

The Most Comprehensive Study of Federal Ombuds Ever (We're Serious)

The 1990 Administrative Conference of the United States' (ACUS) Recommendation 90-2 "The Ombudsman in Federal Agencies" played a *pivotal role* in encouraging the use of *ombuds in the federal government* and providing guidance for the establishment and operations of ombuds offices. However, 90-2 concentrated on "external ombudsmen," those who primarily receive and address inquiries and complaints from the public, and was formulated before "use of ombuds" was added to the definition of "means of alternative dispute resolution" in the Administrative Dispute Resolution Act (ADRA) in 1996.

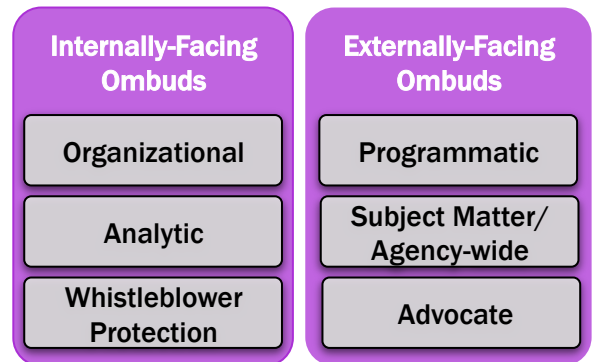
Since then the size, prominence, diversity and role of federal ombuds had grown significantly, but there was little comprehensive information capturing the evolution of the field.

Enter CHI. ACUS contracted with **chiResolutions, LLC (CHI)** to conduct a study in order to 1) reevaluate the 1990 recommendation to help ensure the successful maturation of the field, and 2) systematically examine federal ombuds in order to answer fundamental questions such as: who they are, what they do, why they do it, how they do it, and, critically, what value they bring.

A (very) brief breakdown of our 600+ page report

- Definition of key terms and a literature review
- Quantitative *and* qualitative surveys: 150+ federal ombuds offices were invited - 55+ participated
- Case Studies
 - CFPB, Energy, Interior, IRS (NTA)
- Profiles
 - Long Term Care Ombuds program, Navy Family Ombuds program, COFO
- Promising best practices for the establishment and operation of federal ombuds offices
- Possibilities for further research
- Policy considerations for the professional standards
- Extensive analysis of legal issues affecting federal ombuds

CHI's Taxonomy. In order to include the widest range of federal offices with the ombudsman title in our study, we developed an innovative nomenclature to reflect the uniquely federal ombuds permutations:



ACUS' New Recommendation in a Snapshot

Recommendation 2016-5 – The Use of Ombuds in Federal Agencies (81 Fed. Reg. 94,316 (Dec. 23, 2016)) is an explicit acknowledgement of the unique value ombuds provide to constituents internal *and* external to the federal government. It is also a response to the rapid growth of a relatively unknown profession, and the critical need to define, standardize, and promote best practices that follows. The Recommendation:

- Urges Congress, the President, and Agencies to create, fund, and otherwise support ombuds offices across the federal government and also, provides **detailed suggestions** to as to how the offices should **be established and run**, as well as supported by agency leadership
- Recommends that existing offices with the ombuds title that *do not adhere to these standards* should consider *modifying* their title, where permitted, to avoid any confusion
- Advises that all ombuds offices, should have the *ability* and be *expected to adhere* to the **core standards of independence, confidentiality, and impartiality**, and provides procedural suggestions for doing so
- Addresses staffing, training, evaluation, outreach and education, records management, and legal issues
- Suggests *designating a central* federal ombuds entity
- Emphasizes the necessity of the ombuds to have *access to counsel without conflicts of interest*

For the complete report, recommendation and more, please visit www.chiresolutions.com or <https://www.acus.gov/research-projects/use-ombuds-federal-agencies>