



CITIZENS' ADVOCATE OFFICE

"Promoting Fairness and Efficiency in Public Administration"

Joan R. Beck, Citizens' Advocate

Lexington-Fayette Urban County Government

"The Horse Capital of the World"



2008 A Year of Challenges, by Joan Beck, Citizens' Advocate

2008 began with a recommendation by Management Partners that the office of the Citizens' Advocate be eliminated as being old-fashioned. We took exception to the recommendation on several grounds. First, it lacked supporting documentation. Second, while ombudsmanship is indeed an old concept, it is gaining, not waning in popularity. Third and perhaps most importantly, due to the manner in which the office was created it can be eliminated only by amendment of the Charter of the Urban County Government.

This administration acted on the recommendation and prepared a budget without funding for this office, setting up a charter challenge. The citizens of Lexington realized the nature of the challenge and the value of an independent arbiter. More than 300 Lexingtonians petitioned the Urban County Council to uphold the Charter. The Urban County Council realized the importance of the rule of law and restored the budget of the Citizens' Advocate Office. More importantly, however, the Council realized the necessity to explore the role and function of the office and established the Citizens' Advocate Work Group, to review professional standards and a draft procedure manual.

Through the Fall of 2008 six members of the Urban County Council studied two lengthy documents and discussed them in light of their expectations, Council rules, the Code of Ordinances and Charter. Through this process the Advocate gained better understanding of the needs of Council and the Council gained a better understanding of the daily operation and overarching values of the office.

The guiding documents are in their final review by the Department of Law. Once adopted these will provide a framework for the daily operation of the Citizens' Advocate office, a "how-to" guide for future advocates, and a philosophy that sets the tone of the office. These documents can be a basis for setting performance standards, job descriptions and evaluations. They go a long way to formalizing and standardizing the operation of the Citizens' Advocate Office. Formal written documents are the foundation of a transparent organization. We are confident that the completion of those projects will greatly improve our functionality and clarify our role in the overall structure of government.

For the Record:

Quarterly Report Recap		Total Intakes
First Quarter		77
Second Quarter		57
Third Quarter		46
Fourth Quarter		36
Total Intakes Received		216

ANNUAL INTAKE PER DISTRICT		
Districts:		Totals:
James	District 1	26
Blues	District 2	22
DeCamp/Lawless	District 3	17
Beard	District 4	15
Stevens/Feigel	District 5	11
Stinnett	District 6	7
Crosbie	District 7	11
Myers	District 8	7
McChord	District 9	6
Blevins/Martin	District 10	6
Henson	District 11	6
Lane	District 12	13
Non-District Related	District 13	69
TOTAL INTAKE		216

Top Department Intakes	Totals
Public Safety	58
Public Works & Development	40
Finance and Administration	29
Outside Agency	49

ANNUAL DEPARTMENT INTAKE TOTALS		
Departments:		Totals:
Chief Information Office		1
Council		10
Environmental Quality		11
Finance and Administration		29
General Services		8
Law		1
Mayor's Office		31
Public Safety		58
Public Works & Development		40
Social Services		11
Other:		
	Outreach	4
	Outside Agency	49
TOTAL INTAKES ROUTED:		250
Some intakes may impact several different departments		

2008 Conference Highlights, by Paula Campbell, Adm. Specialist Sr. CA Office

The 29th Annual Conference of the United States Ombudsman Association was hosted by the Citizens' Advocate Office at the historic Crown Plaza – Campbell House Hotel September 28 – October 3, 2008. Seventy six ombudsmen from twenty one states and six foreign countries, including Austria, Australia, Canada, and Korea, came to Lexington to learn from the best about how to improve the functions they oversee.

The Theme, ***"From the Starting Gate to the Finish Line: Ombudsmen and the Race for Excellence"*** throughout the conference outlining an excellent agenda especially beneficial workshops, presentations, luncheon speakers, entertainment and the best of the Bluegrass.

Day one of the conference opened with our popular two-day workshop for new ombudsman. Participants learned about the origin, characteristics, and standards of an ombudsman office from a host of instructors having more than 50 collective years of experience in their respective offices. Topics of discussion included basic intake, interviewing and investigation techniques, reports, along with a case study that enabled participants to apply knowledge to practice. Examining the various roles an ombudsman may face with an opportunity to explore best practices, time saving tips, and tools of the trade with a group of experienced, successful ombudsmen provided a unique benefit for new participants. Each participant received a certificate of completion upon completion of this workshop.

More than 250 attendees participated in the High Conflict Personalities pre-conference workshop which was co-sponsored by the Mediation Division of Court Services, Department of the Kentucky Administrative Office of the Courts. A special thanks to Carol Paisley, J.D., Manager, and her dynamic staff for their collaborative efforts. Co-sponsorship of this workshop was a first for both organizations, and both benefited from the collaboration. Six hours of continuing legal education and/or continuing mediation education credit was made available to participants who attended the advanced training presented by Bill Eddy, Attorney, Mediator, and Clinical Social Worker on essential skills and strategies for Dealing With High Conflict Personalities. We learned skills and participate in practice exercises. As ombudsmen, we frequently interact with people who have difficult personalities.



Our presenter, Mr. Eddy, gave us strategies to not only cope, but to be effective in the face of adversity. During lunch our guest speaker, Robert Benvenuti, the Adjunct Professor for the University of Kentucky College of Law and founding member of Barnett, Benvenuti and Butler PLLC, reminded us of the value of independent oversight.

The Vice Mayor Jim Gray issued the call to post as he welcomed our visitors to Lexington. Followed by opening commentary by James W. Holsinger, Jr., MD., PhD. Throughout the day, six concurrent sessions offered our attendees a variety of workshops. Leading from the starting gate, Beverly Reeves, Austin Independent School District Ombudsman, covered how to start an ombudsman office. Topics included determining the physical location of the office, and establishing the functionality of the office, i.e. constituencies, publicity, record keeping, data analysis, and managing organizational culture issues, provided strategies necessary to address challenges that may arise for a new ombudsman.

At the Morning Line session, two experienced ombudsmen, Linda Lord-Jenkins, the Ombudsman for the State of Alaska and Laura Pettigrew, Senior Counsel at the Ontario Ombudsman Office, presented a two-part workshop on Writing the Investigative Report. Every investigative report tells a story, but not all investigative reports are about exciting events. Skillful writing is the key to keep the audience interested all the way to the finish line. Both presenters provided practical information about fact gathering, organization, tone, analysis and general writing skills that can be used to grab the reader at the first page and keep them glued to the report to the wire.

By the time we were at the Clubhouse Turn, Lin Quenzer, Ombudsman with the Office of the Mayor, in the City of Lincoln, Nebraska, astounded us as she provided insight about using on-line complaint systems. By developing and implementing an on-line "Service Request" system, the ombudsman can best service routine inquiries and devote 25 percent more time to directed constituent services and investigations. The goal here was to orient and assist the audience participants with how an on-line complaint system can be replicated in their respective offices by working with IT staff to reduce

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time spent responding to inquiries for basic information or routing simple service request. The added side benefit of the service request system is the ability to more easily spot trends in service concerns so they can be addressed early and with a minimum of intervention.

Sylvia Lovely, the Executive Director/CEO for the Kentucky League of cities and the founder and President of the New-Cities Institute inspired us during her Keynote Address. She often joked about how she was born in city hall – but she's only half kidding. The small hospital in the Appalachian hills of Kentucky where she was born was, indeed, transformed years later into the city hall of Frenchburg, Kentucky, her hometown. An established author, Ms. Lovely encouraged participants to take action in building the kind of world they seek, one community at a time.

We were closing the gap on legal issues by that afternoon dealing with an ombudsman's "turf" in a world of court cases, statutes, acts, codes and policies as leading topics for this interactive session that expanded our knowledge and ability to help prepare for meeting legal challenges in the race for excellence. The discussion was moderated by Ruth Cooperrider, the Deputy Ombudsman for the State of Iowa and a group of attorney panelists: Jon Stier, the Senior Deputy Ombudsman in King County Washington; Laurie Lenkel, the Director in the Office of Ombudsman for the U.S. Food and Drug Administration; and Laura Pettigrew, the Senior Counsel at the Ontario Ombudsman Office in Canada; representing ombudsman offices from the local, state, and federal levels of government in the United States and in the international arena.

Concluding the concurrent sessions for the day was the Steeplechase – Cross Cultural Awareness presented by Isabel Gereda Taylor, the Multicultural Affairs Coordinator for the Lexington-Fayette Urban County Government and by Ying Juan Rogers, the Vice President of the Kentucky World Trade Center, with outstanding topic about *"When the World Comes to Our Door, Do We Kiss, Bow, or Shake?"*, that pointed out the importance of customers in daily life. Their attendees gained considerable knowledge and understanding about how to negotiate the cultural hurdles of daily business, as well as how to learn to identify biases and how they may impede the free flow of information.



During the late afternoon on Wednesday a number of specialized Chapter meetings were organized. USOA members from difference areas of authority, interest, and expertise in their jobs took part in the opportunity to meet and share experiences, resources, and accomplishments with their respective Chapters. The Children and Families Chapter guest was Kelly Rae Roberts, the Executive Director of the Children's Advocacy Center of the Bluegrass, who shared information about the role of Children's Advocacy Centers throughout Kentucky and the nation, noting the importance of keeping children first as part of child abuse investigations. Dr. Irina Soderstrom, the Associate Professor of Correctional and Juvenile Justice Studies at the University of Eastern Kentucky, shared her expertise and research with the Corrections Chapter regarding mental illness in offender populations. Dana Abrams, the Ombudsman for the Saint Paul Public School District #625 in Minnesota gave a very comprehensive presentation to the Education Chapter about working more effectively with diverse families. While Sandra Brock, the Executive Director for the Office of the Ombudsman for the Cabinet for Health and Family Services, served as speaker and moderator for the Healthcare Chapter as she shared her expertise and insight on mental health care and privacy issues. Last but not least, Kenneth Glen, the director of the Citizen Complaint Authority (CCA) for the City of Cincinnati Ohio, discussed the Cincinnati experience with citizen complaints about police conduct with the Municipal Government Chapter.

On day four of the conference, we were well on our way down the home stretch evaluating ombudsman operations and establishing performance measures. G.B. (Gord) Button and Frank Fowlie gave us food for thought on framing the valuable tools and processes essential for developing a Strategic Business Plan in a small ombudsman office. Strategic Business Planning is a valuable tool and process for small ombudsman offices to focus their activities on important objectives, measure performance, and demonstrate their value. Mr. Button, the Ombudsman for the Province of Alberta, Canada, led this portion of the one-day interactive workshop exploring some key components of the process for developing a Strategic Business Plan in a small office environment. Participants were able to apply the processes discussed to their own circumstances dur-

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ing the workshop and leave with a framework within which they can develop their own Strategic Business Plans when they return home. By giving some thought to issues in their work environment, participants gained considerable knowledge about what affects their performance, objectives, or expectations for their offices and the key initiatives they might pursue to obtain these objectives. The ombudsman evaluation portion during the second-half of this one-day workshop was presented by Frank Fowle, the Internet Corporation for Assigned Names and Numbers (ICANN) Ombudsman. During his portion of the session, we examined evaluation planning, self-evaluation tools, ad reporting strategies outlining the basic blueprint for the evaluation of ombudsman operations derived from Mr. Fowle's doctoral dissertation. This program provided ombudsman practitioners with a basic understanding of the evaluation process; summative, formative, and ongoing evaluation; and low-cost tools, which may be employed to develop an understanding of the operations, outputs, and weaknesses of an ombudsman operation. During lunch, Kim Martin, the Senior Vice President and Compliance Office of Kindred Healthcare, spoke of apology. Using her extensive knowledge and experience in risk management for multi-state, multi-provider healthcare systems in both loss prevention and risk financing, including alternative risk financing structures, Ms. Martin spoke extensively on customer service and customer acknowledgement in working with patients, their families, and employees. Entertainment capped off the end of the day as our guest where whisked away to the Kentucky Horse Park by the Division of Police transportation services. While there, guests where able to partake in a traditional bluegrass hayride, do some clogging, and attend our banquet featuring Henry Clay, the Great Compromiser. This program was funded in part by the Kentucky Humanities Council, Inc. and the national Endowment for the Humanities.

On day five, the conference was winding to a close with three packed concurrent sessions remaining. A Steward's Inquiry lead the day on Ethical Analysis presented by Allison Connelly, the Professor of Law at the University of Kentucky Law School. A refreshing analytical process used with the Lexington-Fayette Urban County Ethics Commission, Ms. Connelly engaged her audience to think about how an ethics commission determines if a violation has occurred, knowing that each public entity has its own code of ethics. All bets where on the second concurrent session to win, place or show a better understanding of the Why and How of Estimating Ombudsman Value via Surveys presented by John W. Zinsser, the co-founder and Managing Principal of Pacifica Human Communications, LLC for over 15

years. This interactive session addressed a few of the ombudsman-specific philosophical challenges about estimating value and surveying. Participants where able to examine current survey practices. The third and final concurrent session notably ended with the Ombudsman Superfecta – a common ground panel discussion moderated by Kathy Gannoe, the Executive Director for Nursing Home Ombudsman Agency of the Bluegrass, featuring eight (8) panelists representing various ombudsman organizations to engage the audience in topics regarding the things that unite and divide us, and how we can build on the strengths of our ombudsman professions.

We want to thank all the local experts and dignitaries who made valuable contributions to the conference. Our guests were very impressed by the number and quality of local speakers who participated. Among many where several UCG Divisions who helped with the conference logistics and planning: like the Council Office Staff, the Department of Government Communications – LexCall, the Department of Public Safety–Division of Police for transportation services to and from the Kentucky Horse Park, Individuals from Information Technology and the Department of General Services. Other outside agency contributed as well, like the Kentucky Educational Television (KET), Bill Straus Photography LexMark, and of course the staff at the Crowne Plaza Lexington Hotel for their diligent work to make this conference a success. Our guests where also charmed by the hospitality of our residents as they extended their stays to take in some of the beauty of the Bluegrass. Two years ago this office was instructed by Council to “bring home the bacon” by bringing a national conference here. We did that and it was a great success, by any measure.



Dear Joan:

I wish to thank you for your active participation at key meetings during the lengthy campaign of Hartland Parkway home owners. Your successful advocacy validates the necessity of your position in LFUCG as a credible voice at City Hall, parties in any complaint situation realize that you have the facts and know what you are talking about.

At this time I also wish you continued success in future endeavors and hope you will continue to seek and obtain fair treatment for our citizens.

Very truly yours,