

Supreme Court Commission on Children in the Courts

Summary of May 6, 2005 Meeting

Attending: Co-chairs: Judge Everett Inbody and Judge Douglas Johnson, Judge Vernon Daniels, Judge Lawrence Gendler, Judge Paul Korslund, Judge Patrick McDermott, Judge Linda Porter, Judge Gerald Rouse, Janice Walker, Lynnette Boyle, Mark Ells, Marsha Fangmeyer, Robert Goodwin, Rebecca Harling, Megan Houston, Nancy Montanez, Kathy Moore, Elizabeth Neeley, Nicole Neesen, Jodi Nelson, Mary Jo Pankoke, Amy Prenda, James Ruby, Jane Schoenike, Richard Stafford, Roberta Stick, Carol Stitt, Marlene Vetick, Vicky Weisz, Kirs Wertz

After being welcomed by Co-Chairs Chief Judge Inbody and Judge Johnson, Chairs of the three subcommittees made reports on their committees' progress.

Jim Ruby, Chair of the Subcommittee on GAL (abuse/neglect) standards, training, and implementation reported that the subcommittee had a full day working meeting with the Subcommittee on Children's Attorneys on April 1 with two national experts. Professor Bruce A. Boyer, Director, Civitas Child Law Clinic, Loyola University School of Law gave an overview of general issues and challenges related to guardians ad litem for abuse and neglect and then participated in a subcommittee discussion of the issues. The committee has begun its work by reviewing the American Bar Association Standards of Practice for Lawyers who Represent Children in Abuse and Neglect Cases, the National Conference of Commissioners on Uniform State Laws Uniform Role of Attorneys Representing Children in Abuse and Neglect Custody Proceedings Act, and protocols from several different states.

Vicky Weisz reported for Judge Kenneth Vampola, Chair of the Subcommittee on Children's attorneys (delinquency and status offenses) standards, training and implementation reported that the subcommittee also met on April 1. Professor Cathryn S. Crawford, Child and Family Justice Center, Northwestern University School of Law gave an overview of issues and challenges related to the representation of youth and approaches that other states have taken and then participated in a discussion of the issues. Professor Crawford recommended that the first step be an assessment of current state practice in legal representation of youth. The subcommittee began its work by deciding a plan to proceed. Liz Neeley will gather assessment instruments from different states. Twila Wingrove, graduate/law research assistant, will summarize the findings of areas of concern in different states. Based on these efforts, the Center on Children, Families, and the Law will develop a survey to assess practice.

Judge Patrick McDermott, Chair of the Subcommittee on Expedited Appeals reported that the subcommittee met on April 4 with Judge Gayle Vogel from the Iowa Court of Appeals. Judge Vogel led Iowa's effort in developing a new appeal process that

cut the time for appeals to an average of 75 days. Judge Vogel described the new appellate procedures and also discussed some aspects of the process it took for them to be implemented. Three Nebraska Supreme Court judges and three Nebraska Court of Appeals judges attended the meeting along with subcommittee members.

Vicky Weisz gave a report on the Nebraska Court Improvement Project. She described the state wide reassessment of state practice in abuse and neglect that is currently underway, the court-agency collaboration projects that have been in effect in the Separate Juvenile Court(s) for the past three years, expanded preliminary protective custody hearings that have been implemented as part of those collaborations, new court orders to increase compliance with federal funding mechanisms, and new developments in Family Drug Courts in Douglas and Lancaster counties.

Mark Ells described the Nebraska Juvenile Code Proposed Revision that was completed last year following a number of years of work by various groups. We distributed a Nebraska Law Review publication of the proposed code and commentary.

The next meeting is scheduled for August 5, 2005.