

# In re Interest of J'Endlessly F.

**Case Number**

A-17-1156

**Court Number**

Douglas

**Call Date**

September 13, 2018

**Case Time**

9:30 AM

**Case Audio**

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**Extended Case Summary**

**A-17-1156, In re Interest of J'Endlessly F., et al., State of Nebraska v. Julia M. (appellant)**

Trial Court: Douglas County Juvenile Court, Judge Douglas F. Johnson

Attorney for Appellant: Judith A. Wells (Law Office of Judith A. Wells)

Attorney for Appellee: Jennifer C. Clark (Douglas County Attorney's Office)

Background: Julia M. is the mother of four children. The children were removed from Julia's care in January 2016 after concerns arose about potential child abuse and Julia's use of methamphetamine, and the State filed a petition to open a juvenile case. The juvenile court appointed an attorney to represent Julia. A hearing was held on April 20, 2016, and Julia did not appear at the hearing. Therefore, the juvenile court discharged Julia's attorney and excused her from the hearing. Thereafter, the juvenile court found sufficient evidence to establish that the children were children within the meaning of Neb. Rev. Stat. § 42-347(3)(a) (Reissue 2016), and legal custody of the children was placed with the State. The children remained in foster care.

Another hearing was held before the juvenile court on May 17, 2016, and again, Julia did not attend. The State presented evidence that Julia had not attended any visitation with the children or participated in any services offered to help her reunite with the children. Thus, the juvenile court ordered that the State was not required to make any further reasonable efforts designed to assist Julia in reuniting with the children.

The next hearing was held on July 25, 2016, and Julia, who was incarcerated at the time, attended the hearing. The juvenile court therefore reappointed an attorney to represent Julia, and she was represented throughout the remainder of the case.

In May 2017, the State filed a motion to terminate Julia's parental rights to her four children, and a hearing on the motion was held in September. After considering the evidence presented at the hearing, the juvenile court found sufficient evidence to terminate Julia's parental rights and determined that termination was in the best interests of the children.

Julia has appealed the decision of the juvenile court. On appeal, she first argues that the

juvenile court erred in finding that terminating her parental rights was in the children's best interests. In addition, Julia argues that her right to due process was violated when the juvenile court discharged her attorney and she went unrepresented during the case.

**Case Location**

York College

**Court Type**

Separate Juvenile Court

**Schedule Code**

A1

**Panel Text**

Pirtle, Riedmann, and Welch, Judges

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