



OFFICE OF THE STATE AUDITOR



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MORE TRANSPARENCY AND STRONGER OVERSIGHT NEEDED AT OFFICE OF THE CHILD'S REPRESENTATIVE

DENVER—the Office of the State Auditor (OSA) has released its performance audit of the Office of the Child's Representative (OCR) and has found a number of issues related to selecting, monitoring, and paying its contract attorneys, as well as overseeing the Court Appointed Special Advocate (CASA) programs, as required by statutes. The OSA also found that OCR needs better controls of its staff use of state procurement cards.

OCR was established in 2000 to provide high-quality legal representation to children in court cases related to child abuse, abandonment, or neglect. In Fiscal Year 2018, OCR contracted with 255 attorneys at a cost of \$20.9 million.

However, auditors found that OCR lacked transparent and consistent processes for selecting attorneys for contract and did not document the basis for denying or awarding contracts for 20 of the 23 attorneys sampled. Of the attorneys who received contracts, there were three who did not meet with children within 30 days of being appointed to their cases, and 20 attorneys with founded complaints against them. OCR also did not obtain proof that 13 of these attorneys had completed required training, or that 10 of them had current professional liability insurance.

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The audit also found that OCR's monitoring of contracted attorneys' performance was inconsistent. During the attorneys' 3-year contract period, 2014 to 2017, OCR observed the performance of one sampled attorney in court only once, observed another attorney three times but all in the same week, and observed another attorney 13 times.

When auditors looked at whether OCR met its statutory role to oversee local CASA programs, they found that it handed over most of its responsibilities and about \$1 million each year to a nonprofit organization, outside of state government, with no contract or monitoring by OCR.

Auditors also found about \$435,000 in OCR payments to contract attorneys that did not comply with Chief Justice Directives, OCR policies, or attorney contracts, such as \$137,000 in payments that appeared to be for duplicate billing and other attorney activities that were not allowed to be billed.

Separately, the audit found that from July through December 2017, OCR staff used state procurement cards to make \$5,400 in purchases that were not allowed by OCR policy, were not supported by documentation, and had not been approved by supervisors.

The audit makes 5 recommendations.

The full report is available @ www.colorado.gov/auditor.

Under the direction of the state auditor, the OSA is the state's nonpartisan, independent external auditor with broad authority to audit state agencies, departments, institutions of higher education, and the Judicial and Legislative Branches. The OSA's professional staff serve the people of Colorado by addressing relevant public issues through high-quality, objective audits and reviews that promote accountability and positive change in government. Performance audits address whether programs operate in compliance with laws and regulations and in a manner that accomplishes intended program goals. Financial audits include annual audits of the state's basic financial statements and federal grants on a statewide level. IT audits review procedures and technology to ensure the confidentiality, integrity and availability of the state's critical computer systems and taxpayer data. The OSA also tracks about 4,000 Colorado local governments for compliance with the Local Government Audit Law.

