**June 14th Supreme Court Commission on Children in the Courts Meeting**

5001 Central Park Drive, Suite 200, Lincoln, NE 68504

Check-in, coffee, and breakfast

Welcome, introductions, roll call, approval of December 8, 2023 minutes

**Guardianship Subcommittee**

Judge Harmon reported that the rule this commission voted on at the last meeting was submitted to the Supreme Court. In March the Supreme Court adopted the new rule. Just as a reminder this rule applies to any petitioner who files a petition in any court in Douglas County, the petitioner must identify in the petition any other cases the parties may be involved in in other courts in Douglas County. Hopefully this will eliminate the issues we had been having (i.e., case in county court regarding a juvenile that the Separate Juvenile Court had jurisdiction of that the County Court Judge was not made aware).

Other issues in guardianship cases are still at issue. Judge Harmon reminded everyone of the rules/standards that the old subcommittee came up with but that the Supreme Court previously stated were more appropriate as a statutory fix, not a Supreme Court rule. Fast forward to this year, Judge Harmon stated that he, Judge Paine, and Deb VanDyke-Ries met with the Chief and Corey Steele to discuss the previously submitted rules/standards. A decision was made that the rules/standards will be reassessed, and any needed changes made (since this was done several years ago) needed updates will be made: then, the hope is that these rules/standards will be adopted into the county court bench book.

Judge Harmon also reported that he met with new director of public guardian and that 60-70% of cases that guardians are appointed on involve juveniles. Unfortunately, we don’t have training for people who are appointed guardian to juveniles. This issue will be addressed and hopefully the training for guardians of juveniles will be added soon.

There was a question on whether or not the subcommittee should be activated. Judge Harmon stated first they are concentrating on the bench book. Then they will see if reactivating the subcommittee is necessary. The status now is that the original standards have been assessed, no concerns, but not sure whether to offer as a legislative bill to a senator or try as again as a supreme court rule.

**Case Progression Subcommittee**

The Case Progression Subcommittee, led by Judge Matt Kahler and Hazel Delgado, introduced new language for case progression standards applicable to all civil cases. A survey is underway to gather feedback on whether exception hearings should be included in these standards, with results informing future decisions. Drafts for permanency plans are also being reviewed, although challenges persist due to varying judicial practices across the state.

The Administrative Office of the Courts and Probation (AOCP) is evaluating new email systems to ensure compatibility with future case progression reports. The subcommittee plans to present proposed changes to the commission by December 2024, followed by a public comment period. The NSC will decide on adopting these rules based on collected feedback.

**Equity Subcommittee**

Andrea Evans, representing lived experience within the Equity Subcommittee, emphasized the importance of diverse representation in judicial discussions. Evans noted her position as the sole Black member in the room, highlighting the necessity for inclusive perspectives. The subcommittee has met five times since December 2023, demonstrating strong engagement in addressing equity issues.

Leadership in the subcommittee was bolstered by the confirmation of Judge Stevens as a co-leader. A January 2024 meeting centered on inclusive language featured a presentation by Shawntal Mallory, which led to discussions about how language shapes perceptions and identity. Members committed to using inclusive language in their work and reviewed resources on racial justice to deepen their understanding.

Heather Wood from the Foster Care Review Office presented data on racial disparities in out-of-home care, stressing the importance of culturally sensitive data collection. Plans were made to reintroduce these findings at future meetings to maintain focus on equity initiatives.

The subcommittee also engaged in activities to build interpersonal relationships and foster understanding, including sharing cultural backgrounds and personal preferences. Participation in the Children’s Bureau 2024 Race Equity Challenge provided practical tools for addressing biases and promoting equity. Reflections shared during these sessions highlighted the importance of inclusivity in personal and professional settings.

Significant gaps in service delivery for marginalized groups were identified, particularly in risk assessments and community resources. The subcommittee stressed the need for better data collection practices and accessible, culturally appropriate support for diverse populations.

**Probation Services**

Chief Probation Officer Deb Minardi reported on efforts to enhance trauma screening and risk assessment tools in juvenile probation. Challenges in accessing services in western Nebraska remain due to limited providers and Medicaid restrictions on teleservices. An environmental scan is being conducted to identify solutions.

The Thrive mentoring program was noted for its success in matching youth with mentors, though improvements are needed to increase participation.

**Access to Services**

Judge Roland reported that access for services has been going on for a while now. Erin Currans has been very good about staying in touch. She has met every month with the access to services group. Good news - KVC foster care has opened more homes in Scottsbluff.

He is seeing a decline in attorneys out in western Nebraska. There is still a deputy county attorney job open in his area as well as a public defender positions in Scottsbluff. Judge Roland shared that the number of attorneys he can appoint as a GAL is also very limited - one is covering 11 counties, another has a full case load and is coming in for special requests. There was some discussion regarding judges appointing attorneys who have not gone through the required training. Darla stated she would attempt to reach out to attorneys in western Nebraska and encourage them to take the initial GAL training.

Judge Roland mentioned that the training/program Michelle Paxton is doing is great, he has seen a difference.

There is a health professional shortage not only in western Nebraska but in eastern as will. Dr. Newring stressed that telehealth is needed. He will try to attend an Access to Services meeting. The lack of dental services was also mentioned as well as the difficulty in getting reimbursed by Medicaid. The is a great program that explains how the drug patch works that Judge Roland’s Eyes team took part in.

**Title IV-E Funding Subcommittee**

11*:45-12:45 Lunch*

Kathy Olson reported on pre-petition legal representation; examples of situations - a family with housing difficulties, guardianships needed, lack of understanding of education laws – if parents/custodians had help it could keep some families out of juvenile court. The good news is some of the barriers have been eliminated – possibility of funding via IV-E dollars. The Children’s Bureau just came out with rules regarding this – so the committee will reenergize and see if we can get some training out there. HHS is involved to see how to draw down the funds with new rule.

**Guardian ad Litem Subcommittee**

There was a question on how attorneys get on the guardian ad litem approved list for juvenile and probate courts. Darla explained the required hours of training an attorney needs to practice as a GAL in either juvenile or probate court. Guardians ad litem in district court cases are not required to be attorneys nor is there an education requirement. She also shared she had received several calls in the last six months regarding some issues with GALs – mostly complaints. She discussed the issue with Mark Webber and he shared that his office does not have jurisdiction over court appointed attorneys in active juvenile cases (Supreme Court Rule 3-309(C)).

It was discussed that this is something this subcommittee could take on. There was further discussion on what if any were the guidelines/caselaw for GALs appointed in district court. Lisa Gonzales shared that she was in the process of writing an article for the Nebraska Lawyer regarding this topic.

The dual role of GALs was explained for those who were not familiar with the law. There was also some discussion that when a case is appealed it is rare that any GAL reports are submitted at the appellate level.

**Education Subcommittee**

The Education subcommittee met several times since the December 2023 meeting. The planning for the ‘education summit’ mentioned previously began at the first of the year. The workgroup decided to partner with CIP and their regional conference series. The theme the workgroup decided on for the conference was Creating a Common Vision for Educational Success. Two locations were agreed on: Omaha and Bridgeport. The Omaha conference will be held on September 30, 2024, at the Embassy Suites Conference Center in LaVista and the Bridgeport conference will be held on October 2, 2024, at the Prairie Winds Community Center in Bridgeport. Both conferences will focus on school stability, best interest determinations, special education, education advocacy and transitions. Registration will open in July 2024, for both conferences.

The Education subcommittee continues to monitor the progress of LB 705, the data sharing bill, and LB 1173, reimaging child welfare led by the Stephens Group.

*50-2:00 Break*

**Legislation Update**

Senator Dungan reported that this year did go better than last year. There was less juvenile justice debated this year, but some movement on truancy issues. There will now be more guidance in statute on what needs to be in the plan for a student before any referral can be made to the county attorney’s office. There was also a change in the transfer hearings, now a youth statements in an evaluation (with some exceptions) can’t be used against them.

There was some discussion as to LB 50 and the current appeal and what impact the appeal has on the changes to B2i and the no contest plea. The constitutional of the Office of the Inspector General was called into question by the AG, they are currently trying to do their job under a MOU with agencies – but this runs out by the end of next session.

There was a question on what happened to the youth bill of rights by Jacob, unfortunately it never made it out of committee. Senator Bosn shared that the votes just weren’t there to send it to the full legislature. She promised to investigate it for next year.

Dr. Newring asked if there was any movement to raise the age of juveniles to 25 years due to adolescent brain development. He shared that other states have made changes in age – Washington is now 21. Deb Menardi shared that probation is currently working with Columbia University on Emerging Adults and will be starting a pilot program soon. This program will look at numerous things such as what kind of methodology developmental framework is needed, the role of courts with young adults exploring, the appropriateness of current assessments to name a few. We are just starting this grant project, and Nebraska will be highlighted on the work with emerging adults and Columbia. It was discussed that the emerging adult group (19-25 year olds) have the highest rate of reoffending. Another issue is the increasing number of youth charged in adult court per Deb M., so more issues to consider.

**Department of Health and Human Services Update**

The Department of Health and Human Services (DHHS) has undergone structural changes, including reorganization into three service areas and new leadership appointments. Efforts to integrate therapeutic family care with Medicaid for high-needs youth began in May, aiming to provide support and crisis intervention.

The implementation of the Family First Prevention Services Act continues to expand across Nebraska, focusing on evidence-based practices and family-centered treatment. Initiatives like the Community Pathways program and Warmline service aim to prevent unnecessary system involvement by offering early support to families.

Adjourn