

1. The enacted FY 2007 budget anticipated savings from management efficiencies (\$50 million), information technology efficiencies (\$20 million) and procurement efficiencies (\$15 million). These savings, while reflected in the Interdepartmental Accounts section of the budget, were to be obtained from executive agency budgeted appropriations, presumably in direct correlation with identified efficiency improvements.

***QUESTION: What amount of the department's original FY 2007 appropriations were reallocated to Interdepartmental Accounts as savings from management efficiencies, information technology efficiencies and procurement efficiencies, respectively? What specific efficiencies were achieved by the department that correlate to the reallocations? What adverse impacts, if any, on the output and outcomes of department programs and services resulted or will result from these funding reallocations, in the current fiscal year and as projected for FY 2008?**

The Department was assessed management efficiencies of \$729,000 and IT efficiencies of \$60,000, for a total of \$789,000. The Department is properly funded for FY07.

2. Recommended budget language would permit the Department of the Public Advocate to carry forward unexpended balances into FY 2008.

***QUESTION: What is the estimated carry forward balance for the Department of the Public Advocate in each of its divisions? What specific needs has the department identified which cannot be met with FY 2008 appropriations?**

The latest data available indicates that projected carry forward to FY08 will be as follows:

Rate Counsel	\$59,000
Child Advocate	\$1,684,000
Administration	\$429,000
Citizen Relations	\$174,000
Mental Health Advocacy	\$0
Developmentally Disabled	\$97,000
Commissioners Office	\$150,000
Public Interest Advocacy	\$266,000
Elder Advocacy	\$0

Since Department of Public Advocate is still in the developmental stages, carry forward amounts are needed to fund remaining start up costs such as the Department's IT infrastructure. Additionally, since the Department will not be fully staffed until the end of FY07, there is no spending history available. Therefore, FY08 will be the Department's first opportunity to accurately formulate funding requirements.

Likewise, the Office of the Child Advocate is staffing up its operation in light of Kevin Ryan's departure, who sent with him to the Department of Human Services. The Child Advocate, having

As a result, D.R. had been left to walk the streets daily without supervision or direction. He works part-time, and had resorted to using his pay to purchase rail or bus tickets in order to have a "temporary" roof over his head.

The Division of Citizen Relations interceded with the DDD representatives on behalf of DR and his family. Upon our intercession, the Case Manager met with the family and began the interview process of DR for placement in permanent housing. Upon a conference call with DCR, the Case Manager and family, the Case Manager advised the family of all steps necessary for DR to qualify for housing. DR has obtained all the necessary exams and paperwork and was living in secured housing. He was unhappy at that facility and is temporarily living with his grandfather, on a short term basis, until alternate housing is secured. The family is comfortable with this situation. Our Division follows up weekly for updates.

CASE #2

A New Jersey resident, SS, called the Division of Citizen Relations on March 23, 2007, and asked our office to address her concerns about not having her food stamp card replenished. SS stated that she had not had food stamps since January 29, 2007.

SS is a 55 year old female suffering from degenerative disc disease. She is under a doctor's care and takes 9 various types of medication for her disease. SS is a nonpracticing Rabbi and is currently receiving rental assistance from the Jewish Family Services (JFS) in order to prevent her from becoming homeless.

She reported that during a meeting with the Division of Welfare staff in early February, 2007, the staff advised her that her food stamps would not be replenished until she provided their office with a copy of her lease, and allegedly indicated that "if she can pay rent, she can buy food". SS informed the Division of Welfare that her rent was paid by Jewish Family Services (JFS). They requested she provide a letter from the JFS confirming this, and said that once the letter was received they would replenish her food stamps. SS provided this letter to her case worker within 2 days and attempted to contact the Division by phone when she did not get the replenishment as promised. SS continued to attempt to contact her case worker by phone and left many messages. She said nobody from the Division of Welfare returned her calls, and they did not replenish her card.

Our Division contacted SS's case worker at the Division of Welfare to determine the reason for the delay in replenishment of her food stamps. After two attempts, we reached her case worker, who advised that she had all the necessary documents needed to replenish the food stamp card and she did so within the day of our call.

CASE #3

In January, Ms. "P" tried to register her motor vehicle, purchased in Arizona, at New Jersey Motor Vehicle Services. She said she got the "run around" from MVC. Ms. "P" reported that every time she was asked to obtain a document, she did so, but MVC would then ask for an additional document. Ms. "P" was anxious to complete the registration.

removed from Ancora and placed in a group home, as had been ordered. DDD again advised that they had contracted with another home and this Department requested confirmation of this in writing. We received a copy of the letter with all the necessary information and a projected date of placement. After one month, WW was still not placed in the new home, and upon further investigation we learned that the written commitment was not accurate. The agency that had contracted with DDD to purchase the group home never closed on the transaction because of issues with the Certificate of Occupancy.

WW's parents began to contact legislators for assistance. Unfortunately, during this time of waiting for DDD to make the placement, WW's mother passed away without seeing her son placed into a group home. Subsequently, WW's father wanted to place his home for sale so he could proceed with moving, but did not feel he could do so until WW was settled in a group home.

The Division of Citizen Relations, with the assistance of the Department's Division of Mental Health and Guardianship Advocacy, contacted DDD and advised them that we would be serving subpoenas on the Director of DDD as well as additional staff involved in WW's case, requiring them to appear before the judge to explain the reasons for the nearly two-year delay. DDD immediately advised that a home had opened and provided another date (within one to two months) for WW's placement. DDD advised Ancora of the pending placement and they packed him up and he was awaiting a car from DDD to pick him up and take him to the group home. DDD called and indicated to the Ancora staff that the placement had fallen through. It was determined that the contracting section of DDD never told the placement section that there was not a contract for the home. The Division of Mental Health and Guardianship Advocacy immediately began the process of issuing subpoenas, and simultaneously advised the Commissioner's staff at DHS that we would like to resolve the matter outside of court.

Within days of the issuance of subpoenas, a contract was signed on the home and it was open to accept at least 2 to 3 clients. DDD then informed our office that WW may not be one of those clients at this time. After numerous calls to the DDD director and staff, they agreed to take WW and he was placed in the group home. WW is very happy in his new environment. His father has since sold his home and moved and is also very happy with WW's new home. The Department of Public Advocate follows up on WW's progress every other month.

CASE #5

Division of Citizen Relations received a copy of a letter that DW had written to the Commissioner of Education, expressing extreme concern about her son, JD, being threatened by fellow students at a high school in Morris County. She felt the school, local police and the Department of Education were not seriously addressing her concerns. Specifically, she thought the school violated its own anti-harassment/anti-bullying policies and failed to provide a safe learning environment for her son.

DW is the mother of JD, who is in his first year as a senior at a high school in Morris County. DW wanted information as to her rights, as a parent, on how to ask a public high school for help in protecting her son from bullying and violent threats from fellow students.

RJ resides in New York. He purchased VHS tapes from a company on E BAY that is based in New Jersey. He filed a complaint to get his money back, claiming the tapes were damaged. RJ received his money back for the tapes, but he did not receive his refund of shipping and handling charges of \$3.75. He filed his original complaint with EBAY and felt he was not receiving the proper treatment. He then filed a complaint with NJ Division of Consumer Affairs. The Division of Consumer Affairs in Atlantic County investigated the case and ultimately closed the case based on testimony from the business owner. RJ was displeased with this response from Atlantic County and wrote to the Director of Division of Consumer Affairs for a review of the case. Upon their review, they responded to RJ that they agreed with Atlantic County and his file would remain closed. RJ then filled out an OPRA request for copies of the "certain documents" referred to in their letter, only to find out that these documents did not exist.

The Division of Citizen Relations has investigated all sides (EBAY, NJDCA, Atlantic County Consumer Affairs and RJ). This complaint is still open at this time. We have offered RJ to mediate this matter to no avail. RJ is looking for a much larger amount of money at this time and claims the inadequacies of state government agencies forced him to expend an enormous amount of time, energy, document preparation and postage in order to prove his case. Our division is still investigating this matter.

In all of the above cases, the agencies involved were highly responsive and provided the Division of Citizen Relations with the support of their respective departments in order to rectify the problems we brought to their attention.

4. As of January 31, 2007, only 16 percent of the Division of Public Interest Advocacy's adjusted appropriation had been spent. Budget evaluation data indicate that the office intends to double the number of positions from 9 to 18 in FY 2008.

***QUESTION: Why has the Division of Public Interest Advocacy spent such a small portion of its FY 2007 appropriation? What increased activities is the office planning to undertake to justify the doubling of the workforce and the continuation to its budget at the FY 2007 adjusted appropriation level?**

As of April 24, 2007, 14 of the 18 positions have been filled. The Department has preferred candidates for all of the remaining positions. We expect to be fully staffed by June 30, 2007. The Department believes it is properly funded for FY07 and the Department supports the proposed FY08 budget.

As the hiring information below demonstrates, the Department has made steady progress in staffing the Division of Public Interest Advocacy. Our first priority was to find an outstanding candidate to direct the office before we hired any staff attorneys and support personnel. After a rigorous four month process, we offered Catherine Weiss, a nationally recognized litigator and policy expert, the Director position. We immediately began interviewing and making offers to candidates in the summer. To save money, we waited to hire support staff and investigators until a significant mass of attorneys were on board in the fall. In sum, the Department had an extensive hiring process that interviewed over 200 candidates for these 18 positions. The

After Kevin Ryan was appointed Commissioner of the Department of Human Services in January 2006, most of the Office of the Child Advocate staff members of the Office of the Child Advocate also left to work with Kevin. At the start of the fiscal year, just six full time staff members remained. The Child Advocate herself did not start until November, 2006.

During that period of transition, the office's helpline function and active monitoring of Bancroft Neurohealth were the main focus of work, though other statutory mandates such as IAIU monitoring were carried out to the best of the staff's ability.

Since assuming office, Dr. Hodgson sought to hire her senior staff first and as of February, three key staff had been hired (1st Assistant Child Advocate, Chief Counsel, Director of Welfare and Health Policy Monitoring, and the Chief of Staff). Senior staff have been conducting an aggressive interview process. The Office expects to be fully staffed by June 30th. Thus, the Office does not expect a large surplus in FY08.

What specific activities is the office planning to undertake to justify the increase of the workforce and the continuation of its budget at the FY 2007 adjusted appropriation level?

Dr. Hodgson is in the process of re-staffing the office to its full capacity so that it may accomplish its goals as determined by her and the office's governing statute.

Among many other things, these plans include:

- Improving the state of Children's Health for all New Jersey children, particularly those in the foster care system. An inclusive audit of the Comprehensive Health Exam for Children (CHEC) system, the main health screening for all children entering the system. The Child Advocate has undertaken an expansive survey of health providers, including specialists and dental providers to determine access to care for pediatric Medicaid recipients, is also already underway.
- Working with the welfare reform monitor to ensure DCF's compliance with the modified settlement agreement. In particular the OCA will examine real outcomes of the agreement's requirements and any adverse trends that may result.
- Ensuring the safety and effectiveness of all facilities that house children who have been placed by the state, including juvenile detention centers, residential treatment centers, and out of home placements such as foster care homes, through regular monitoring of abuse incidents and resulting trends.

The office's ongoing monitoring of Bancroft Neurohealth in Haddonfield and upcoming look at whether practices and systems adversely affected children at another residential facility are two examples of this work.

- Ensuring the effectiveness of programs and offices mandated to serve those children who have been placed by the state. Regular monitoring of the work and