

# Office of the Public Guardian

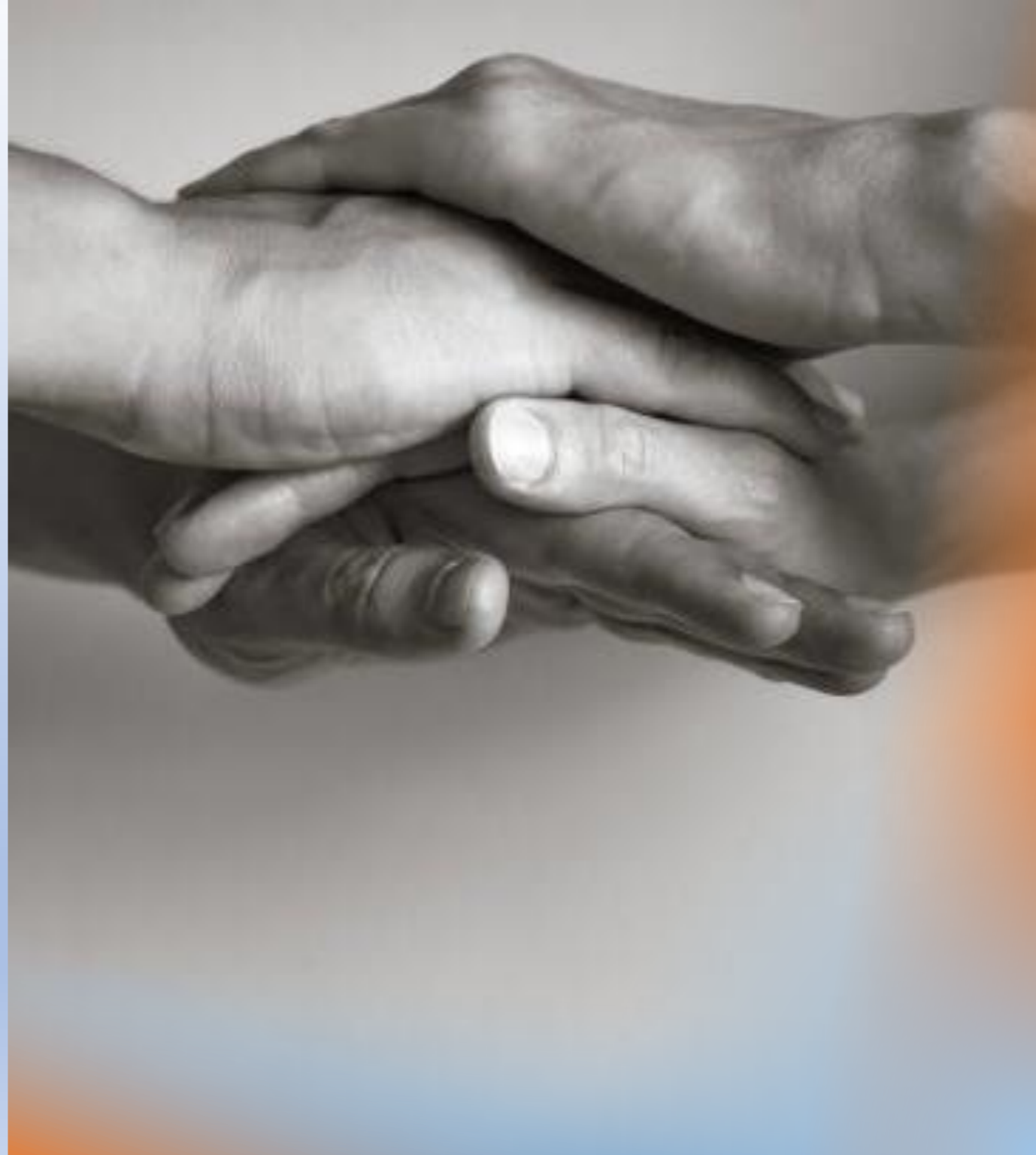
## FY2026 BUDGET REQUEST

Joint Finance Committee

February 2025

*Alexandra McFassel, Esq, NCG*

*Public Guardian*



# OUR AGENCY:

## **MISSION:**

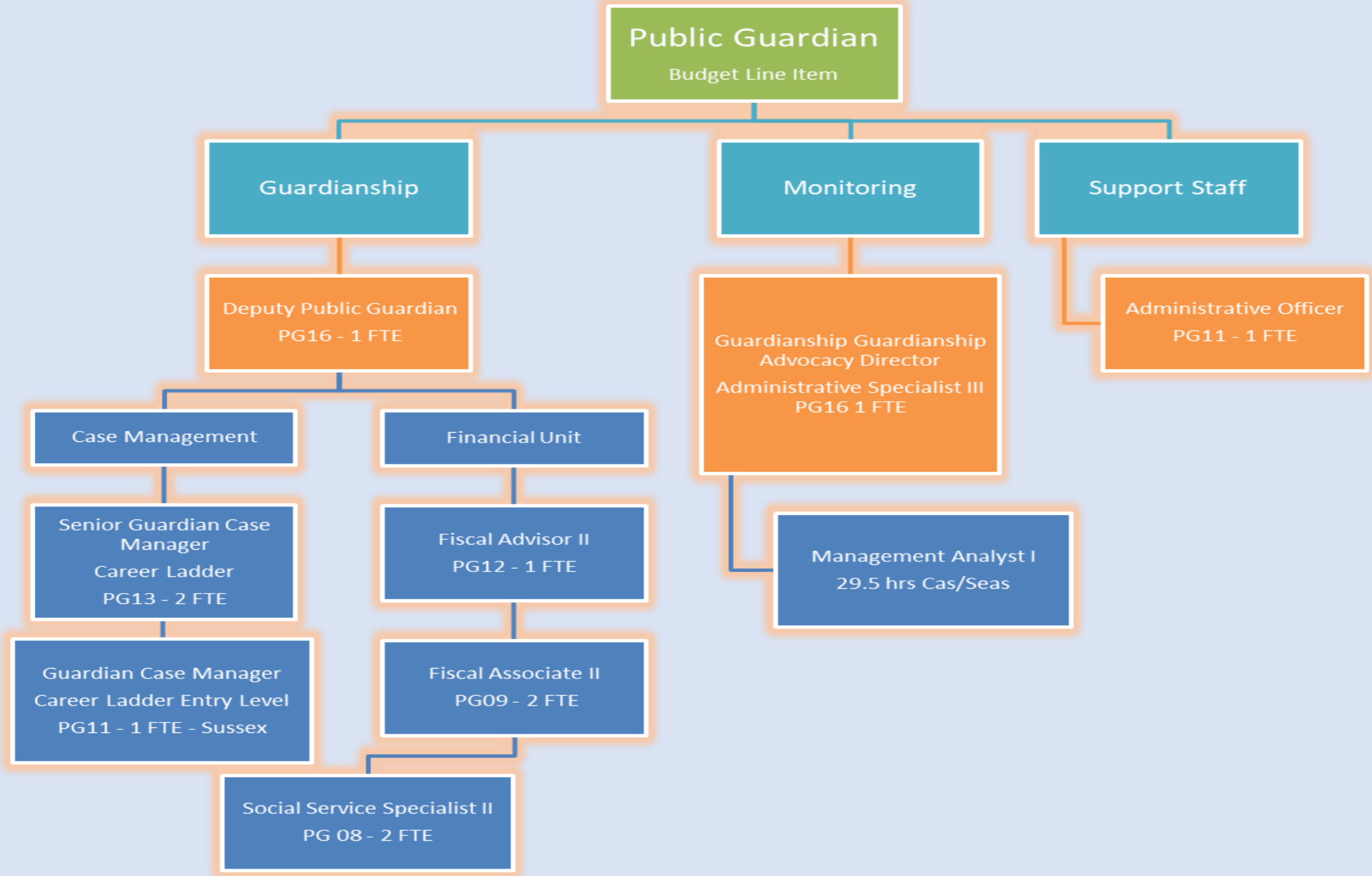
To provide quality, comprehensive, protective guardianship services to adult citizens of Delaware who are severely mentally or physically disabled, are unable to manage their personal and financial affairs, are at risk for neglect, abuse and victimization and have no one else able or willing to serve as a guardian.

## **GOALS OF THE OFFICE:**

Advocate for the agency, its mission and its service to individuals through education and networking with the public and other professional communities. Maintain the certification as registered guardians of key staff in whom decision-making is vested.

*There are two types of guardianship: of the person, and of the property. A guardian of the person is given the authority to make personal decisions for the ward, like where he will live, and under what conditions, etc. A guardian of the property manages the finances of the ward.*

*The Court may appoint either type of guardian or both person and property, or two separate guardians may be appointed.*



Public Guardian  
Budget Line Item

Guardianship

Monitoring

Support Staff

Deputy Public Guardian  
PG16 - 1 FTE

Guardianship Guardianship  
Advocacy Director  
Administrative Specialist III  
PG16 1 FTE

Administrative Officer  
PG11 - 1 FTE

Case Management

Financial Unit

Senior Guardian Case  
Manager  
Career Ladder  
PG13 - 2 FTE

Fiscal Advisor II  
PG12 - 1 FTE

Management Analyst I  
29.5 hrs Cas/Seas

Guardian Case Manager  
Career Ladder Entry Level  
PG11 - 1 FTE - Sussex

Fiscal Associate II  
PG09 - 2 FTE

Social Service Specialist II  
PG 08 - 2 FTE

## SUMMARY OF VACANT POSITIONS

*One current vacant position  
Social Service Specialist II. Due  
to employee taking another  
position within the agency.  
Position is posted.*

## PERFORMANCE MEASURES

- Referrals Received: ≈80
- Referrals Accepted: ≈47
- Current Guardianship of Person Appointments: ≈215
  - New Castle: 91
  - Kent: 61
  - Sussex: 63
  - Emergency: ≈3 (Managed in Dover)
- \*Emergency Guardianships are Interim guardianships involving the necessity of a decision regarding emergent medical or financial issues within 72 hours to two weeks.
- Current Guardianships of Property/Representative Payee: ≈ 183
- Legal Filings by Public Guardian for Agency: ≈750
- Amount of Resources Managed: ≈ \$2,000,000
- Amount of Income and Disbursements Managed:≈ \$4,000,000

## THINGS YOU MAY NOT KNOW ABOUT OPG

The current machine-based Financial Database software system was only made possible by a private donation in 2008. It is supported by a technical support contract of \$5,400.00 annually. Machine-based software support programs are phasing out in favor of web-based SaaS (Software-as-a-Service) programs which offer constant updates, and in this case more secure operational programming.

The current financial database system can be converted to the web-based SaaS application that is superior to the machine-based application in security and updates for \$9,000 annually. (Discussed Budget Priority #1, below)

Guardian Case Managers, the Deputy Public Guardian and the Public Guardian share on-call duties and are on-call one week out of 6 (when fully staffed), 24/7, for the entire agency caseload.

Current OPG caseloads for Guardian Case Managers are at the highest they have ever been. OPG is only able to accept cases of medical and financial emergency.

OPG manages 2 million dollars in client resources and 4 million dollars in income annually. Most individuals that OPG serves have less than \$2,000 in resources. Income is utilized to pay for care .

**Currently, the Office operates on LESS than ONE MILLION DOLLARS in annual funding.**

Budget  
Priority #1

Funding for Cloud Based "SaaS"  
Financial Case Management  
System

\$9,000 Additional Annually  
(Total Cost≈\$14,400)

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OPG currently has 184 Financial Cases.

Based on performance measures, OPG manages 2 million in resources and 4 million in income and disbursements annually. In order to maintain the security of the financial management and the viability of the system, moving from machine-based software to a web-based system is essential.

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**This is a "Door-Opener", as the current desktop software is becoming obsolete.**

The web-based SaaS application is superior to the current machine-based application in security and updates. The current machine-based software installation will not be supported in the future, and a transition to the web-based system is necessary as soon as funds are available.

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OPG currently pays \$5,400.00 for technical support contract. These funds can be utilized to support the request. OPG needs an additional \$9,000.00 per year to support conversion to SaaS, based on estimated caseload of 300.

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The original budget request was based on \$4.50 per case, which has been negotiated to \$4.05.

Utilizing the more secure SaaS system could also reduce technical hardware needs and streamline computer usage, replace and refresh at OPG.

Budget  
Priority #2

1FTE – 1.0  
Guardian Case Manager PG11  
to  
Senior Guardian Case Manager  
PG13  
\$82.4 in Personnel Costs  
\$2.5 in Supplies and Materials

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OPG Currently has approximately 218 Guardianship of Person cases. This number cannot increase without additional resources.

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Guardian Case Manager Staff for guardianship of person has remained at the same levels since 2009.

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OPG has three Guardians Case Managers managing over 60 assigned cases per Guardian Case Manager.

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OPG is only able to currently accept cases of medical and financial emergency.

Budget  
Priority #3

Conversion of Casual/Seasonal  
Management Analyst 1  
position to an FTE  
\$70,042.00

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Management Analyst I position is currently funded at 29.5 hours and paid for by the OPG out of Agency personnel funds.

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This position currently provides the Court of Chancery coverage for its routine guardianship monitoring of over 2,000 cases. This position provides no support to the Office of the Public Guardian.

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The Guardianship Monitoring Program assists the Court of Chancery by routinely reviewing adult guardianship cases. Current objective, being met, for the Casual/Seasonal position is 350 cases per year. An FTE is needed for more monitoring coverage of the approximate 2000 adult guardianships in the Court of Chancery.

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The Management Analyst I position is one of two positions dedicated to Guardianship Monitoring Program for the Court of Chancery, and both are supported by additional OPG personnel and budget.



# FUTURE BUDGET PRIORITIES

- IF NOT SUCCESSFUL IN THE FY26 BUDGET CYCLE, OPG WILL CONTINUE TO WORK ON:
  - Conversion of the financial database from machine based software to a more secure web-based SaaS system.
  - Pursuing 1 FTE for Case Management support in New Castle County.
  - Conversion of the Casual Seasonal Position to an FTE to increase Court of Chancery Monitoring Support.
- GOING FORWARD OPG WOULD SEEK AN ADDITIONAL FISCAL ADVISOR II FTE, OR AN ACCOUNTANT POSITION.

Thank you for the  
opportunity to present to  
the Committee.

Office of the Public Guardian

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# FY 2026 Budget Request

Joint Finance Committee Hearing

*February 2025*



Advocacy | Education | Collaboration | Evaluation

Tania Culley, Esquire, CWLS

Child Advocate

Executive Director, Child Protection Accountability Commission

# Then and Now

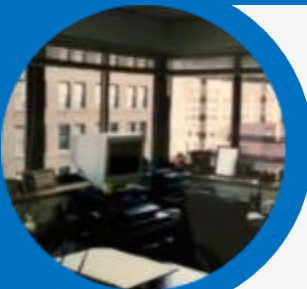
2000



4 staff  
28 volunteer attorneys



\$250k budget



1 office  
Legal Services only

2025



46 staff and contractors  
400 volunteers



\$3.1m budget



3 offices statewide  
3 Divisions

# Our Agency

## Office of the Investigation Coordinator

Monitors over **1,600** serious child abuse cases each year, leads MDT case reviews, and maintains data on substance exposed infants.

## Legal Services

Represents over **850** children each year through Child Attorneys and Court Appointed Special Advocates.

## Policy and Training

Reviews serious child abuse cases, manages youth advancement programs, coordinates child welfare trainings, generates child welfare data, and staffs CPAC.

## Administration

Administrative support provided to all divisions through leadership, managers, and support staff.



## Our Mission:

Safeguarding the welfare of Delaware's children.

## Our Vision:

Safe and resilient children, supportive families.

## Our Pillars:

Advocacy. Education. Collaboration. Evaluation.

# Recent OCA Accomplishments

1

Supports for young adults who have experienced foster care

DLI Program - 101 youth, \$109,404 spent  
Scholarships - 53 youth, \$261,546 awarded  
Tuition Waiver - 27 youth

3

MDT meetings on child deaths, serious physical injury, and juvenile trafficking

Ensures MOU compliance and communication  
Highlights system breakdowns  
223 MDT meetings in FY 24

2

Child abuse and neglect trainings

Erin's Law  
Training for Medical Professionals  
Protecting Delaware's Children Conference

4

Legal representation of children

All children in DSCYF custody have an attorney  
62% also have a CASA and a CASA Coordinator  
National CASA grant and recruitment campaign

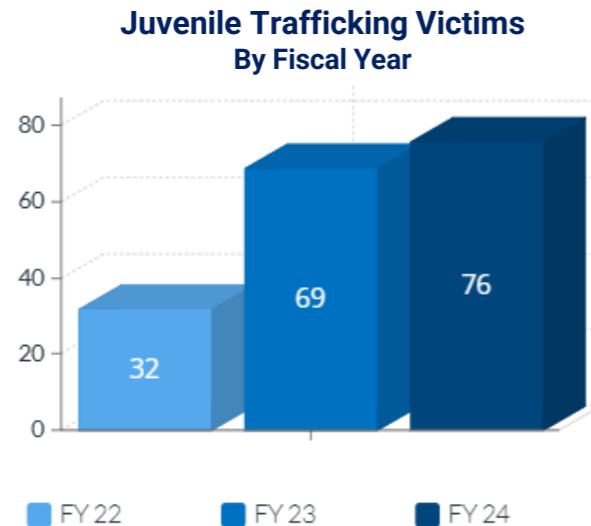
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Cloud-based data management system

Developed and maintained with grant funding  
Used by OCA, Family Court, and DOJ  
[Real-time, searchable data on OCA's website](#)

# Budget Priority #1

## 1 FTE - Family Services Program Support Administrator



OCA facilitated 43 initial JTOT reviews and 33 follow-up reviews in FY 24.

OCA also facilitated 31 MDT meetings for juvenile trafficking cases in FY 24.

**Cost: \$82.1k**

To staff and support OCA's work on juvenile trafficking and to direct the Juvenile Trafficking Oversight Team as it undertakes reviews of all juvenile trafficking cases in the state

# Budget Priority #2

## Increase in Contractual Services

FY 24

CASE TYPE	# OF CASES
SEXUAL ABUSE	1,344
SERIOUS PHYSICAL INJURY	171
SUSPECTED TRAFFICKING	74
CHILD DEATH	25
TOTAL	1,614

**Cost: \$66.3k (transfer of \$)**

Transfer state VOCA/One-Time Supplemental money to contractual services line for Office of the Investigation Coordinator - MDT Coordinator



# Budget Priority #3

**Add OCA to DOJ/ODS Salary Matrix & Increase Line Item Salary of Child Advocate**



**Cost: TBD/est. \$64k**

\$19.2 – Child Advocate increase

\$44.8 – Attorney salary matrix increase

To recruit and retain high-quality attorneys and create equity in legal representation of DFS, parents, and children in child welfare proceedings

# Future Budget Priorities

**Conversion of casual/seasonal positions to full-time  
Senior Program Coordinators**

**Career ladder for Program Coordinators**

**Chief of Administration position**

**Senior Program Coordinator position for CASA  
Recruitment and Retention**

**Personnel deficit**

**Position reclassifications**



# Vacancies

NONE



## Performance Measures

1

Referrals and children represented

2

Unrepresented children

3

Volunteer numbers

4

Volunteer longevity

THANK YOU!



Advocacy | Education | Collaboration | Evaluation

[courts.delaware.gov/childadvocate](https://courts.delaware.gov/childadvocate)



# Delaware Nursing Home Residents Quality Assurance Commission (DNHRQAC)

Feb 20, 2025



<https://courts.delaware.gov/dnhrqac/>

Margaret Bailey, DNHRQAC Executive Director  
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**Lisa Furber, Chair**

Cheryl Heiks  
Norma Jones  
Senator Spiros Mantzavinos  
Christopher Marques, Esquire  
Jennifer E. McLaughlin, OT  
Mary E. Peterson, RN  
Hooshang Shanehsaz, RPH  
Dr. Avani K. Virani, MD  
Dr. Melissa Winters, PsyD, NHSP, CCP  
Kori Bingaman, RN, NHA  
Representative Eric Morrison  
Brian Frazee

## **Background**

The commission was created in 1999. It is comprised of 13 volunteer members who work closely with reviewing policies and laws to implement changes/improvements for Delaware nursing home residents.

## **Mission**

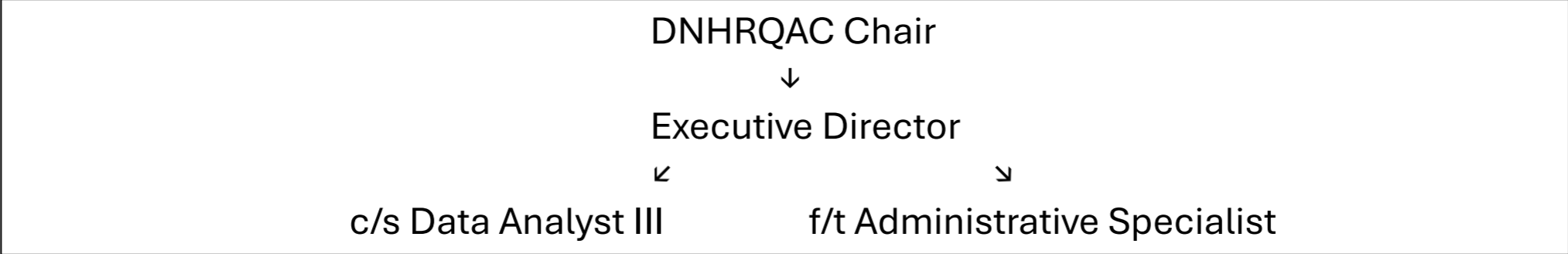
DNHRQAC's mission is to monitor Delaware's quality assurance system for nursing home residents in both privately operated and state operated facilities so that complaints of abuse, neglect mistreatment, financial exploitation and other complaints are responded to in a timely manner so as to ensure the health and safety of nursing home residents.

## **Key Objectives**

- Examine the policies and procedures and evaluate the effectiveness of the quality assurance system for nursing home residents.
- Monitor data and analyze trends in the quality of care and life of individuals receiving long-term care in Delaware.
- Review and make recommendations to the Governor, Secretary of the Department of Health and Social Services and General Assembly concerning the quality assurance system and improvements to the overall quality of life and care of nursing home residents.
- Protect the privacy of nursing home residents.

# DNHRQAC FY 26 Operating Budget Request

	FY 25	FY 26 (Increase Request)
<b>Contractual</b>	\$1,500	\$4,000
<b>Supplies</b>	\$1,000	\$2,000
<b>Travel</b>	\$1,500	\$2,500
<b>Total:</b>	<b>\$4,000</b>	<b>\$8,500</b>



Performance Measures

	<u>FY 24</u>	<u>FY 25</u>	<u>FY 26</u>
# of Reviews Performed	13	13	13
# of Legislative Recommendations	3	3	5
Nursing Home Visits	24	22	25
Assisted Living Facility Visits	23	18	19



# Future Budget Considerations

Satisfaction  
Survey

Convert C/S Data Analyst III Position to F/T

Data Tracking  
Portal