



# PROGRAM & PROJECT QUICK LOOK

## NEBRASKA JUDICIAL BRANCH

### PROBLEM-SOLVING COURTS

Nebraska problem-solving courts are an institution of the Nebraska Supreme Court utilizing innovative court programs through which individuals and families thrive and all Nebraska communities become safer.

#### ORIGIN & AUTHORIZATION

- Nebraska Revised Statute 24-1301 (Problem-solving courts - alternatives to incarceration in Nebraska.)
- Nebraska Revised Statute 29-2246 (Authorized probation personnel to operate problem-solving courts.)
- Nebraska Revised Statute 24-1301 and 24-1302, and section 29-2246 (Expanded definition of problem-solving courts to include Veterans Treatment Courts, Mental Health Courts, and Reentry Court.)
- Nebraska Supreme Court Rules § 6-1201 et seq. (Rules on problem-solving courts.)

#### PROGRAM OVERVIEW

Nebraska problem-solving courts operate within the district, county, or juvenile courts in all 12 Nebraska Judicial Districts. Most problem-solving courts in Nebraska operate under the Administrative Office of the Courts and Probation (AOCP), with the exception of the Adult Drug Courts in Douglas and Lancaster Counties. Family Treatment Courts (FTC) typically operate within both the Courts and the Department of Health and Human Services. Problem-solving courts are post-plea or post-adjudicatory, intensive supervision treatment programs designed for high-risk to reoffend and high-need individuals. Nebraska problem-solving courts can only be established with the approval of the Nebraska Supreme Court. All Nebraska problem-solving courts are governed by the Nebraska Supreme Court Committee on Problem-Solving Courts under the direction of the Nebraska Supreme Court. Problem-solving courts reduce recidivism and increase community safety through a comprehensive and coordinated court response utilizing early assessment and intervention, individualized treatment, intensive community supervision and consistent judicial oversight. All Nebraska problem-solving courts adhere to established standards. Nebraska problem-solving court models include Adult Drug and DUI Courts, Veterans Treatment Courts, Reentry Courts, Juvenile Drug Courts, Young Adult Courts, Mental Health Courts, and Family Treatment Courts.

#### PRIORITIES

- **Reduce recidivism and increase community safety through a comprehensive and coordinated court response.**
  - Problem-solving courts in Nebraska operate under a team approach where a judge, prosecutor, defense counsel, coordinator, community supervision officer, law enforcement representative and treatment provider(s) work together to design an individualized program. Compliance with treatment and court orders is verified by frequent alcohol/drug testing, close community supervision and interaction with a Judge in non-adversarial court review hearings. Problem-solving courts enhance close monitoring of participants using home and field visits.
- **Utilize evidence-based practices identified by scientific research, literature, and best practice standards.**
  - All problem-solving court participants are screened and assessed for substance use, criminogenic risk to reoffend, mental health concerns, trauma history and trauma-related symptoms.
- **Facilitate access to problem-solving courts regardless of an individual's geographical location, financial status, gender, age, race, religion, physical or mental disability or ethnicity.**
  - In Fiscal Year 2022, Nebraska Problem-Solving Courts served over 1100 individuals (FTC numbers not included).
  - The average per-day cost to supervise an adult problem-solving court participant is approximately \$14.76 per day or \$5,387 per year.
  - More Nebraska families will have access to problem-solving courts due to increased funding from the Nebraska Legislature.

#### RECENT ACCOMPLISHMENTS

- On June 2, 2021, the Nebraska Supreme Court approved an audit process for all Problem-Solving Courts to assess all Nebraska Problem-Solving Courts' adherence to the current and revised state best practice standards.

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- On June 2, 2021, the Nebraska Supreme Court approved statewide Problem-Solving Court Data Definitions, standardized performance measures for each Nebraska Problem-Solving Court model, and a process for establishing and updating Best Practice Standards for Nebraska Problem-Solving Courts.
- Promotion of May as Problem-Solving Court Month that highlighted a Proclamation Ceremony, expanded social media and podcast coverage, highlighting State and Local Events on the Supreme Court Website.
- Established a small-scale pilot program for a Mental Health Court in Sarpy County.
- Established a small-scale pilot program for a DUI Court in Lancaster County.
- Obtained Supreme Court approval of two new Family Treatment Courts in Lancaster County.
- Developed and received Supreme Court approval of the 2021 and 2022 problem-solving court team member education training plan, required by Supreme Court Rule.
- Since 2015, best practice standards for Adult Drug and DUI Courts, Veterans Treatment Courts, Reentry Courts, Family Treatment Courts, Mental Health Courts, and Young Adult Courts have been collaboratively developed by stakeholders across Nebraska and approved by the Nebraska Supreme Court.

## LOOKING FORWARD

Problem-solving courts continue to identify goals and policies required to ensure Nebraska's Problem-Solving Courts operate effectively and efficiently.

- Stakeholders across Nebraska continue to collaborate with national experts to complete objectives in the 2020-2025 Strategic Plan for Nebraska Problem-Solving Courts with a focus on preparing courts for the future and using data to enhance court operations.
- Research strongly supports that Problem-Solving Courts operating with trained staff are more likely to have better outcomes around recidivism reduction and greater cost savings. In collaboration with Judicial Branch Education, problem-solving court education will continue to be an emphasis.
- Between September 2021, and March 2022, every Nebraska Problem-Solving Court Team participated in an audit process. Following the release of the audit results, the AOCP will provide technical assistance to each problem-solving court to improve alignment with Nebraska Best Practice Standards. All Nebraska Problem-Solving Courts will undergo the audit process no less than every three years.
- Problem-solving courts must operate consistently and effectively and be offered in more jurisdictions if they are to continue to advance as one of Nebraska's most effective responses to the problems of drug addiction, mental health, and associated crime.

## CONTACTS

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## REFERENCES

Nebraska Supreme Court Rules: <https://supremecourt.nebraska.gov/supreme-court-rules/chapter-6-trial-courts/article-12-problem-solving-courts>

Nebraska Problem-Solving Courts: <https://supremecourt.nebraska.gov/courts/problem-solving-courts>

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