

In re Interest of Kirsten H.

Case Number

A-17-0981

Court Number

Box Butte

Call Date

March 14, 2018

Case Time

9:00 AM

Case Audio

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Case Summary**A-17-981, In re Interest of Kirsten H.: State of Nebraska v. Victoria F. (appellant)**

Box Butte County, County Judge Paul Wess

Attorney for Appellant: Katy A. Reichert (Chaloupka, Holyoke, Snyder, Chaloupka & Longoria, P.C., L.L.O.)

Attorney for Appellee: Travis R. Rodak (Box Butte County Attorney)

Juvenile Action: Pre-Adjudication Motion to Dismiss; Temporary Custody

Action Taken by Trial Court: The county court for Box Butte County, sitting as a juvenile court, denied Victoria's motion to dismiss the juvenile petition for lack of subject matter jurisdiction. The court continued temporary custody of Kirsten with DHHS, and found that placement with her grandparents in North Dakota was the least restrictive placement.

Assignments of Error on Appeal: Victoria assigns that the juvenile court erred in (1) overruling her motion to dismiss for lack of subject matter jurisdiction, (2) continuing temporary custody of Kirsten and finding that reasonable efforts were made prior to removal to prevent or eliminate the need for removal and to make it possible for Kirsten to return to her care, (3) finding that Kirsten's placement in North Dakota was the least restrictive placement, and (4) delegating its authority to determine Victoria's visitation rights to DHHS, Kirsten, and Kirsten's counselor.

Case Location

Lincoln

Schedule Code

A2

Panel Text

Riedmann and Bishop, Judges, and Inbody, Judge, Retired
