

Ombuds of Texas

Background

On February 29, 2000, Terri Loeffler, an ombudsman with the General Land Office, convened twelve ombudsmen from various agencies in state government to form an informal association of state government ombudsman. The group formed from a desire to share information, discuss issues that impact ombudsmen, and to provide educational opportunities. The group called itself The Governmental Ombudsman of the State of Texas (GOST). Terri Loeffler facilitated the meetings until 2003. See <http://www.glo.state.tx.us/gost/index.html>. In February 2004, GOST renamed itself the Ombuds of Texas to become more inclusive of private practitioners in the field.

Although the ombudsman programs vary in structure, the group members continue to learn a great deal from each other. If you are an ombudsman in state government or private industry, you too are invited to attend future meetings.

Meetings

The meetings are scheduled on a quarterly basis and are held at the Texas Law Center from 10:00 a.m. to 12:00 p.m. The group is convened by Tracy Tarver from the Center for Public Policy Dispute Resolution. Please do not hesitate to contact Tracy if you have any questions or if someone from your agency would like to attend a meeting. Her contact information is as follows:

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Frequently Asked Questions

Who do you consider an "Ombuds?" (That is, who would benefit from coming to your meetings?)

We use the term "Ombuds" for the group, but agencies use many different titles to describe the work they do. Some other common titles include ombudsman, ombudsperson, consumer relations representative, customer service representative, etc. In general, an ombuds receive complaints and questions from individuals concerning people within an entity or regarding the functioning of an entity. Ombuds work for the resolution of particular issues and, where appropriate, make recommendations for the improvement of the general administration of the entities they serve.

Federal, state, and local governments, academic institutions, for-profit businesses, non-profit organizations, and sub-units of these entities have established ombuds offices, but with enormous

variation in their duties and structures. Ombuds offices so established may be placed in several categories:

A Classical Ombuds operates in the public sector addressing issues raised by the general public or internally, usually concerning the actions or policies of government entities or individuals.

An Organizational Ombuds may be located in either the public or private sector and ordinarily addresses problems presented by members, employees, or contractors of an entity concerning its actions or policies. Both classical and organizational ombuds may conduct inquiries and suggest modifications in policies or procedures.

An Advocate Ombuds may be located in either the public or private sector and like the others evaluates claims objectively but is authorized or required to advocate on behalf of individuals or groups found to be aggrieved.

To help you decide if anyone in your agency would benefit from attending our meetings, the following is a general guideline of an Ombuds' role:

An Ombuds is generally authorized to:

1. receive complaints and questions about alleged acts, omissions, improprieties, and systemic problems within the ombuds' defined jurisdiction
2. exercise discretion to accept or decline to act on a complaint or question
3. act on the ombuds' own initiative to address issues within the Ombuds' defined jurisdiction
4. operate by fair and timely procedures to aid in the just resolution of a complaint or problem
5. gather relevant information
6. resolve issues at the most appropriate level of the entity
7. function by such means as:
 - a. conducting an inquiry
 - b. investigating and reporting findings
 - c. developing, evaluating, and discussing options available to affected individuals
 - d. facilitating, negotiating, and mediating
 - e. making recommendations for the resolution of an individual complaint or a systemic problem to those persons who have the authority to act upon them
 - f. identifying complaint patterns and trends
 - g. educating
 - h. issuing periodic reports
 - i. advocating on behalf of affected individuals or groups when specifically authorized by their charter

8. initiating litigation to enforce or protect the authority of the office as defined by the office's charter, as otherwise provided by the Standards for the Establishment and Operation of Ombuds Offices dated August 2001 as adopted by the American Bar Association, or as required by law.

Not every Ombudsman will have all of these characteristics. This outline is only provided as a general definition of the type of agency personnel who may benefit from attending our meetings.

Is there any charge or cost to come to your meetings?

No. If you let us know you want to come to a meeting, we have some informational materials we will provide you at the meeting. You may want to bring a three-ring notebook to hold these materials.

What kind of things do you talk about at your meetings?

The group determines the topics for discussion at our meetings.

The following are topics that have been, or will be, covered at the meetings:

- ✚ Open Records Issues (with speakers from the Office of the Attorney General)
- ✚ Confidentiality, Testifying & Subpoenas
- ✚ Record Keeping
- ✚ Reporting/Measuring/Evaluation
- ✚ Marketing
- ✚ Compact with Texans Govt. Code Ch. 2113 & Customer Service
- ✚ Dealing with Mentally Ill People (with a speaker from the Austin State Hospital)
- ✚ Mediation (with a speaker from the State Office of Administrative Hearings)
- ✚ Training
- ✚ Language Issues
- ✚ Dealing with Difficult People and Stress (with a speaker from the Workers Assistance Program)
- ✚ System Design in Conflict Management
- ✚ Overview of Halliburton's Program and Confidentiality of Communications
- ✚ Overview of Shell's Program
- ✚ Salary Issues

The issues to be covered at any given meeting are generally decided upon by the group in attendance at the prior meetings. Accordingly, the topic list will evolve as the group's interests change. You may also contact Dick Lewis from the Texas Commission on Environmental Quality who chairs the Program/Topics Committee. His task will be in identifying future interests and concerns and

matching presentations for the scheduled meetings with the assistance of the group. His email is rilewis@tceq.state.tx.us and phone number is 512.239.1082.

What agencies are represented at your meetings?

To date, representatives from the following agencies have attended our meetings:

- ✚ Administrative Hearings, State Office of
- ✚ Aging and Disabilities, Department of (formerly Texas Department of Human Services)
- ✚ Alcohol and Drug Abuse, Texas Commission on
- ✚ Architectural Examiners, Texas Board of
- ✚ Arts, Texas Commission on the
- ✚ Assistive and Rehabilitative Services, Department of (formerly the Texas Commission on Blind)
- ✚ Attorney General, Office of the
- ✚ Auditor's Office, State
- ✚ Austin Independent School District
- ✚ Barber Examiners, State Board of
- ✚ Building and Procurement Commission, Texas (formerly General Services Commission)
- ✚ Center for Public Policy Dispute Resolution, UT School of Law
- ✚ Comptroller of Public Accounts, State
- ✚ Criminal Justice, Texas Department of
- ✚ Dell Corporation
- ✚ Educator Certification, State Board of
- ✚ Engineers, Texas Board of Professional
- ✚ Environmental Quality, Texas Commission on (formerly Texas Natural Resource Conservation Commission)
- ✚ Family and Protective Services, Department of (formerly Texas Department of Protective and Regulatory Services)
- ✚ Food & Fibers Commission
- ✚ Guaranteed Student Loan Corporation, Texas
- ✚ General Land Office, Texas
- ✚ Governor, Office of the
- ✚ Health and Human Services Commission, Texas
- ✚ Higher Education Coordinating Board, Texas
- ✚ Housing and Community Affairs, Texas Department of

- ✚ Information Resources, Department of
- ✚ Insurance, Texas Department of
- ✚ Jail Standards, Texas Commission on
- ✚ Licensing and Regulatory Services, Texas Department of
- ✚ Lottery Commission, Texas
- ✚ Lower Colorado River Authority
- ✚ M.D. Anderson Cancer Center
- ✚ Medical Examiners, Texas State Board of
- ✚ Optometry Board, Texas
- ✚ Pension Review Board, State
- ✚ Podiatric Medical Examiners, State Board of
- ✚ Preservation Board, State
- ✚ Public Safety, Department of
- ✚ Public Utility Commission of Texas
- ✚ Railroad Commission, Texas
- ✚ Savings and Loan Department, Texas
- ✚ Shell Oil Company
- ✚ State Bar of Texas
- ✚ State Health Services, Department of (formerly Texas Department of Health)
- ✚ State Library and Archives Commission, Texas
- ✚ Transportation, Texas Department of
- ✚ University of Texas at Austin, The
- ✚ Water Development Board, Texas
- ✚ Workers' Compensation Commission, Texas
- ✚ Workforce Commission, Texas

Meetings are also attended by retired ombudsman and consultants that work in the field.

Do your members represent external (or classical ombudsman), internal (or corporate), or advocate ombudsman?

Our group has members from all three of these major classifications of Ombudsmen. Although there are significant differences between these practices, we have found that there are many similarities about which we can share information and get ideas. Attending the meetings also allows you to locate and get to know Ombudsmen that operate offices similar to your own so you can continue to contact each other as needed between meetings.