup>2</sup> This question changed slightly for FY22 when the youth survey was updated and streamlined. The concept in previous year reporting is similar.

Attorney possesses requisite knowledge & skills to provide effective legal rep (SA/A)	-	-	-	-	-	-	-	-	-	Est. Benchmark	<b>97%</b>	98%	<b>98%</b>
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In FY24, OCR used 91% of expended funds for attorney services and only 9% for administration. In total, OCR used 91% of its appropriation in FY24 and reverted \$2.3 millions to the general fund.

### Goal 2: Optimize efficiencies in attorney oversight & billing

Process, manage, and evaluate contractor billing.	FY19		FY20		FY21		FY22		FY23		FY24	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
Non-CAC expenditures stay within budgeted appropriation	Yes	<b>Yes</b>	Yes	<b>Yes</b>	Yes	<b>Yes</b>	Yes	<b>Yes</b>	Yes	<b>Yes</b>	Yes	<b>Yes</b>
Avg. # days from invoice submission to payment in state financial system	20	<b>8.6</b>	20	<b>8.3</b>	10	<b>10</b>	10	<b>12</b>	14	<b>6.7</b>	14	<b>4.5</b>

OCR continued to provide a robust training program throughout FY24 as illustrated below and has 303 up-to-date hours of CLEs available online and accessible state-wide.

### Goal 3: The OCR will ensure attorneys remain current in state and federal law and regulations, social science research and evidence-based services.

	FY19		FY20		FY21		FY22		FY23		FY24	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
# of new CLE hours sponsored by OCR/year	80	<b>89</b>	80	<b>105</b>	80	<b>85</b>	91	<b>83</b>	85	<b>91</b>	85	<b>79</b>
OCR training is tailored to meet the specialized needs of OCR attorneys (SA/A)	95%	<b>95%</b>	95%	<b>98%</b>	95%	<b>94%</b>	98%	<b>93%</b>	98%	<b>91%</b>	98%	<b>95%</b>
% attorneys indicated very satisfied/satisfied with GRID	95%	<b>100%</b>	95%	<b>99%</b>	95%	<b>100%</b>	95%	<b>96%</b>	95%	<b>89%</b>	95%	<b>91%</b>
% attorneys indicated very satisfied/satisfied with OCR Listserv	80%	<b>96%</b>	80%	<b>97%</b>	95%	<b>98%</b>	95%	<b>90%</b>	95%	<b>81%</b>	98%	<b>85%</b>
Litigation Tool Kit forms/resources online	60	<b>109</b>	120	<b>160</b>	190	<b>206</b>	220	<b>266</b>	250	<b>344</b>	280	<b>349</b>
% attorneys indicated very satisfied/satisfied with OCR Litigation Toolkit	70%	<b>93%</b>	75%	<b>95%</b>	95%	<b>94%</b>	95%	<b>89%</b>	95%	<b>88%</b>	95%	<b>83%</b>