



ADMINISTRATIVE OFFICE
OF THE COURTS &
PROBATION

P.O. Box 98910
Lincoln, NE 68509-8910
402.471.3730
www.supremecourt.gov

NEBRASKA JUDICIAL BRANCH PROGRAM AND PROJECT QUICK LOOK

Office of Dispute Resolution

The mission of the Nebraska Office of Dispute Resolution is to enhance and to advance the use of mediation and ADR (alternative dispute resolution) in courts and communities by partnering with ODR-approved mediation centers and others involved with ADR.

Origin & Authorization

Neb. Rev. Stat. §§ 25-2901 to 25-2921, Nebraska's Dispute Resolution Act.
Neb. Rev. Stat §§ 43-245. Juvenile Code: Mediator for juvenile offender and victim mediation defined. Neb. Rev. Stat §§ 43-274. Juvenile Code: Pre-Adjudication Powers, County Attorney
Neb. Rev. Stat §§ 43-286(3). Juvenile Code: Post-Adjudication Powers, Court Order

Program Overview

The Office of Dispute Resolution (ODR) is partnering with internationally acclaimed leader, researcher, and practitioner Dr. Mark Umbreit and his team from the University of Minnesota's Center for Restorative Justice and Peacemaking to integrate evidence-based Juvenile Victim Offender Conferencing (VOC) Model of Practice in three pilot sites: District 4 Douglas County, District 3 Lancaster County, and District 12.

Judges, probation officers, county and defense attorneys, and others may refer youth involved with law violations to mediation centers for VOC services. Mediators have specialized training in how to approach and talk with young persons in the juvenile justice system who have harmed others, as well in how to sensitively reach out to victims to invite them to participate in this process. After private individual meetings with the youth and the person who was harmed, a joint conference is held. In the joint conference, the victim, (or when needed, a victim surrogate), the juvenile, family, and support persons are each invited to talk about how the crime committed, or harm done, affected each of them. Accountability for wrong doing, apology, restitution, community service, and other outcomes result from the restorative conversation, consistently resulting in a written reparation agreement.

Priorities

- » 1. **Youth involved with VOC will increase their awareness of wrong doing, their sense of accountability for their actions, and reparations to the victim; recidivism will decrease. VOC:**
 - Provides an alternative or additional resource to juveniles who have committed criminal acts against, or otherwise have harmed, a victim to make amends for their wrong doing.
 - Increases accountability of juvenile offenders for causing harm to another.
 - Minimizes youths' involvement in the juvenile justice system.
- » 2. **Victims involved with VOC will increase their satisfaction and confidence with the justice system and collection of restitution for loss from youth will increase.**
 - Provides for victims to be heard and acknowledged; an opportunity that is not otherwise available in the juvenile justice system.
 - Allows victims the opportunity to face the juvenile in a safe environment, with respectful dialogue, to address their needs to be acknowledged and to be made whole.

Priorities

- Research has shown that restorative justice increases rates of restitution repayment for victim's losses and increases victim's confidence in the justice system

» 3. **The pilot VOC project will undergo an external evaluation from the University of Minnesota Center for Restorative Justice and Peacemaking to assess impacts.**

- Restorative justice has an impact on the juvenile, victim, and the community, the goal of the program is to measure those impacts through survey and data collection.
- Measurements of satisfaction with the parties involved in the conference will be taken by survey.
- A plan to measure recidivism rates for juveniles participating in conferences will be developed.
- Outcome success of written agreements will be tracked to determine if agreements are being fulfilled.
- Restitution repayments will be tracked to determine if victims are receiving restitution.

Accomplishments

✓ Since June 2015, 65 affiliated mediators statewide, representing all six ODR-approved mediation centers, have been trained by the University of Minnesota Center for Restorative Justice and are qualified to facilitate Victim Offender Conferences.

✓ Since March 2015, 79 cases have been referred to VOC mediation in the three pilot sites.

✓ As of June 1, 2016, 36 reparation agreements have been drafted between juveniles and victims or victim surrogates since the program began; 15 VOC cases were still open and in the process of mediation.

Looking Forward

- **Through potential combined resources of grant and state funds**, expand VOC statewide to youth in all twelve judicial districts through partnership with the ODR approved mediation centers.
- **Increase awareness and provide enough early information** to victims of crimes so that they can take full advantage of this opportunity.
- **Work with judges, probation, and diversion programs** to systemically integrate VOC into juvenile orders and juvenile program protocols.

Contacts

Debora Denny, J.D.
Director
Nebraska Office of Dispute Resolution
Telephone **402.471.2766**
Debora.Denny@Nebraska.gov

References

Nebraska Judicial Branch Office of Dispute Resolution: supremecourt.nebraska.gov > Publications and Reports