



Center for the
Study of Social Policy



February 18, 2025

Cabinet Secretary Teresa Casados
New Mexico Children, Youth, and Families Department

Tara Ford
Kevin S. Plaintiffs' counsel

Via electronic mail

Re: CYFD Commission

Dear Secretary Casados and Ms. Ford,

It has come to our attention that the New Mexico Legislature plans to consider legislation which may move the Children, Youth, and Families Department out of the Governor's direct responsibility and place governance of the agency in the hands of an appointed 5-member Commission. While we generally do not comment on legislative activities, we believe it is important that we share our views on this proposed change, based on both of our experiences in multiple states involved in child welfare reform. While we understand fully the need for effective leadership and accountability to improve the performance of CYFD on behalf of New Mexico's children and families, we feel strongly that this change will not help and may, in fact, make improvement efforts even more difficult.

In states where we have both worked (as an agency leader and as court-appointed experts and monitors), part of the work that led to better outcomes was in fact creating the child welfare department as a Cabinet level agency reporting directly to the Governor. In states where we have witnessed reform take root, the Governors' direct oversight and support played a significant role in prioritizing child welfare reform within government, eliminating barriers and advancing accountability. As you know, child welfare services and policies do not operate as an isolated entity; children and families involved with the child welfare agency need help from many different parts of the broader child welfare system, which includes other state government agencies and departments, Nations, Pueblos, and Tribes and the community. In our view, child welfare services cannot be successfully operated in a vacuum and having the direct Cabinet level support of the health agency, the departments of early childhood and education, developmental disabilities services, and other state governmental agencies – such as personnel and budget – is essential for success. Commission-led governance is very likely, in our view, to exacerbate many of the problems we have documented in New Mexico.

New Jersey and the District of Columbia – two systems that initially faced problems as extensive as New Mexico and have now successfully exited from litigation – created a Cabinet level agency as part of their settlement agreement reforms. A third system in Oklahoma – which will exit

CYFD Commission

February 18, 2025

Page 2

litigation in the next several weeks – substantially and sustainably improved system outcomes and abolished its commission governance model and moved instead to a single Cabinet leader reporting to the Governor. It is our opinion that Oklahoma’s change away from an outdated commission-led structure was very important to the ultimate success of their reform.

Please feel free to share this letter if you deem appropriate.

Sincerely,



Judith Meltzer
Center for the Study
of Social Policy



Kevin Ryan
Public Catalyst

cc: Secretary Armijo, HCA
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