

In re Interest of Nettie F.

Case Number

S-16-0241

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October 4, 2016

Court Number

Douglas

Case Summary

S-16-0241 In re Interest of Nettie F.

Separate Juvenile Court for Douglas County, Judge Patricia A. Lamberty

Attorneys: Karen S. Nelson (Carlson & Burnett, LLP (Appellants) --- Ryan M. Hoffman & Mark F. Jacobs (Anderson, Bressman & Hoffman, P.C., L.L.O.) (GAL)

Civil: Placement

Proceedings below: The trial court denied joint placement under the Nebraska Fostering Connections Act

Issues: 1) The October 15, 2015, November 17, 2015, January 14, 2016, decisions from the Separate Juvenile Court for Douglas County, Nebraska were not final, appealable decisions until after the February 11, 2016 decision from the trial court, under In re Interest of R.G., 238 Neb. 405,470 N.W.2d 780 (1991), 2) the trial court erred in vacating Appellant's status as an intervener under the Fostering Connections Act pursuant to Neb. Rev. Stat. 543-1311.01, 3) the trial court erred in not allowing the Appellants to make an offer of proof at the February 11, 2016, evidentiary hearing, 4) the trial court erred in quashing the subpoenas issued by the Appellants, and 5) the trial court violated Appellant's due process rights by not allowing her to have a fair hearing as contemplated by the November 17, 2015, Order or the Nebraska Fostering Connections Act, by not allowing her to confront and cross-examine witnesses, by not allowing her to subpoena witnesses; consequently a fair hearing did not occur in which sufficient evidence was elicited prove that joint-sibling placement was contrary to the law and the safety or well-being of either child.
