



# 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, with the exception of the Adult Drug Courts in Douglas and Lancaster Counties, and the Central Nebraska Adult Drug Court, which serves the 9th and 10th Judicial/Probation Districts. Family Drug Courts 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 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 (FTC).

#### 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 19 Nebraska Problem-Solving Courts served nearly 1100 individuals (FTC numbers not included).
  - The average per-day cost to supervise a problem-solving court participant is approximately \$6.90 per day or \$2,519 per year.
  - More Nebraska families will have access to problem-solving courts due to increased funding from the Nebraska Legislature. Funding to start four new problem-solving courts and expand capacity in three existing problem-solving courts was included in the biennium budget signed by the Governor in May 2019.
- On August 6, 2020, the Governor signed into law LB1008 providing appropriations to establish Nebraska's first Mental Health Court and expanding capacity for individuals to be served in Nebraska's only Young Adult Court.

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## RECENT ACCOMPLISHMENTS

- Just six months after receiving legislative funding, three new adult drug courts received Supreme Court approval, organized and trained teams, formed agreements with local counties and drafted policies to become operational.
- Since 2019, the National Drug Court Institute (NDCI) and Justice for Vets conducted nine separate events in Nebraska, providing national problem-solving court specific education for 222 team members and 30 judges.
- On April 8, 2020, the Nebraska Supreme Court approved the adoption of the Family Treatment Court Best Practice Standards.
- On April 22, 2020, the Nebraska Supreme Court approved the 2020-2025 Strategic Plan for Nebraska Problem-Solving Courts.
- On April 22, 2020, the Nebraska Supreme Court approved the Nebraska Mental Health Court Best Practice Standards.
- On October 25, 2020, the Nebraska Supreme Court approved the Nebraska Young Adult Court Best Practice Standards.
- 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.

- In 2020, stakeholders across Nebraska began collaborating with national experts to work on objectives in the 2021-2025 strategic plan 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 in 2021.
- Problem-solving courts must operate consistently 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

### **Adam Jorgensen**

Statewide Problem-Solving Court Director  
Programs and Services Division  
Administrative Office of the Courts & Probation  
Telephone 402.471.4415  
adam.jorgensen@nebraska.gov

### **Robert Denton**

Deputy Administrator  
Programs and Services Division  
Administrative Office of the Courts & Probation  
Telephone 402.471.1752  
bob.denton@nebraska.gov

## 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>

P.O. Box 98910  
Lincoln, NE 68509-8910  
402.471.3730  
[www.supremecourt.ne.gov](http://www.supremecourt.ne.gov)



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**NEBRASKA**  
JUDICIAL BRANCH

Administrative Office  
of the Courts & Probation