



STATE OF
NEBRASKA
JUDICIAL BRANCH

Administrative Office
of the Courts & Probation

JUVENILE SERVICES DIVISION

Detailed Analysis

FISCAL YEAR 2020





Dear Stakeholders:

Nebraska's Juvenile Justice population, similar to others, has encountered a number of barriers this year related to the COVID-19 pandemic. I am proud to share that the dedicated juvenile probation officers and staff have assisted youth and families to overcome some of these challenges. Probation was able to work with our network of providers to ensure that services were available while continuing state and local directed health measures.

Furthermore, probation officers across the state embraced technology and non-traditional options for ensuring that youth were properly supervised and highly engaged. Officers had to keep up with the variety of educational forums youth were participating in to fulfil schooling needs in addition to providing supervision, services, and leading groups. Finally, as a result of a grant to secure tangible incentives when positive reinforcement was warranted, probation staff were able to keep youth engaged with items such as gift cards, socks, earbuds, and many other tangible incentives.

Additionally, probation staff continued to keep youth and families front and center while maneuvering through civil unrest. This has certainly been a trying year including multiple data elements in this annual report showing impacted numbers and significant reduction as compared to previous years. There is definitely still work to be done regardless of the bumps in the road.

I look forward to another year of success!

Sincerely,

Jeanne K. Brandner



Jeanne K. Brandner
Deputy Administrator
Juvenile Services
Division

OUTCOMES



Juvenile Probation Outcomes

The goal of juvenile probation in Nebraska is to prevent juveniles from returning to the juvenile justice system or entering the adult criminal justice system by:

- Engaging juveniles and their families in the court process;
- Eliminating barriers to accessing effective treatment and services; and
- Partnering with educational and community stakeholders.



Nebraska State Probation Mission:

We, the leaders in community corrections, juvenile, and restorative justice, are unified in our dedication to delivering a system of seamless services which are founded on evidence-based practices and valued by Nebraska’s communities, victims, offenders and courts. We create constructive change through rehabilitation, collaboration, and partnership in order to enhance safe communities.

Map of Juvenile Districts

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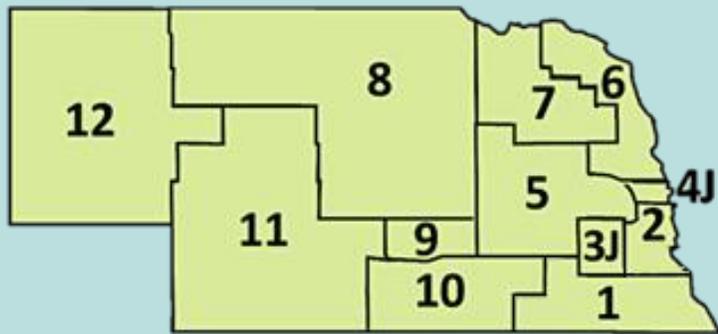
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The map includes the judicial probation districts across the state of Nebraska covering all 93 counties.

For more information about the probation districts:

<https://supremecourt.nebraska.gov/probation/districts>

Nebraska State Probation Vision:

Be a nationally recognized leader in the field of justice committed to excellence and safe communities.



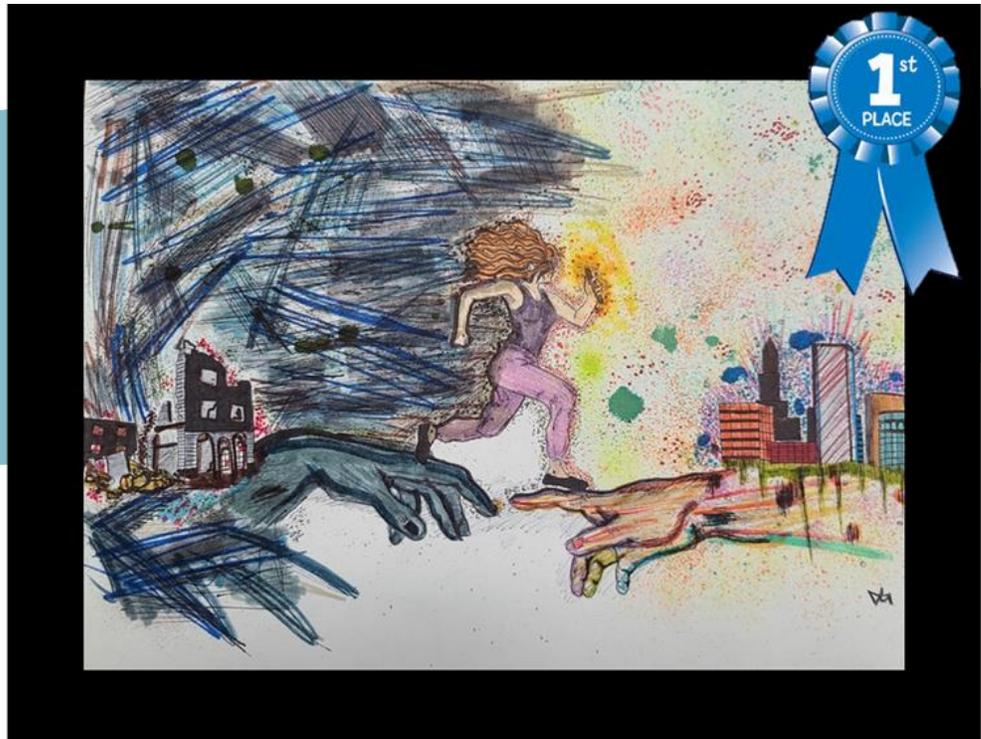
Juvenile Probation Encourages Youth Creativity With Annual Art Contest

Juvenile Probation started an annual Art Contest in 2015 to encourage youth throughout the state to express themselves by telling the story of their journey. This year, seventeen entries were received from across the state.

Probation officers were encouraged to suggest the contest to youth they supervise. All forms of art were accepted from water color or acrylic paint, pen, colored pencils, creative writing, or digital media. The results were moving and inspiring.

Submissions are highlighted throughout this report and displayed in the Administrative Office of the Courts and Probation, Juvenile Services Division.

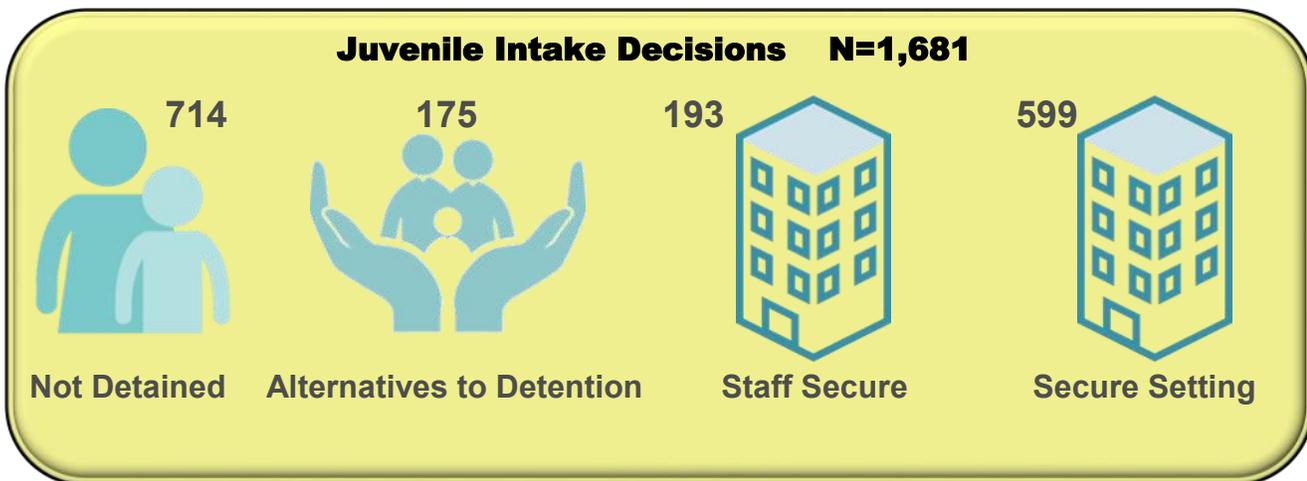
1st Place Winner of the 2020 Art Contest from Daphne. Her entry was titled, "Running from the ruins of the past on the way to a bright future full of promise."



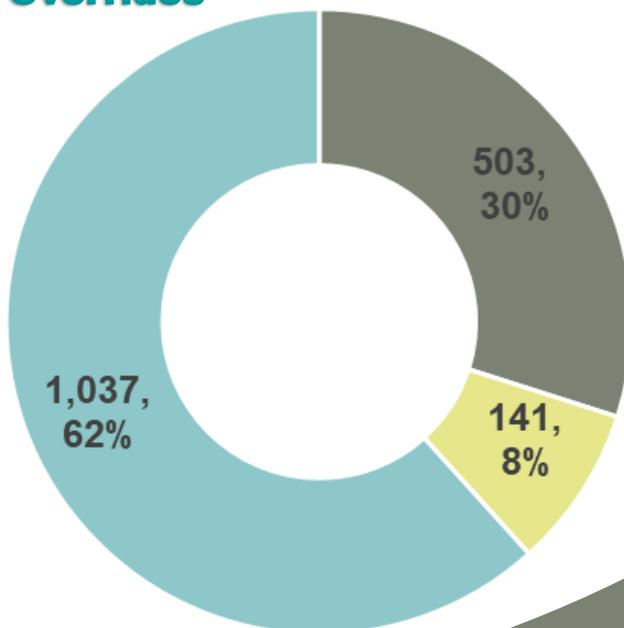
Initial Entry of Juvenile Probation

Juvenile Intake

Nebraska State Statutes § 43-250 & 43-260 authorize Probation to manage the juvenile intake function. The goal of juvenile intake is to promote the most appropriate detention decision that is least restrictive while balancing safety of the community. This is accomplished through a standardized risk assessment tool that is administered when law enforcement contacts Probation for the purpose of determining an intake decision. The detention screening instrument examines the youth's risk to persons within the community and history of documented willful failure to appear at a scheduled court hearing within the past 12 months. Juvenile intake is designed to identify and offer appropriate services which are the least intrusive and least restrictive for the youth and their family, and to balance the youth's best interest and safety of the community.



Juvenile Intake Tool Overrides



- Override to Higher Level
- Override to Lower Level
- No Override

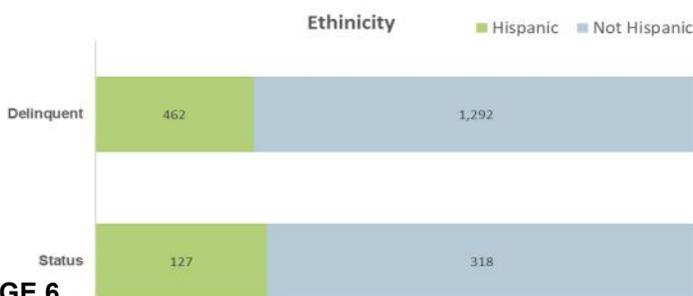
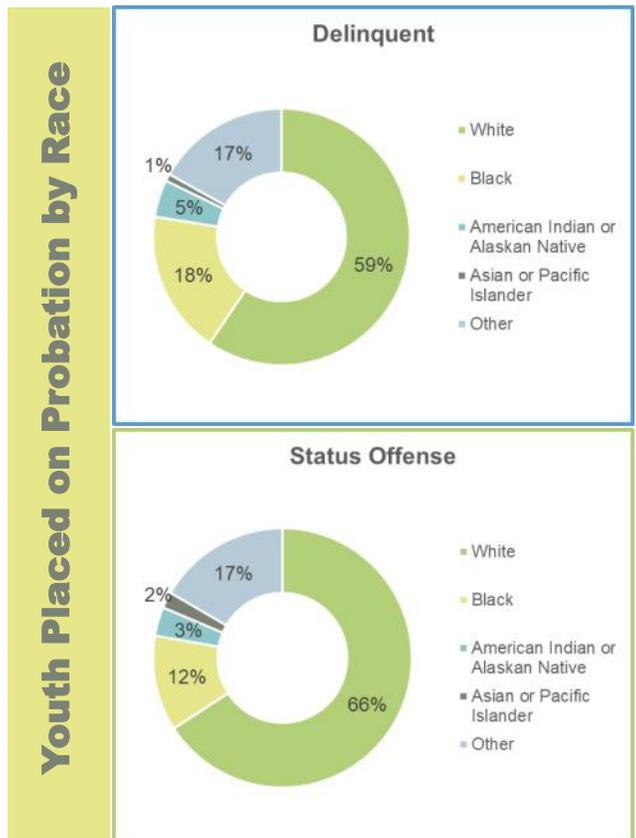
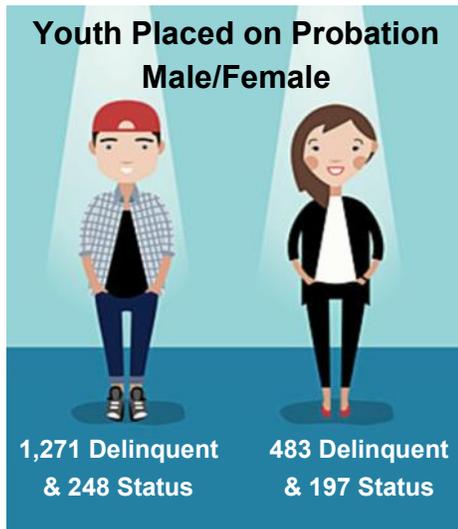
Overrides occur when there are special circumstances that a probation officer considers to authorize a higher or lower intervention than recommended by the intake tool. Overrides are utilized to ensure community safety while utilizing the least restrictive options available and must be approved by a supervisor.

Initial Entry of Juvenile Probation

Population

The demographic information below reflects youth placed on probation for delinquent and status-related behaviors. There were 2,199 youth placed on probation during the fiscal year. A status youth comes before the court for non-delinquent behaviors such as truancy, running away, or other behaviors that a parent is not able to control. Beginning July 1, 2017, youth who are ten years of age and under at the time of a traffic, infraction, status, misdemeanor, or felony act is committed, are no longer eligible for juvenile court jurisdiction.

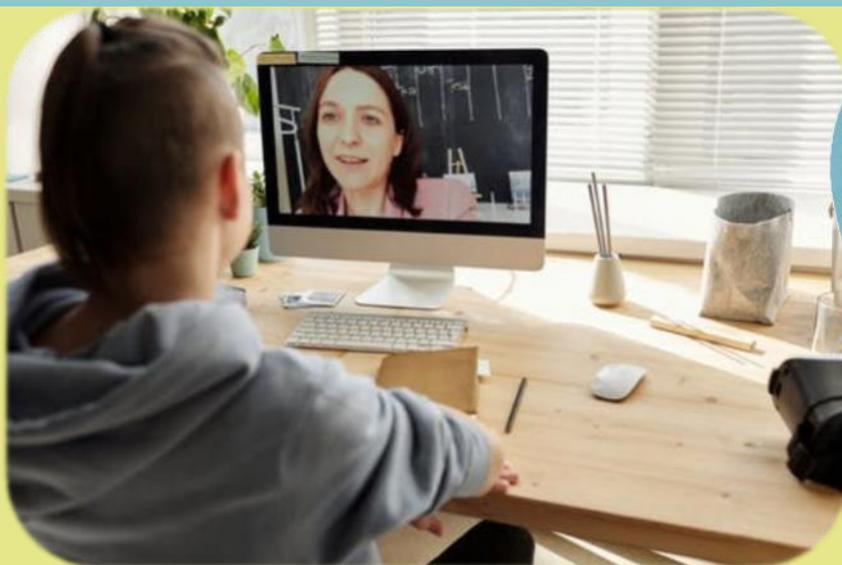
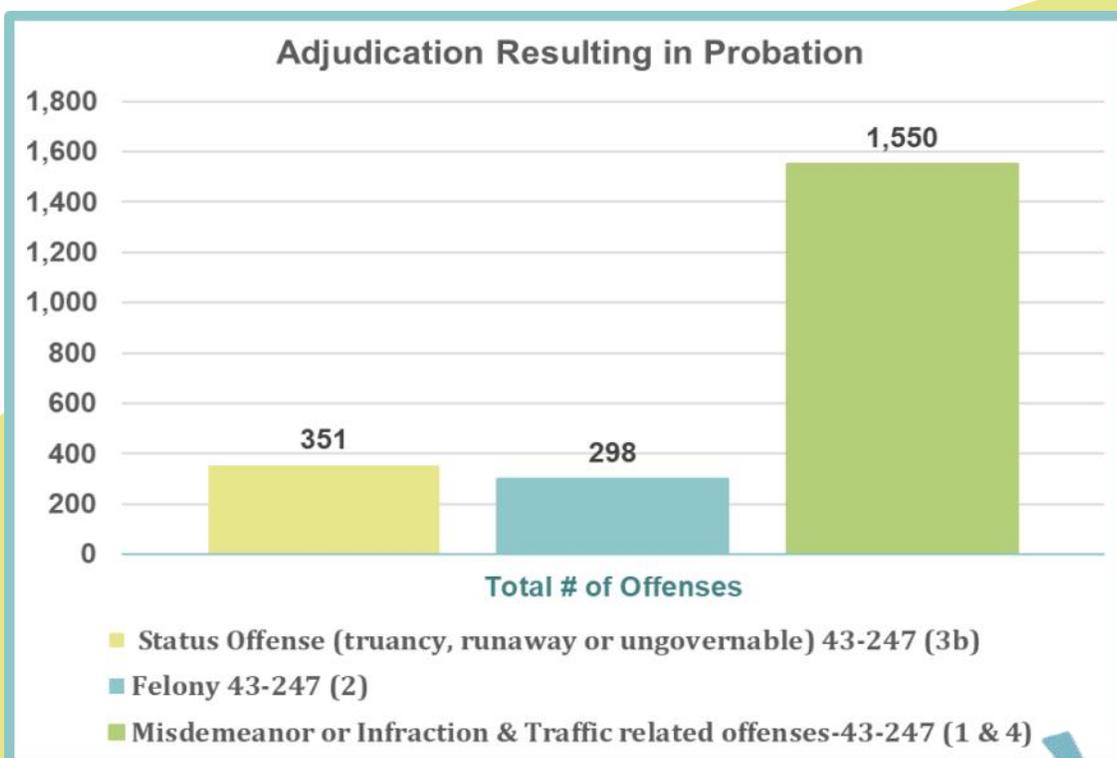
Youth Placed on Probation by Age			
Age of Youth	Delinquent	Status	Total
11	7	2	9
12	33	14	47
13	108	34	142
14	225	48	273
15	346	74	420
16	436	134	570
17	472	124	596
18	127	15	142
Total	1,754	445	2,199



Adjudication

The Administrative Office of the Courts and Probation is responsible for youth who are subject to supervision by a probation officer and have been adjudicated under one or more of the following subdivisions of Nebraska Revised Statute § 43-247 (1), (2), (3b) and (4). Adjudication is the fact-finding phase of a juvenile case in which a judge receives and weighs evidence before checking whether a delinquency or status offense has been proven.

Each subdivision refers to the type of behavior (offense) that brought the youth before the court. The chart below identifies the percentage of youth who were adjudicated in each category. Some were for multiple offenses. The majority of youth placed on probation are adjudicated under subdivision (1) for offenses which would be considered a misdemeanor or infraction.

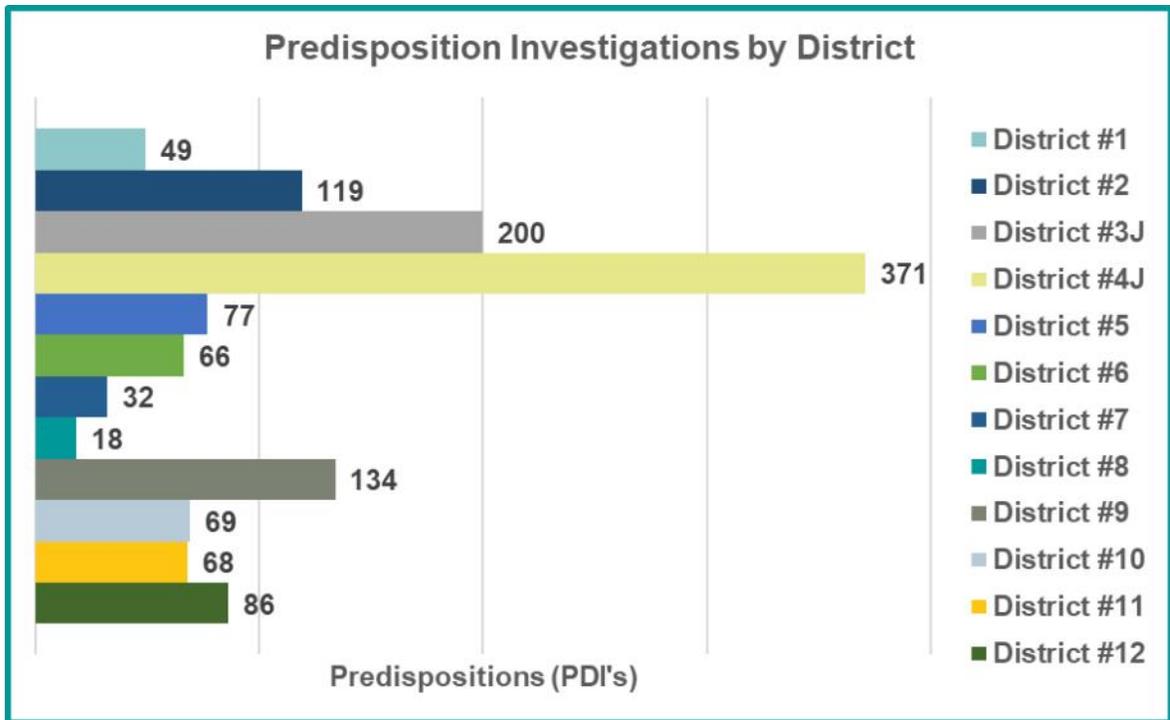


Of the 351 status offenses in fiscal year 2020, 97% were for truancy.

Initial Entry of Juvenile Probation

Investigation

Probation is responsible for completion of comprehensive investigations, also known as the predisposition investigation (PDI). Investigations include; interviews with the youth and family, collateral contacts, validated risk assessments, available treatment reports, and/or evaluations. The investigation and recommendations target the youth's risks and needs, as well as the services that will be most effective in reducing the juvenile's risk for continued delinquent behaviors.



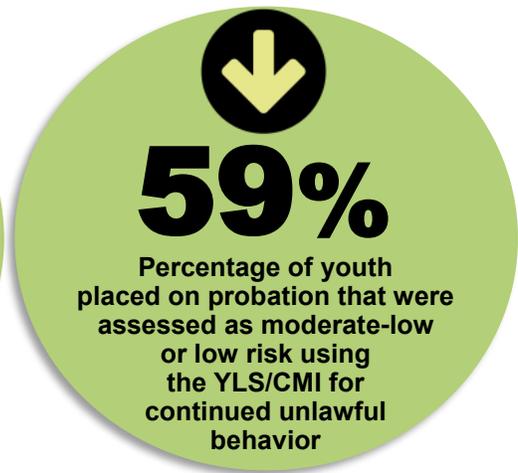
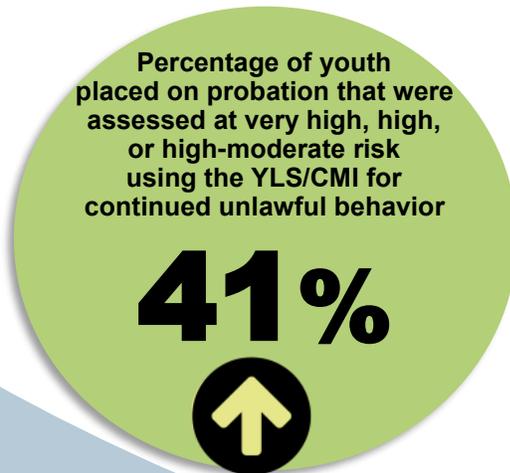
Juvenile Probation Positive Progress Implementation of the Youth Level of Service/Case Management Inventory (YLS/CMI) 2.0 Updated Version

One essential component of the PDI is including assessment results and identifying the risks and needs of youth. Over FY20, the updated YLS/CMI 2.0 validated risk assessment instrument was implemented in all probation districts across the state. This included national trainers who came to Nebraska and trained probation managers and staff as trainers of the new updated instrument. Additionally, the new tool was programmed into the information management system for use by probation officers. The updated instrument has many benefits including an enhanced focus on protective factors.



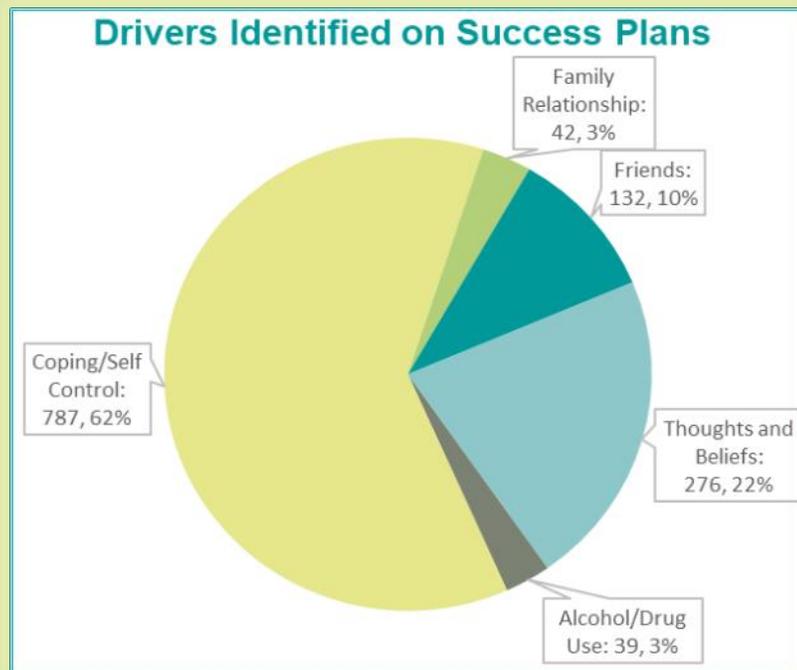
Assessing Risk Level

Probation staff utilize the Youth Level of Service/Case Management Inventory (YLS/CMI) validated risk/needs assessment to classify and predict reoffending. The YLS/CMI measures eight key areas: prior and current offenses/dispositions, education/employment, substance abuse, personality/behavior, family circumstances/parenting, peer relations, leisure/recreation, and attitudes/orientation.



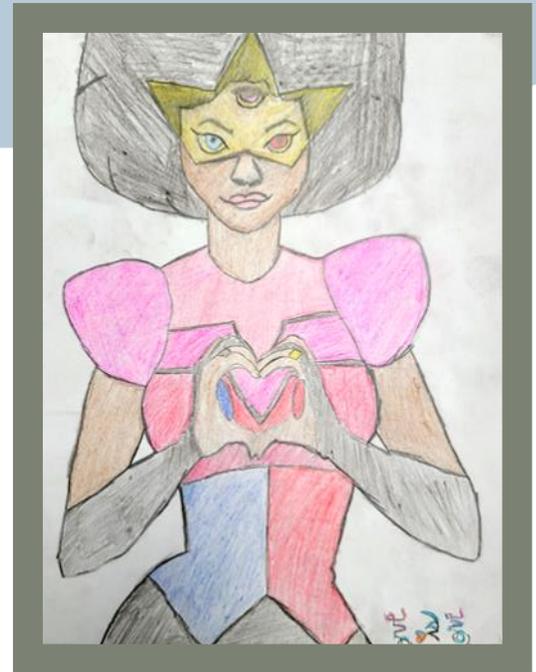
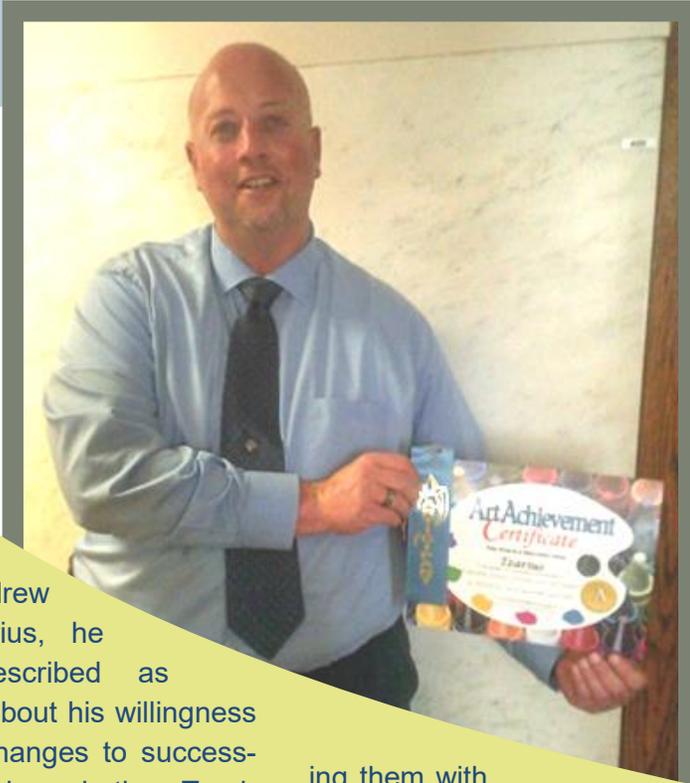
Determining the “Driver”

Determining the single most influential criminogenic risk factor or “Driver” is essential to risk reduction as not all criminogenic risks influence behavior equally. The “Driver” is used to focus case management and create a Success Plan, a (case plan for targeting behavior change).



SPOTLIGHT

Andrew Mills



Tzarius named his artwork "Garnet" and entered it in the 2020 Juvenile Services Division 5th Annual Art Contest.

When Andrew first met Tzarius, he was best described as contemplative about his willingness to make any changes to successfully complete his probation. Tzarius was often disengaged in home visits and nothing seemed to be working to motivate him.

Tzarius and Andrew began meeting twice a week and slowly building a renewed relationship. During a visit with Tzarius at his home, Andrew began talking with him about what he wanted from probation. Together, they set a goal to complete his probation in six months. This felt like the beginning of Tzarius' change process.

By being able to focus on Tzarius' strengths and his abilities, the two developed a plan to stay in therapy, remain free from using drugs and alcohol, and complete Nebraska Aggression Replacement Training. By focusing on the positive changes Tzarius was making and award-

ing them with verbal praise and tangible incentives, Andrew watched this youth continue to make a stronger effort to complete his court orders for probation. Tzarius was even working part-time doing childcare for family members and friends.

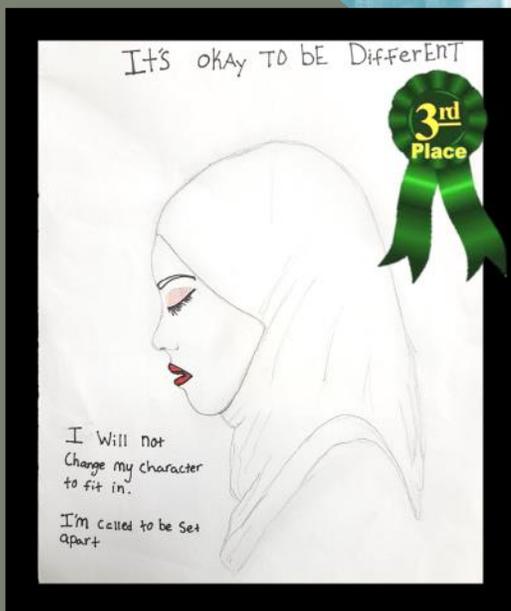
Andrew said, "I knew Tzarius liked to dance, sing, and was creative in other aspects, so when the announcement for the Probation Art Contest came out, I encouraged him to create an entry."

Tzarius agreed and asked for some supplies to complete his art project. He was able to submit a drawing of one of his favorite anime characters that he said reminded him that love is one of the most important things in life.

When Andrew presented Tzarius with his participation certificate and gift card for submitting his art contest entry, Tzarius was very excited to receive the recognition. By verbally praising and giving the tangible recognition from the contest, Tzarius' mood was definitely elevated. In fact, he stated afterwards that he was going to get back into creating more videos and dancing that he loved.

Overall, Andrew believes that once he was able to focus on the youth's strengths and accomplishments, Tzarius was able to find renewed energy and set goals so he could complete his probation.

Total Probation Youth Served



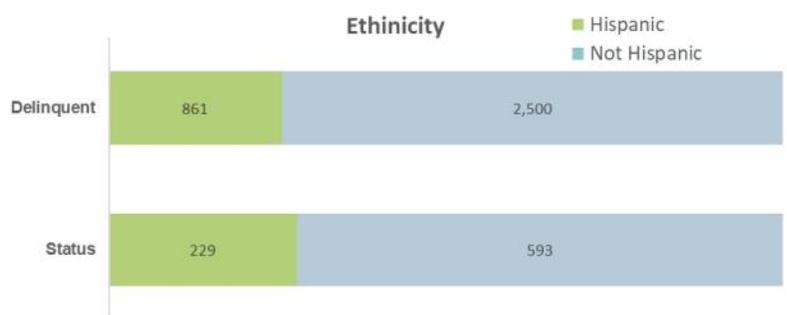
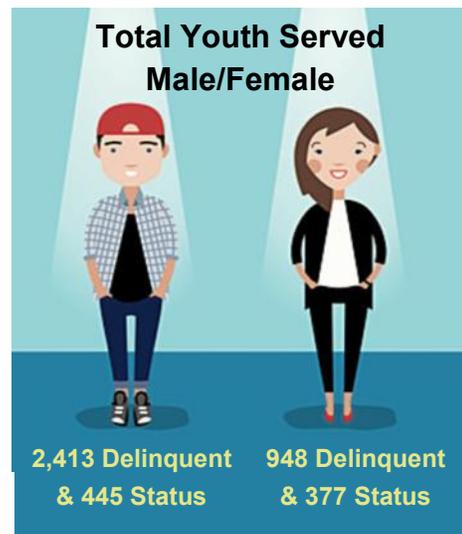
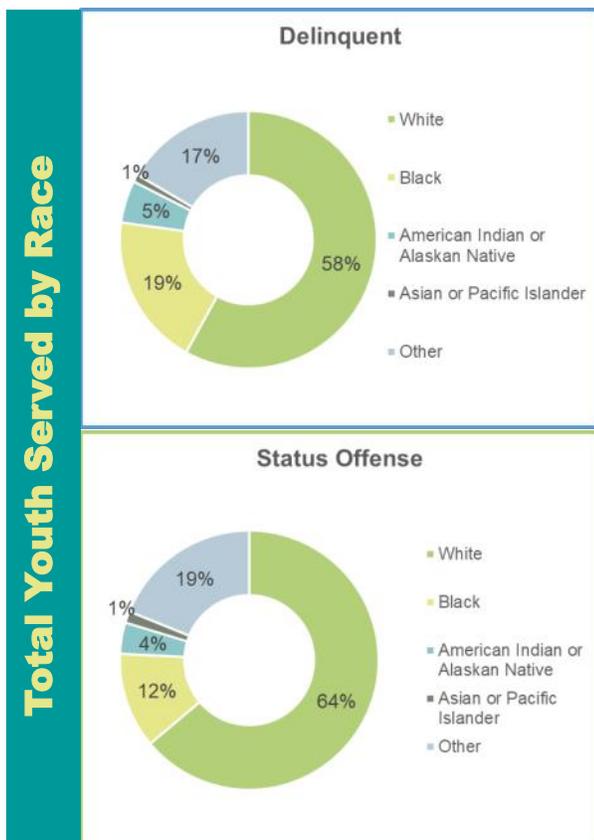
Third Place Winner of the 2020 Art Contest from Sarah. Her entry was titled, "*It's okay to be different.*" She wrote, "What I have learned is that society wants you to fit in what they think is normal and if you don't wear what everyone wears or believes then you are weird or ugly. What I learned is that it is okay to be different and dress different from others. You should love who you are and not be ashamed!"

Total Youth Served by Juvenile Probation

Population

In this section, all data represents the total population of youth actively supervised on probation, which includes youth already on probation from the previous year. There were 4,156 youth served during this fiscal year. The table below shows demographic data for the population of youth served by probation separated by delinquent and status-related offenses.

Total Youth Served by Age			
Age of Youth	Delinquent	Status	Total
11	9	2	11
12	44	17	61
13	168	42	210
14	392	80	472
15	611	137	748
16	852	217	1,069
17	887	255	1,142
18	391	52	443
Total	3,354	802	4,156



Cognitive Restructuring Group



Comments From Youth

"I'm thankful that my probation officer put me in this group because it really helped."

"It helps get your mind set and ready for life."

"I learned I could control my anger."

"It really helped me with self control. I get a lot of feedback about how much I've changed."

"This group has changed my life."

"I learned to use the Anger Meter to calm myself down."

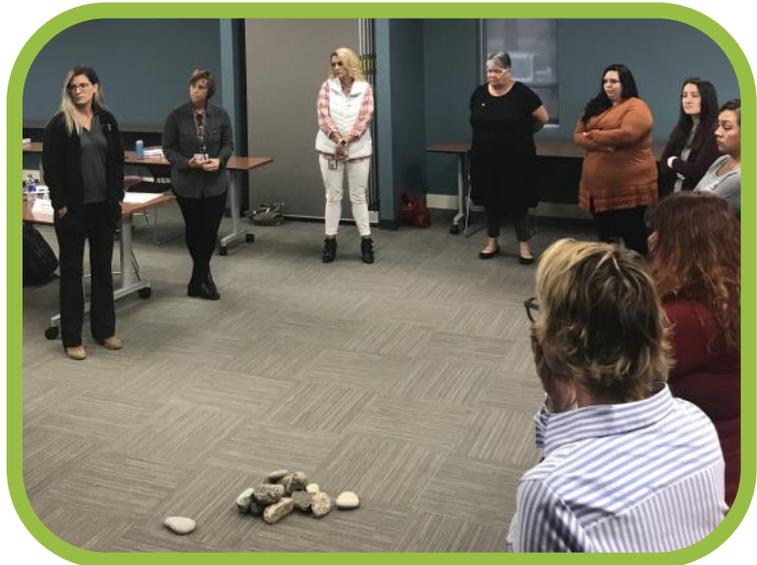
"I enjoyed learning the skills to avoid trouble with others and keep out of fights."

"I would recommend this group to others because it is a good group and would help a lot of people."

The Nebraska-Aggression Replacement Training, also known as NE-ART, was facilitated by national trainers for all probation officers supervising high risk youth. NE-ART is the only cognitive restructuring group curriculum that has been normed for adolescents. This training was developed as a means of intervention for aggressive and violent behavior in adolescence. In time, it was realized that this program benefits youth with risk levels identified as moderate-high to high-risk.



128
In 2020, A total of 128 probation officers, who supervise high-risk youth, were trained as a new facilitator or provided a booster session.



During training, officers participated in an exercise using rocks to represent the internal weights that our youth carry, which cannot always be seen.

Case Management

Total Youth Served by Juvenile Probation

Graduated Responses

Case Management

Research continues to build evidence supporting the implementation of age appropriate graduated responses for youth on juvenile probation. Due to this, Nebraska Revised Statute §43-286.01 was enhanced in 2017 to support the creation of a standardized matrix for youth

incentives and sanctions. This is essential as we know working with youth to change behavior can take time and have multiple differing responses. If youth are unable to change their behavior and continue to violate the court order, an alleged probation violation can be submitted to the court.



Q. When would a motion to revoke probation be requested?

Nebraska Revised Statute §43-286.01 states: "Failure to complete a sanction may result in repeating the sanction, increasing the duration, or selecting a different sanction similar in nature. Continued failure to comply could result in a request for a motion to revoke probation."

Motion to Revoke Probation	
District	Filings
1	36
2	70
3J	197
4J	284
5	51
6	71
7	153
8	12
9	129
10	49
11	95
12	105
Total	1,252

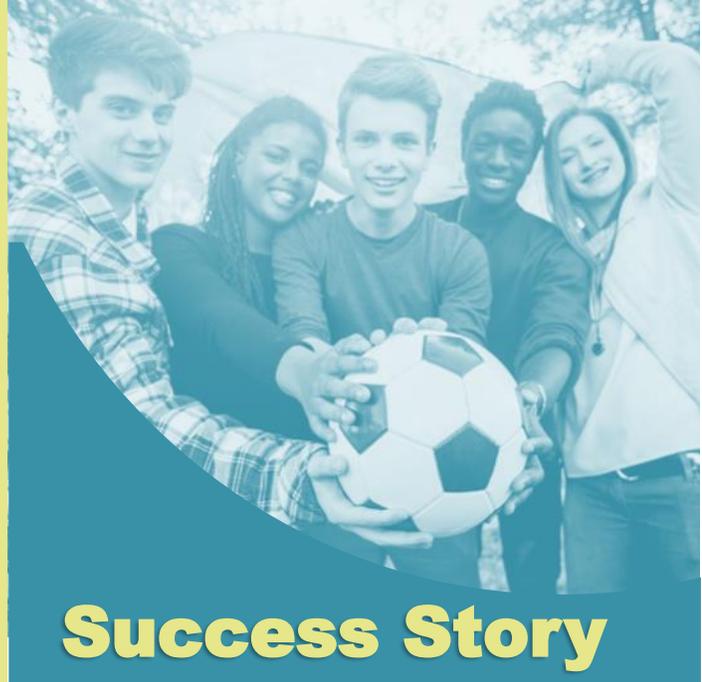
Tangible Incentives

The Juvenile Services Division was awarded a three-year grant from the Sherwood Foundation in December of 2019 which allows juvenile probation officers to award tangible incentives to probation involved youth to reinforce positive behaviors. Research supports that young people respond best to approaches that build on their strengths, develop a positive sense of themselves at a critical time of brain development, and make space for their voices. Providing officers the ability to drive case management by offering opportunities and rewards valued by youth is an important factor in achieving long-term behavior change.

What kind of items are used as tangible incentives?

Individual incentives include various items available for districts to order on a quarterly basis. Gift items popular among teens include gift certificates, hats, socks, bags, Bluetooth items, art supplies, sporting goods, and water bottles are available to order. Group incentives can also be purchased when a group of youth have demonstrated progress like completion of a Nebraska-Aggression Replacement Training cognitive group. These incentives may pizza, cake, sodas, or snacks, which can be purchased at a store by a member of the district management team for the assigned officer to use as incentives.

Many success stories have been reported on how these items have made a difference to the motivation and self-esteem of the youth. *One example can be witnessed in the story of Sydney on the right.*



Success Story

Sydney was successfully released from probation after making a massive turn-around in her educational, professional, and personal life thanks in part to incentives and praise!

A big turn-around for Sydney occurred during a school meeting. In collaboration with the school, probation was able to use motivational interviewing techniques, positive praise, and tangible incentives to help Sydney find the motivation to advocate for herself regarding her educational needs.

After that meeting, Sydney had hope. She was working part time and received school/work credits. She worked to get all of her grades to a passing level and greatly improved her attendance. Sydney is now motivated to graduate high school and is even talking about attending college to be a botanist or therapist. She's on track to complete high school by December of 2021 and no longer plans to drop out!

“Incentives played a HUGE role in Sydney’s probation progress.”

She received multiple incentives (tangible gifts and verbal praises) for various successes. Each one reminded her that there is hope and that she **CAN** do amazing things!



Total Youth Served by Juvenile Probation

Case Management

Youth on juvenile probation receive individualized supervision and services which are core to effective case management. Probation officers that supervise youth are highly skilled and provide many interventions including cognitive restructuring groups, motivational interviewing, and field visits. Therefore, dosage and service duration are key, focusing on the *right service*, at the *right time*, for the *right youth* is imperative to creating individualized case plans for youth on probation.

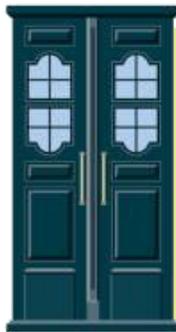
The expansion of Home-based services in Nebraska kicked off in April of 2017. Since that time, two evidence informed services have been expanded. These services are Multisystemic Therapy (MST) and the Boys Town Ecological In-Home Family Treatment (EIHFT) program.



Juvenile Justice
Home-Based Initiative



An average of
106 Families
received **MST**
services per
month during this
fiscal year



**Evidence
informed**
home-based
services covers
80%
of Nebraska
counties



An average of
89 Families
received **EIHT**
services per
month during
this fiscal year

MST Victories

A sixteen-year-old was referred to MST due to risk of out-of-home placement because of theft charges, continued aggression in the home, and probation violations. The MST therapist worked with the family to identify a history of attachment issues which were focused on through the course of the service. Additionally, the MST therapist assisted the family in connecting with a therapy service that would allow him and his parents to continue to work on the attachment issues after MST service successfully closed. Since that time, he has made great progress and advanced to state wrestling where he won a gold medal in his weight class for his school's division.

- ◆ A seventeen-year-old youth, who was not complying with family rules, was engaging with negative peer influences, failing classes, and defiant towards authority, was referred to MST. As a result, his parents worked to implement consistent, reasonable rules, and consequences for his behaviors. He graduated from high school, completed MST, and had no law enforcement contact. Then he enlisted in the Army and is currently completing basic combat training.
- ◆
- ◆
- ◆
- ◆



Average Daily Cost of Probation

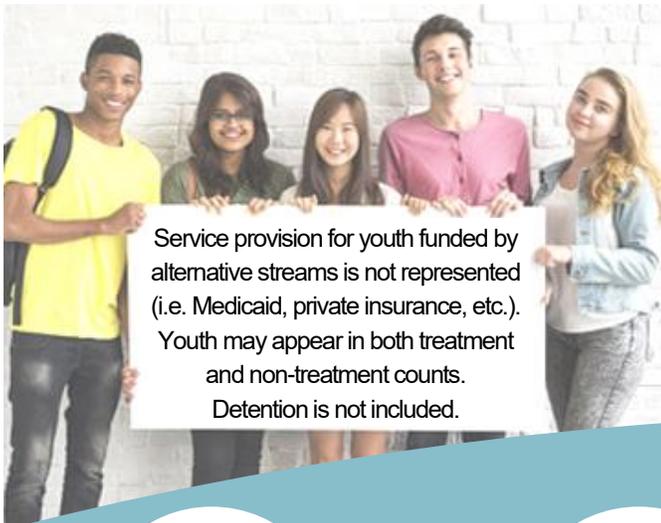
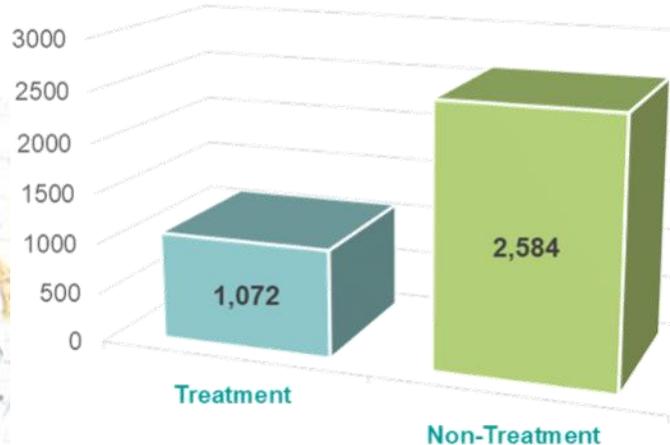
Includes personnel and operating expenses

\$28.35

Services funded by Probation are tracked through vouchers

Probation staff work with registered service providers statewide to ensure youth have access to quality behavioral health and non-clinical supportive services. Financial assistance is available to ensure youth can access services. With targeted services, supervision outcomes can improve youths' risk of recidivism. Treatment services may include: substance use treatment (out-patient or residential), counseling, medication management, and mental health treatment. Non-treatment services may include: educational tutoring, electronic monitoring, tracker, shelter care, foster care, and transportation.

Service Type Per Youth Receiving Financial Assistance



Service provision for youth funded by alternative streams is not represented (i.e. Medicaid, private insurance, etc.). Youth may appear in both treatment and non-treatment counts. Detention is not included.

Average Annual/Monthly Cost for Youth Receiving Financial Assistance

\$4,975.47
Overall Avg./Youth

\$24,773.18
Overall Avg./Youth

\$414.62
Monthly Avg./Youth

\$2,064.43
Monthly Avg./Youth



In-Home/Community Based Services



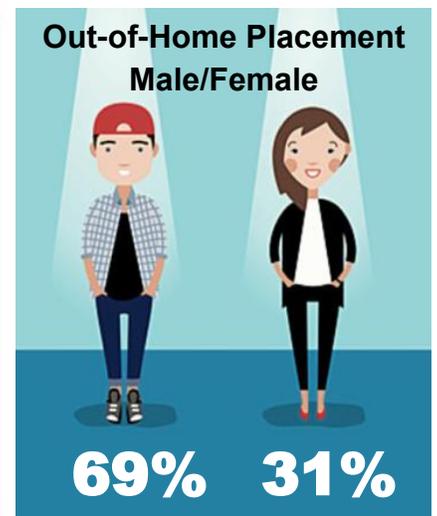
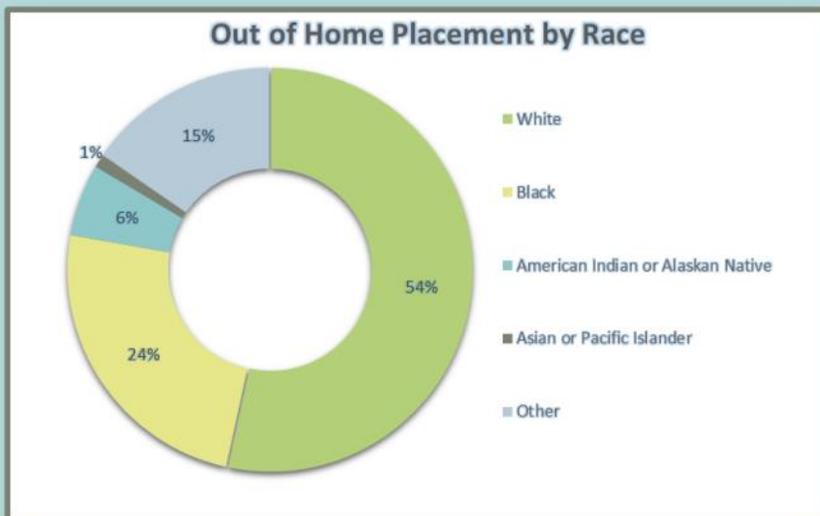
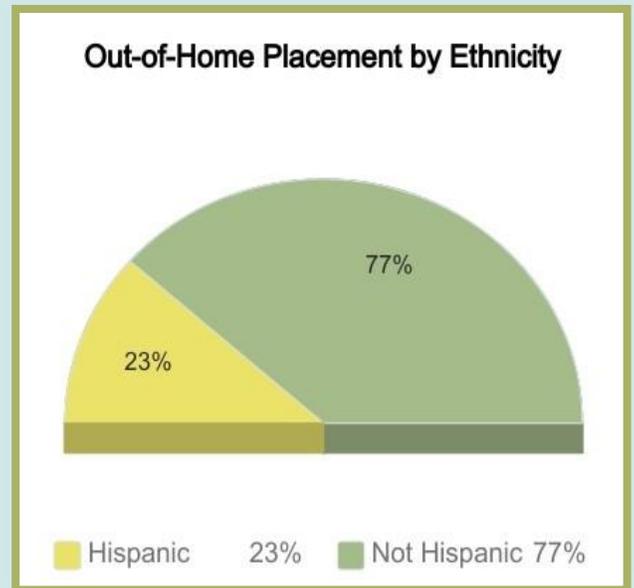
Out-of-Home Services

Total Youth Served by Juvenile Probation

Out-of-Home Placement

The Juvenile Justice Reform Initiative prioritizes the reduction of unnecessary placement of youth outside of their homes. Efforts continue to enhance and expand access to home-based services which will assist in accomplishing this priority. Although, there are still times when all efforts have been exhausted and an out-of-home placement is necessary to provide for community safety and treatment services. These out-of-home placements include congregate care (treatment and non-treatment), foster care, detention alternatives, detention, runaway, youth residential treatment centers, and jail. In fiscal year 2020, 1,797 youth were served in an out-of-home placement for one day or more.

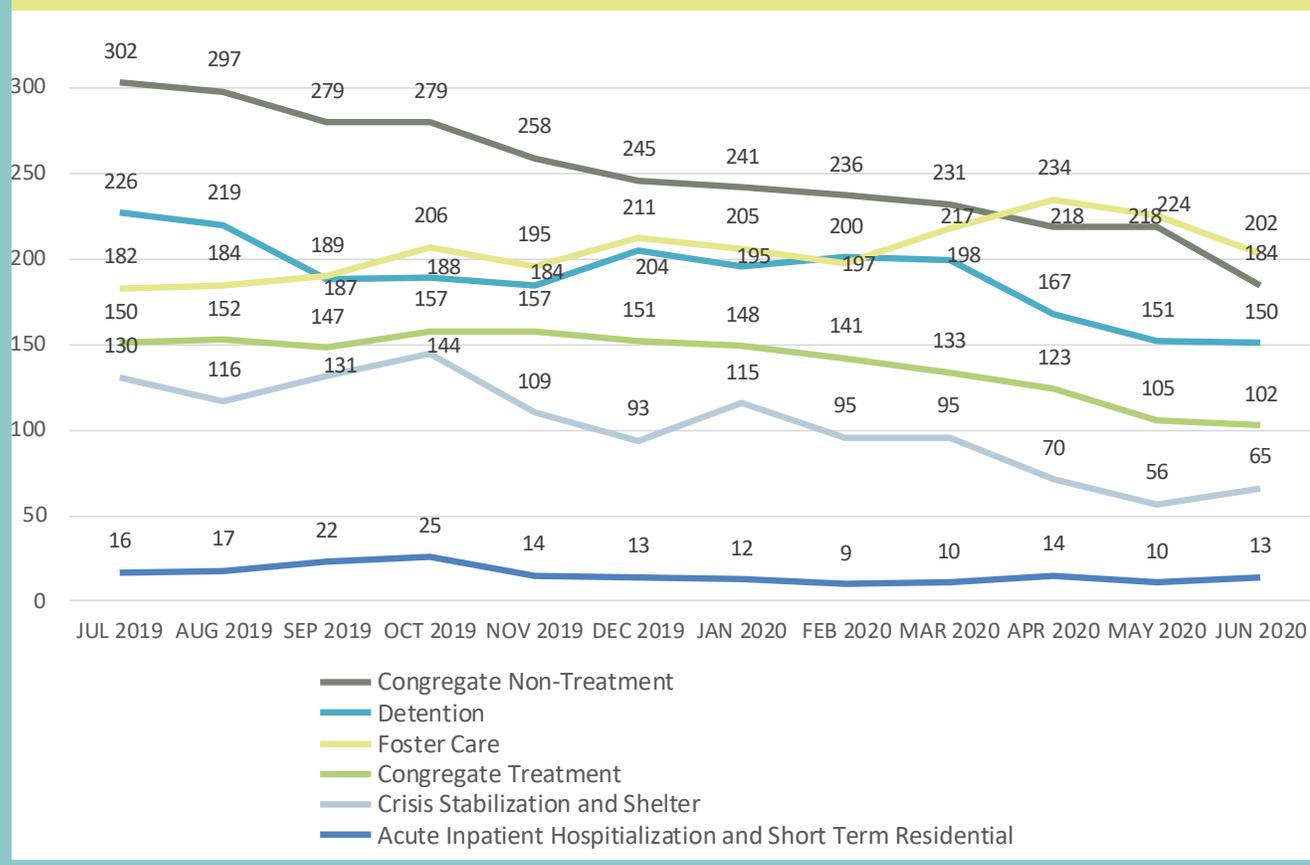
Age at Out-of-Home Placement	
Age of Youth	# of Probationers
12	27
13	110
14	265
15	434
16	658
17	623
18	247



Out-of-Home Placement

When youth are placed out-of-home, probation officers work immediately with the placement staff, youth, and family to develop a plan for the youth to transition back to their homes and local community, ensuring public safety. This is especially important when youth are placed out of state because distance becomes a key factor to transition planning.

Total Number of Youth in Out-of-Home Placement per Month



Congregate Non-Treatment: group homes (A, B and developmental disability), maternity group homes (parenting and non-parenting), and independent living
Congregate Treatment: psychiatric residential treatment facilities and treatment group homes
Detention: secure and staff secure
Foster Care: developmental disability, extended family home, professional foster care, emergency foster care, foster care, relative/kinship, and respite

OUT OF STATE

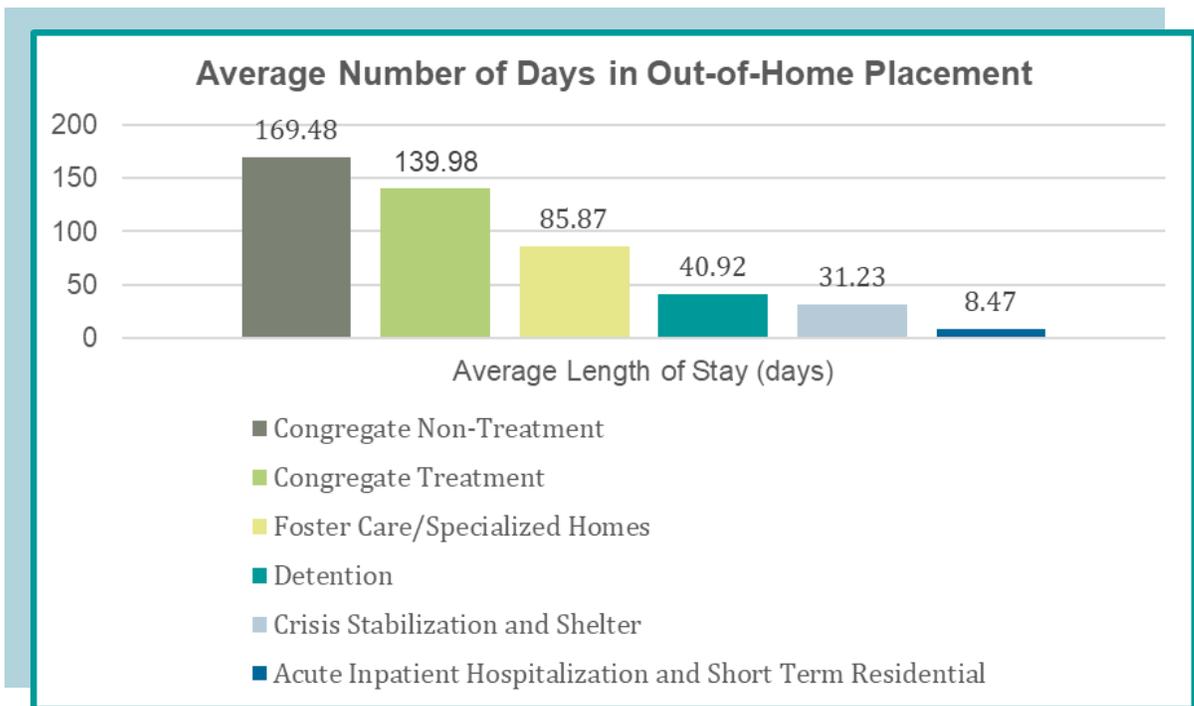
11%

In fiscal year 2020, of youth placed out-of-home, 179 were placed in treatment or non-treatment congregate care out of the state of Nebraska

Total Youth Served by Juvenile Probation

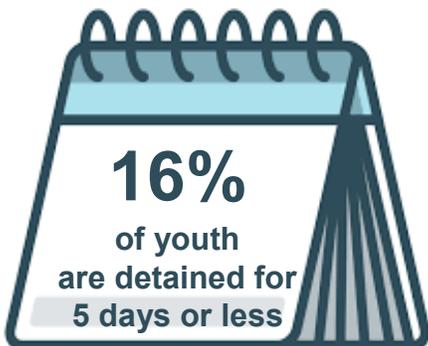
Out-of-Home Placement

When a youth is placed out-of-home, each service has an identified “average length of time” detailed in the *Juvenile Services Guide*. This “average length of time” reflects the time the service has shown evidence to achieve the service outcomes with the overarching goal of behavior change and risk reduction. Additionally, research demonstrates that short-term placements such as detention should focus on immediate community safety risks and have shown to increase risk if utilized for low risk youth and for long periods of time.



Juvenile Probation Positive Progress Statewide System Goals

In May of 2019, all management, with a special focus on juvenile justice from across the state, came together for the spring management meeting. During that meeting, management identified goals for Juvenile Probation moving forward. One of the goals was reducing the utilization of out-of-home placements. Over the past fiscal year, monthly emails including data trends and best practice tips have been shared with management across the state. Additionally, a data priority was identified regarding non-treatment congregate care settings as the focus for our reduction goal. Many elements played a role in this effort including the pandemic, but ultimately the progress towards this goal is worth recognizing. We have accomplished a reduction in non-treatment congregate care placements by **39%** in the fiscal year.



When a youth is placed on probation, it is key that a skilled probation officer works closely with the youth to ensure all court ordered probation conditions are successfully completed. This should result in a reduction of the youth’s risk and a change in those behaviors that brought the youth before the court. Once a youth has completed his or her probation conditions, a judge releases the youth from probation supervision. There are three options: the youth may be discharged from probation successfully, unsuccessfully, or probation may be revoked. A basic measure of success for juvenile probation is the number of youth that successfully complete probation.

In this fiscal year, 3,130 juvenile court cases were discharged from probation (133 youth were released for an “other” discharge option and are not included in the total). Examples include a district override or adjudication transfer.

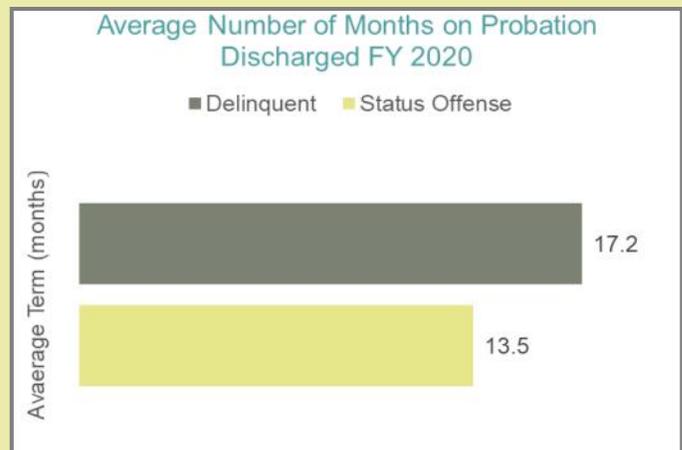
District #	Successful Discharges	Unsuccessful/ Revoked Discharges
1	89	44
2	171	38
3J	232	105
4J	546	230
5	194	32
6	154	39
7	140	59
8	49	2
9	193	109
10	79	27
11	247	42
12	264	45
Total	2,358	772

In Fiscal Year 2020



75% of youth on probation were discharged successfully

4%
of the youth discharged in fiscal year 2020 reached the age of majority



Total Youth Served by Juvenile Probation

Recidivism

Recidivism is nationally supported as a way to measure impact of the juvenile probation. Over the past few years, since implementing the Juvenile Justice Reform Initiative, the Administrative Office of the Courts and Probation has been measuring recidivism for youth who are placed on probation. Additionally, the Supreme Court created a standard definition for recidivism which is documented below. It is essential to note that there is not a national standard definition for recidivism; however, experts suggest using a consistent definition over time to determine impact.



Note: Youth included in this data were discharged in fiscal year 2019.



Recidivism was reduced for youth successfully discharged from Probation over the last two fiscal years

Nebraska Supreme Court Recidivism Definition

For the purpose of accurately assessing program recidivism across justice programs, Nebraska State Probation and Nebraska Problem-Solving Courts shall utilize the following uniform definitions of recidivism for all adults and juveniles within their respective programs.

- A) **Adults:** As applied to adults, recidivism shall mean a final conviction of a Class I or II misdemeanor, a Class IV felony or above, or a Class W misdemeanor based on a violation of state law or an ordinance of any city or village enacted in conformance with state law, within three years of being successfully released.
- B) **Juveniles:**
 - 1) As applied to juveniles, recidivism shall mean that within one year of being successfully released from a probation or problem-solving court program, the juvenile has:
 - a) an adjudication pursuant to Neb. Rev. Stat. § 43-247(1) or (2)
 - b) for a juvenile fourteen years or older, a final conviction for a Class W misdemeanor based on a violation of state traffic laws or ordinances of any city or village enacted in conformance with state law; or
 - c) a prosecution and final conviction as an adult for any crimes set forth in subsection A) above
 - 2) For juveniles that age-out of the juvenile system within one year of program exit and who did not recidivate post-program as juveniles, the adult definition of post-program recidivism, including any drug-related or alcohol-related conviction, shall apply.



Taylor Lemburg

Juvenile Probation Officer SPOTLIGHT

In 2017, a thirteen-year-old female was placed on Taylor Lemburg's juvenile caseload. She was defiant, using multiple substances, and had only attended school a handful of days during her 8th grade year. Taylor approached Hannah's case with a team effort including the school, Hannah's mother, and other positive supports.

She had daily contact with Hannah at her home in regards to truancy, law contact, and fulfilling the role as her probation officer. Taylor knew that she couldn't give up and that Hannah needed someone cheering for her, even on the days she held her accountable for her actions.

The goal as Hannah's officer was to find the driver of her behavior, discover what was leading to her new law offenses, and determine how she could be a productive member of Hannah's team.

Community resources were exhausted and later Hannah was placed out of her home. During her out-of-home placements, Hannah grew in many ways and so did their relationship. Hannah slowly began respecting Taylor as her probation officer and started reaching out when she needed advice, someone to talk to, or to share positive news. When Hannah appeared for her review hearing, she stood up and politely advocated for herself to be placed in her grandmother's home. Hannah was granted her wish!

Taylor also wanted to show the court and other parties in the case what Hannah had been through and how much she had grown. Hannah had not previously taken part in the Juvenile Services Division art contest, but had earned awards for her talent as a younger child.



Taylor used this opportunity to help build confidence in Hannah by encouraging her to enter the Juvenile Services Art Contest and put her "Journey" into a creative piece of art.

She requested complementary art supplies through the administrative office and entered Hannah's artwork in the contest.

Hannah was chosen as the second place winner for the 2020 Art Contest. A formal presentation was held at the probation office with her mother and other staff from the district.

Through Hannah's journey on probation, she gained confidence, self-respect, courage, and motivation for her future. When she loses her balance in every day life, she utilizes the skills she has obtained to catch herself and get back on track.



"The drawing explains only some of my tough and happy journey through life. Most of my life has been dark, but there are also times that I've made it out of these dark places and found happiness. The left side of my entry shows the dark places of my life. The right side is happy with the things that keep me going and put a smile on my face!"—Hannah



STATE OF
NEBRASKA
JUDICIAL BRANCH

Administrative Office
of the Courts & Probation

Contact Us:

**Administrative Office of the Courts & Probation
Juvenile Services Division**

521 South 14th Street, 5th Floor

Lincoln, Nebraska 68508

402-471-4816

Find us on Social Media:



<https://www.supremecourt.nebraska.gov/10824/juvenile-services>



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*Created by
Kari Rumbaugh and
Tami Rupe
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