

§26203. Powers and duties of office

1. Complaints. The office shall review complaints and determine if the office considers it necessary to:

A. Investigate the actions of a state agency and make recommendations to address concerns; [PL 2025, c. 724, §3 (NEW); PL 2025, c. 724, §13 (AFF).]

B. Identify whether a complaint raises a systemic issue that must be addressed and make recommendations to a state agency that is implicated; and [PL 2025, c. 724, §3 (NEW); PL 2025, c. 724, §13 (AFF).]

C. Make recommendations to a state agency related to specific complaints. [PL 2025, c. 724, §3 (NEW); PL 2025, c. 724, §13 (AFF).]

[PL 2025, c. 724, §3 (NEW); PL 2025, c. 724, §13 (AFF).]

2. Case-specific reviews. The office may complete a case-specific review on the receipt of a complaint or on the office's own initiative. When coordinating a case-specific review, the office shall coordinate efforts with the state agencies involved to minimize the impact and trauma to the child, family and department personnel involved.

A. In a child welfare case, if there is a pending criminal investigation or prosecution in state or federal court identified prior to or during a case-specific review, the office may consult with the Attorney General before proceeding with the review. The consultation with the Attorney General does not halt or delay the case-specific review. [PL 2025, c. 724, §3 (NEW); PL 2025, c. 724, §13 (AFF).]

B. If a review requires the office to interview a child receiving services from the Department of Health and Human Services, the office shall consult with the Attorney General. An interview must be conducted using trauma-informed and developmentally sensitive interview techniques. [PL 2025, c. 724, §3 (NEW); PL 2025, c. 724, §13 (AFF).]

C. If a review requires the office to interview a child in the custody of the Department of Corrections, the prosecuting attorney, the defense attorney for the child and the Attorney General must all agree to the interview, including any specific terms of the interview. An interview must be conducted using trauma-informed and developmentally sensitive interview techniques. [PL 2025, c. 724, §3 (NEW); PL 2025, c. 724, §13 (AFF).]

[PL 2025, c. 724, §3 (NEW); PL 2025, c. 724, §13 (AFF).]

3. Systems-wide or periodic review; recommendations. The office may complete systems-wide or periodic review of policies, programs, rules, procedures or services offered to children and provide recommendations to address systemic concerns in order to improve the quality of care in order to provide children with the opportunity to live full and productive lives.

[PL 2025, c. 724, §3 (NEW); PL 2025, c. 724, §13 (AFF).]

4. Consultation. The Child Advocate shall regularly consult with state agencies and the advisory committee and participate in conferences, meetings and studies aimed at improving the performance of state agencies.

[PL 2025, c. 724, §3 (NEW); PL 2025, c. 724, §13 (AFF).]

5. Information and referral services. The office shall provide information and referral assistance to families and the public to assist families and the public in navigating and accessing services available through state agencies and to promote the child's best interest. The provision of information under this subsection does not constitute legal representation of a child or parent. A family may seek and must receive information regardless of whether the family is represented by legal counsel. The information must be provided free of charge. Failure to provide information under this subsection does not create a cause of action or have any effect on a child protective proceeding.

[PL 2025, c. 724, §3 (NEW); PL 2025, c. 724, §13 (AFF).]

6. Outreach and advocacy. The office shall perform educational outreach and advocacy initiatives as part of the mission and responsibilities of the office and in coordination with other relevant advocacy organizations. The office shall provide information through a toll-free telephone number and a publicly accessible website.

[PL 2025, c. 724, §3 (NEW); PL 2025, c. 724, §13 (AFF).]

SECTION HISTORY

PL 2025, c. 724, §3 (NEW). PL 2025, c. 724, §13 (AFF).

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