

# CASE PROGRESSION AND COURT IMPROVEMENT DATA REPORT FOR 2013-2014

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The Court Improvement Project produces annual data reports that include demographics, case progression, and data on entry into foster care and permanency. This year, the data reports are expanding to include juvenile justice data. Our data come from a variety of sources. Some of the child welfare data comes from Fostering Court Improvement ([fosteringcourtimprovement.com/ne](http://fosteringcourtimprovement.com/ne)), an online website that collects and publishes data from NCANDS and AFCARS. These reports also include child welfare data from DHHS and Voices for Children's annual Kids Count in Nebraska report. Data for both child welfare and juvenile justice come from JUSTICE, the courts' data management system. Data regarding when certain court hearings were held or when orders were filed is pulled down from the system. Probation and the Nebraska Crime Commission also provided data on juvenile justice cases.

## DEMOGRAPHICS

*The Child Poverty Rate is from the 2012 US Census. Population under 19 and Under 19 of Color are from the 2012 Kids Count Voices for Children Report.* Information regarding the youth population in your area can be helpful to determine what resources may be needed. Children living in poverty are at a higher risk for maltreatment and offending and may need access to increased resources.

	STATE	TEAM
CHILD POVERTY RATE	17.4%	11.5%
POPULATION UNDER 19	27.9%	28.2%
UNDER 19 OF COLOR	27.4%	8%

# ENTRY INTO CHILD WELFARE SYSTEM

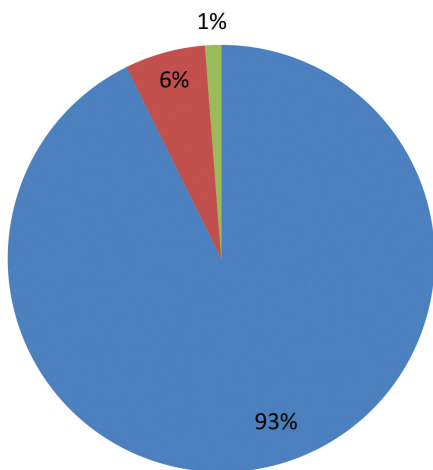
## STATE | TEAM

### Type of Reported Maltreatment

The data for type of reported maltreatment is collected by Fostering Court Improvement. Of the **3,106** maltreatment reports in Nebraska, **14.9%** were substantiated by DHHS. For your team, of the **532** reports of maltreatment, **82** (15.4%) were substantiated by DHHS. Reports that are substantiated by DHHS have evidence of maltreatment. Your team can use this data to track the number of maltreatment reports substantiated by DHHS and explore what can be done to improve this number.

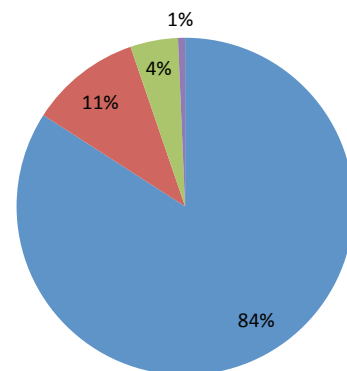


### TEAM



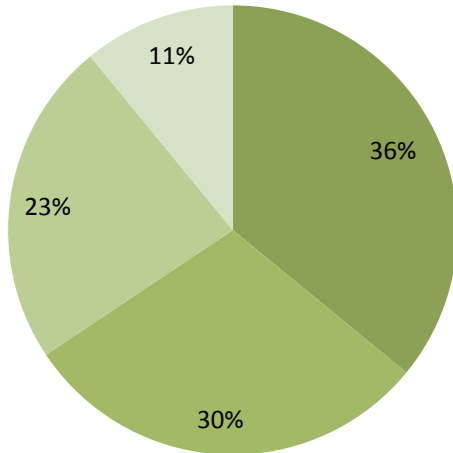
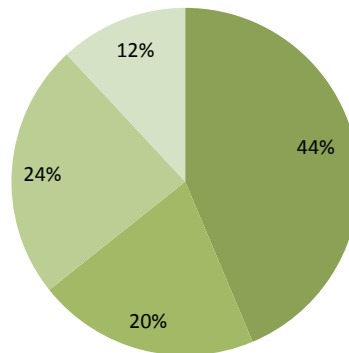
- Neglect
- Physical
- Sexual
- Other

### STATE



## Data Tips

The data in this report is meant to aid teams in prioritizing goals and projects and identifying problem areas. Data never tells the entire story of child welfare and juvenile justice cases, but can provide a starting point from which to investigate potential issues that need improvement. Your team can begin discussing why the data looks like it does and planning what can be done to improve their data. Teams can use case progression data to see how quickly cases are moving from each stage of the proceeding. If there is a certain hearing your team is taking longer than you would like, your team can discuss reasons for this and what can be changed to address it. If your team has a high amount of missing data, your team may want to discuss why this is occurring and how your team can improve data entry and management.

TEAMSTATE

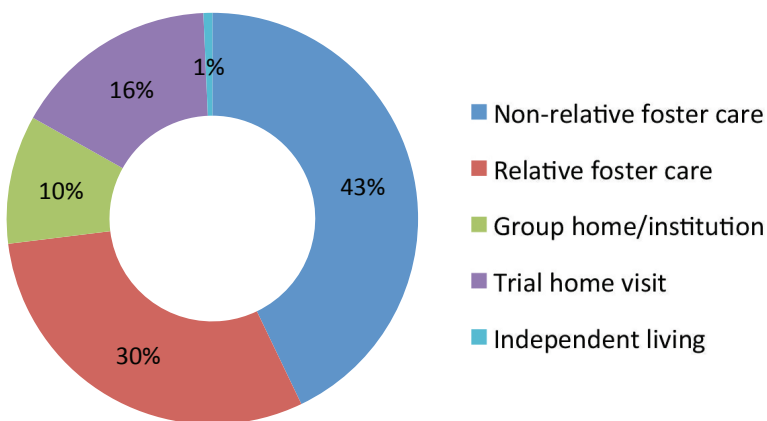
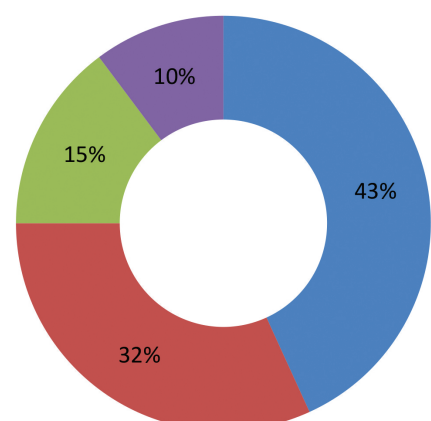
- 0-5 years
- 6-10 years
- 11-15 years
- 16+ years

Child's Age at Time of Removal

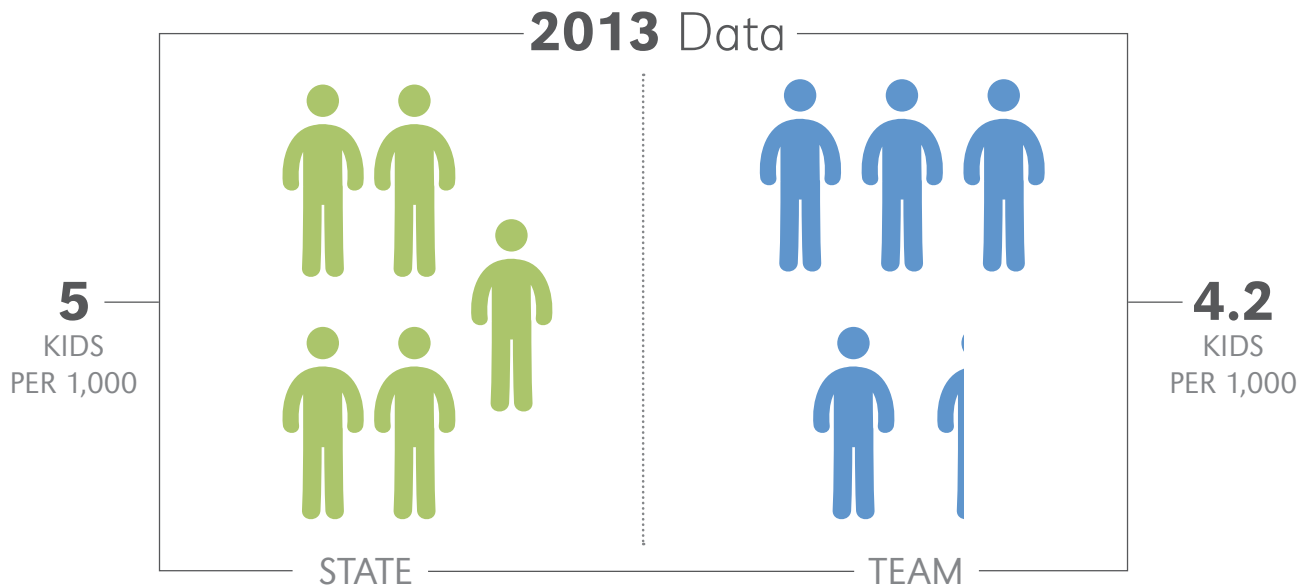
Data on the child's age at time of removal is from DHHS.

**Court-Involved Cases and Out-of-Home Care**

Data on in-home and out-of-home placements was provided by Voices for Children. In 2013, **57%** of the State's cases were court-involved. Of these, **76%** were initially placed in out-of-home care. In comparison, **63%** of the State's 2012 cases were court-involved, **66%** of which were initially placed in out-of-home care. Non-court involved cases are managed by DHHS in a voluntary capacity.

Type of Out-of-Home CareSTATETEAM

The above data was obtained from Fostering Court Improvement at [fosteringcourtimprovement.org/ne](http://fosteringcourtimprovement.org/ne). FCI gathers data from the Adoption and Foster Care Analysis and Reporting System (AFCARS) and National Child Abuse and Neglect Data System (NCANDS). The data is available online by state, judicial district, and team.

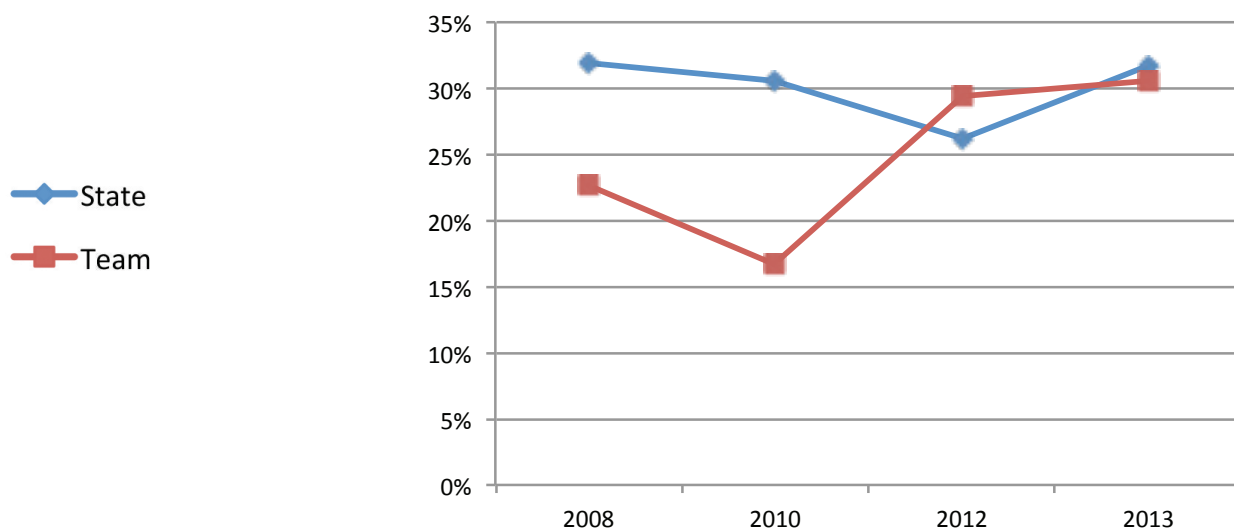


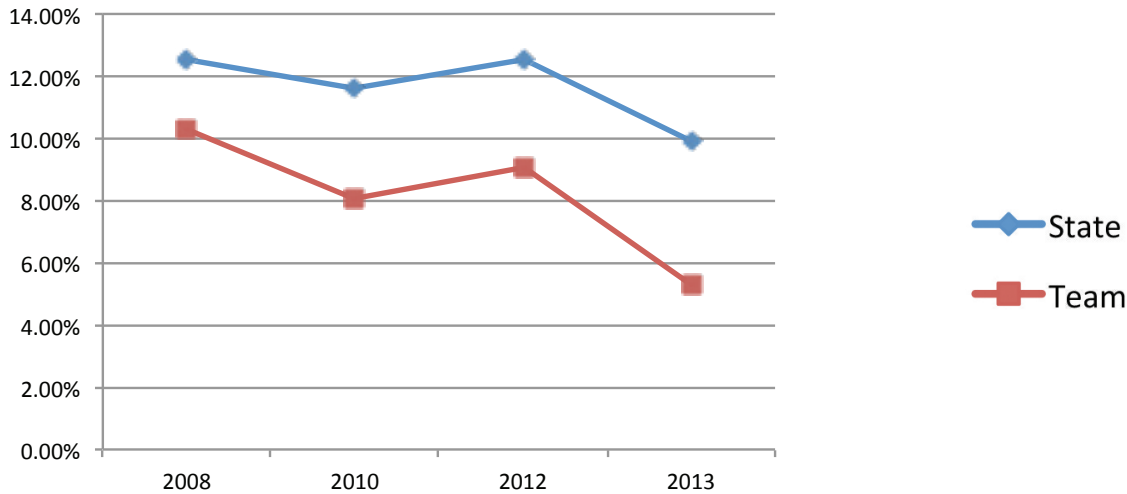
## Removals

*Fostering Court Improvement provided data on removals.* The above infographic depicts the rate of removal. Each figure represents one child removed per 1,000 youth in the area. The median time from report to removal in Nebraska was 16 days. For your team, the median time from report to removal was 11 days. This number shows how long it takes for children subjected to substantiated reports to be removed from the home.

## Victims Removed to Foster Care

*Fostering Court Improvement provided data on the percentage of victims removed to foster care.* A victim is defined as a child with a substantiated report of maltreatment. This graph shows the percentage of substantiated child victims who are removed from the home following the maltreatment report.



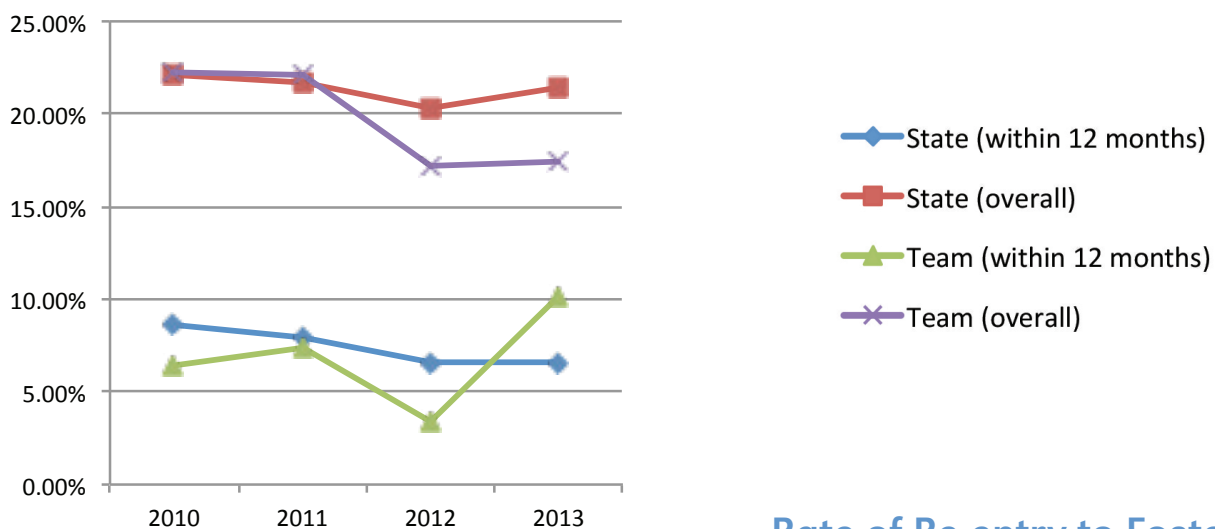


### Non-removed Victims Re victimized Within 6 Months

*Fostering Court Improvement* provided data on the percentage of non-removed victims re-victimized within 6 months. This measure depicts the percentage of child victims of substantiated reports who are not removed from the home and are re-victimized within six months of the previous report. This data may represent children who should have been removed from the home following the first substantiated report or who should have had more intensive support or intervention.

### **Discharges within One Month of Removal**

In 2013, **4%** of cases with children removed from the home were reunified within one month of removal. For your team, **3%** of the cases were reunified within one month. Children who are reunified within one month may not have needed to be initially removed from the home. Teams can use this data to investigate why some cases are being reunified so quickly.



### Rate of Re-entry to Foster Care

*Fostering Court Improvement* provided data on re-entry to foster care. Re-entry to foster care is when a child who was previously removed and placed in foster care, but later returns home, is again removed from the home. This does not include cases where a family with a prior removal later becomes involved in a voluntary case

# CHILD WELFARE CASE JUSTICE PROGRESSION DATA

The child welfare case progression data is obtained from **JUSTICE**, the court's data management system. Courts enter data on hearings and orders in **JUSTICE** as they occur in a case. The Court Improvement Project receives data from **JUSTICE** four times a year; the data presented here is current as of April 2014. The case progression data is presented for seven important hearings in a child welfare case: Protective Custody Hearing, First Appearance Hearing, Adjudication Hearing, Disposition Hearing, Review Hearing, Permanency Hearing, and the date the court terminates its jurisdiction over the child. The date entered in **JUSTICE** for the hearing order is used to calculate time between hearing dates. For each hearing, only cases that had been open long enough to progress to that hearing were included in the analysis. The number of cases and the percent of data that is missing are also included for each hearing. If your team did not have enough cases or had too much missing data to accurately represent the progression to a hearing, the graph is not shown for that hearing.

Your team may have significant missing data for some of the measures presented here. Although time frames were set to include the maximum number of cases, it is possible that some cases included in the analysis had not yet reached that stage of the proceeding, and that is why no date is entered. However, it is also possible that hearings are not properly being entered into **JUSTICE**. It might be helpful for you to discuss with your team why there is missing data and what can be done to address this.

## Petition to Protective Custody Hearing

Only cases with a child removed from the home are included in this analysis. Cases with a petition filed date between April 1 and March 31 are included.

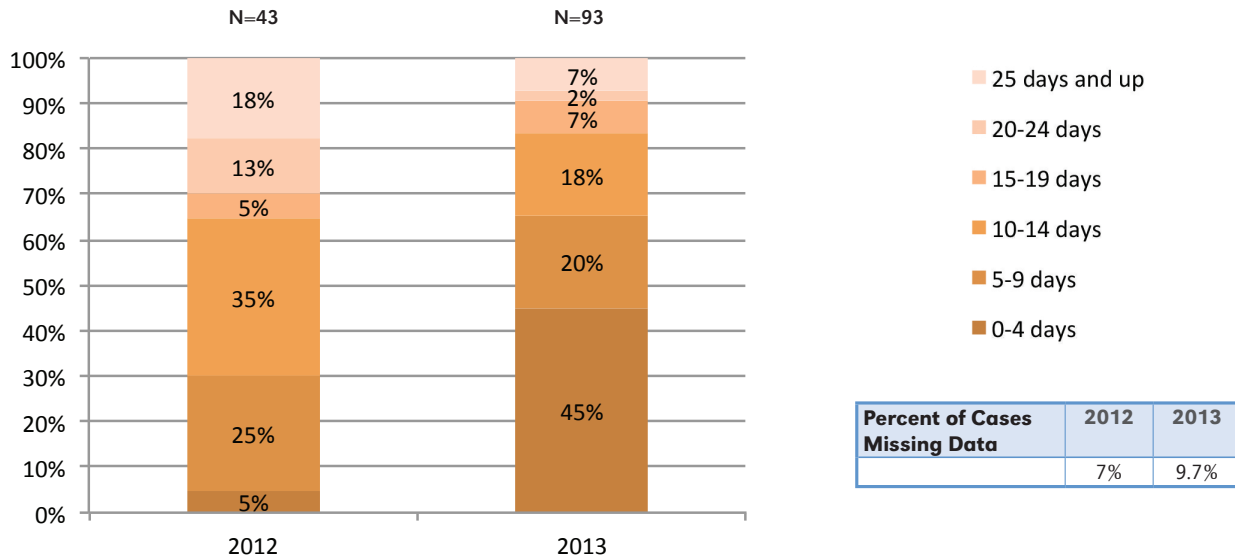
**YOUR TEAM HAD  
INSUFFICIENT  
DATA FOR  
THIS MEASURE.**

Percent of Cases Missing Data	2012	2013
	84%	58.8%

The Protective Custody hearing is the first hearing in any 3a case in which the child is removed. An ex parte order, issued prior to the hearing, must be within **48 hours** of removal. In accordance with best practices, the protective custody hearing should be held within **3 days** of removal. Nebraska case law requires that this hearing held within **14 days** of removal.

## Petition to First Appearance Order

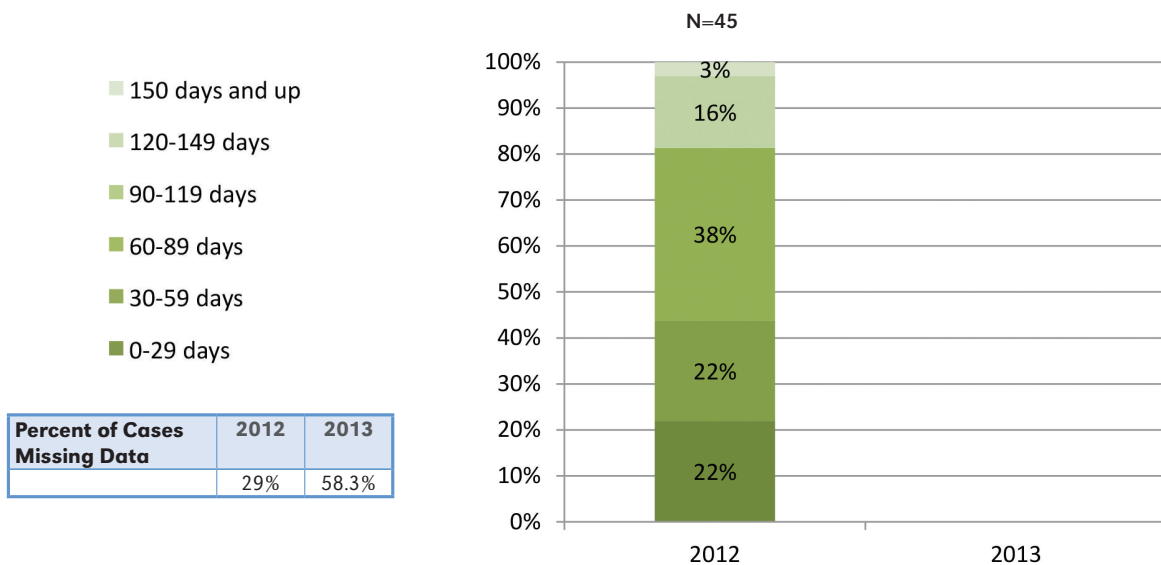
Cases with a petition filed date between April 1 and March 31 are included.



The First Appearance hearing is the first hearing at which one or both parents make a formal appearance in the case. The judge informs the parents of their rights and possible dispositions of the case. This hearing may happen at the same time as the Protective Custody Hearing if the children were removed, or may happen at a later date if the parents did not appear or were not served with the petition.

## Petition to Adjudication Hearing Order

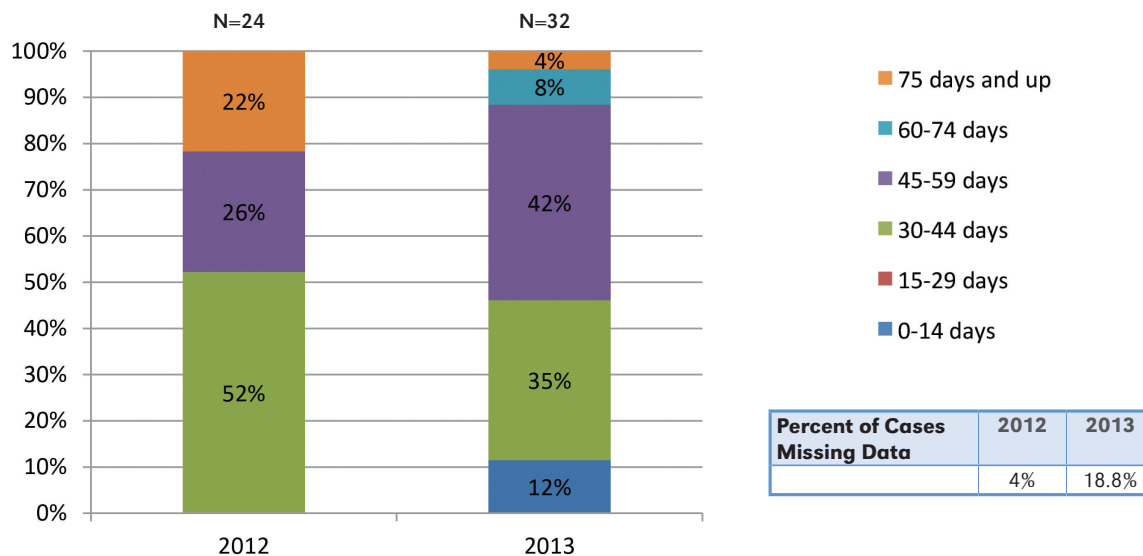
Cases with a petition filed date between February 1 and January 31 are included.



The Adjudication Hearing is the hearing at which the judge determines whether the allegations in the petition are true and thus support state intervention on behalf of the children. Parents may admit or deny the allegations in the petition. Nebraska Revised Statute §43-278 requires the adjudication hearing to be held within **90 days** of the filing of the petition, unless there is good cause to extend the time period.

## Adjudication Hearing Order to Disposition Hearing Order

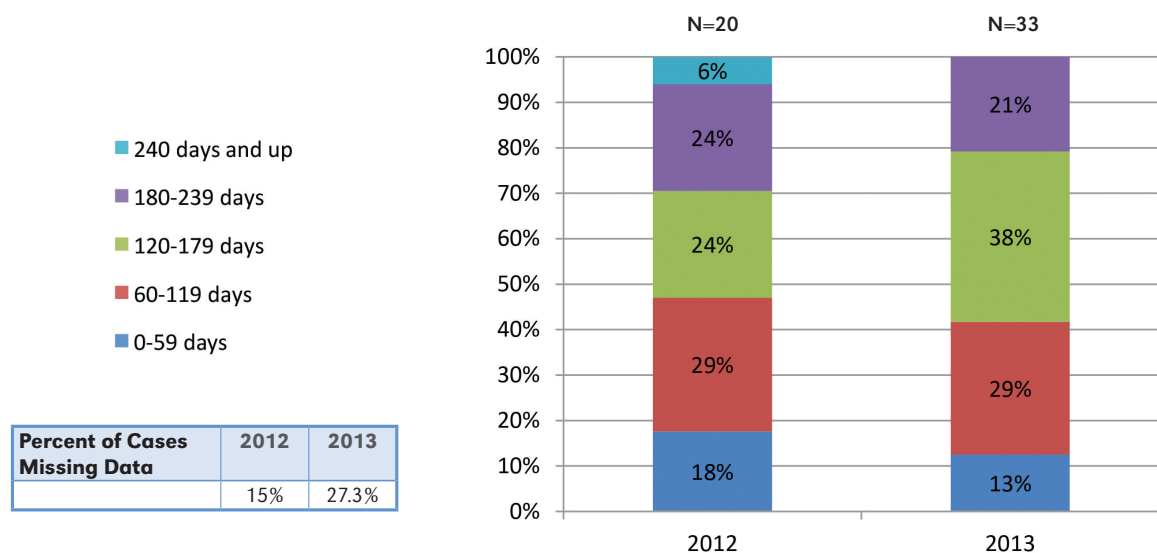
Cases with an adjudication hearing order between February 1 and January 31 are included.



The Disposition Hearing is the hearing at which the court formally determines the custody of the child and orders the parent to comply with terms of the case plan. The National Council of Juvenile and Family Court Judges recommends that the disposition hearing take place within **30 days** of the adjudication hearing.

## Disposition Hearing Order to First Review Hearing Order

Cases with a disposition hearing order between February 1 and January 31 are included.

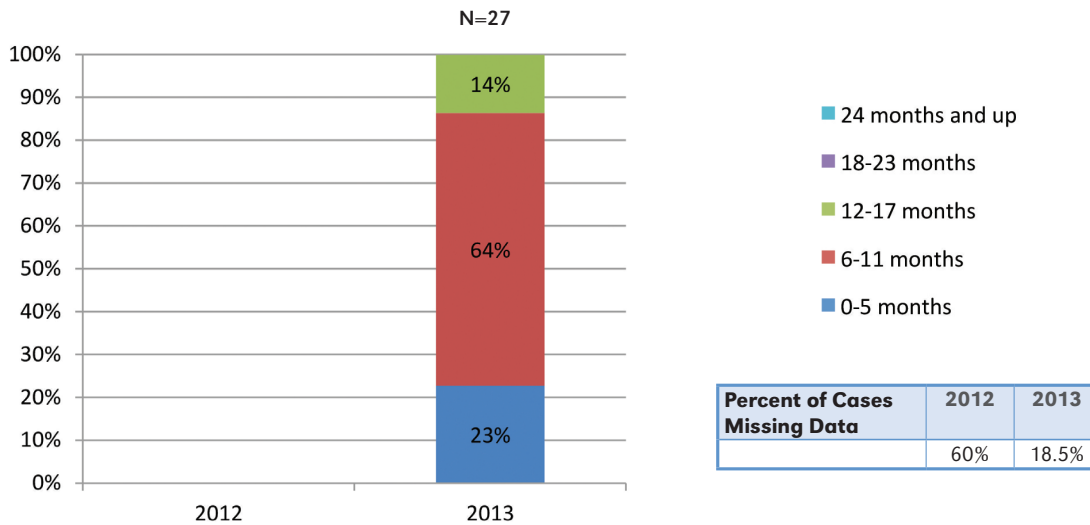


A Review Hearing is when the court reviews the status of the case, the parties' progress, and the adequacy of the offered services. Nebraska Revised Statute §43-278 requires the court to review every case not less than once every **6 months**.



## First Removal to First Permanency Hearing

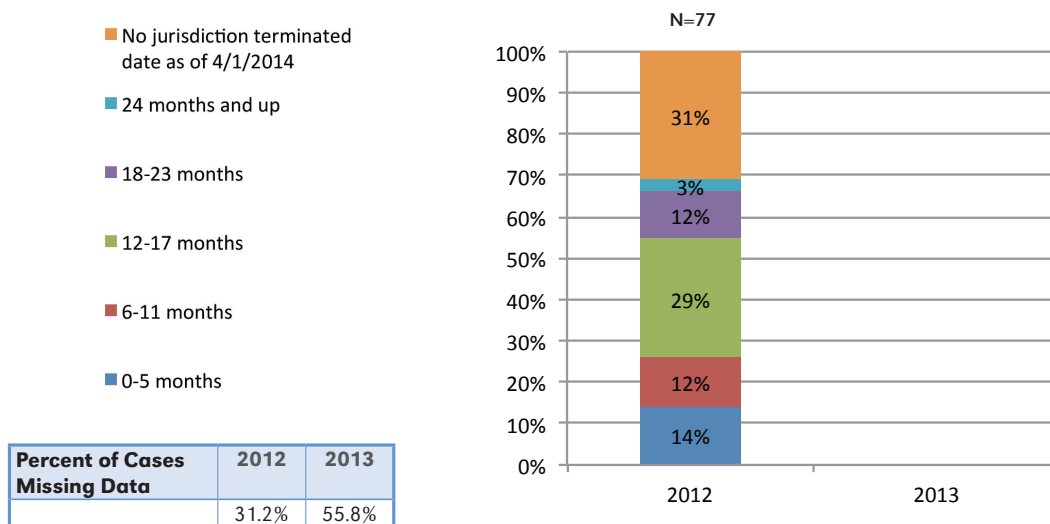
Cases with a petition filed date between February 1 and January 31 of the prior year are included. Cases that were dismissed within 90 days of the petition date, did not have a removal date, or were closed in less than one year are not included.



A Permanency Hearing is where the judge reviews the permanency plan for each child and determines the permanency goal. Nebraska Revised Statute §43-1312 and federal IV-E law requires a permanency hearing no later than **12 months** after the child enters foster care and annually thereafter.

## Time to Court Case Closure

Cases with a petition filed date between April 1 and March 31 of the prior year are included.



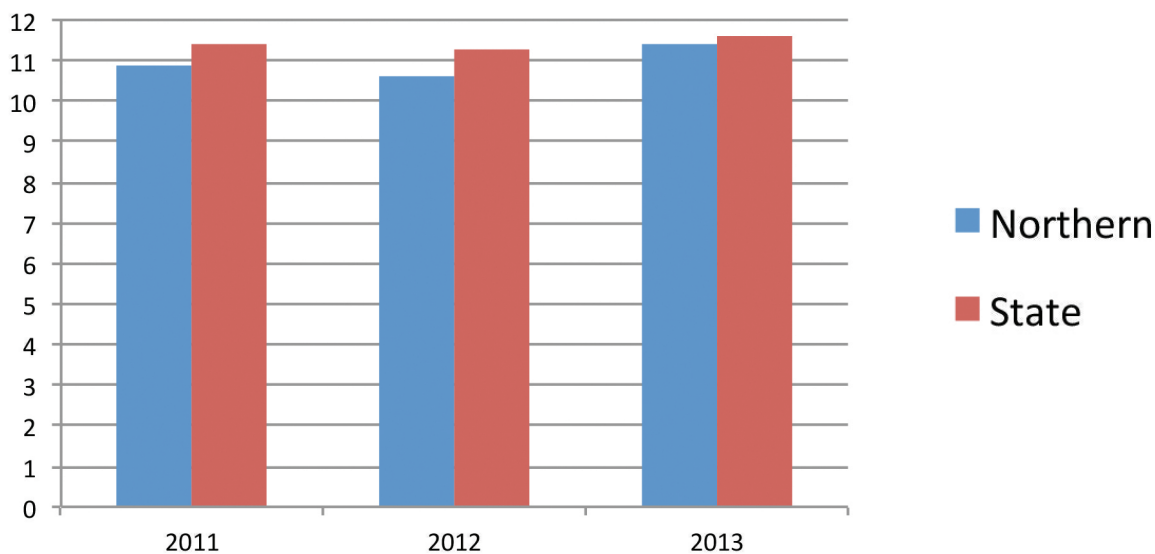
The date the juvenile court terminated its jurisdiction over the child is used for time to Court Case Closure.

## CHILD WELFARE CRITICAL CODES FOR DATA ENTRY.

- |                               |   |
|-------------------------------|---|
| 1. Date of removal            | 7. Review hearing                               |
| 2. Ex parte order             | 8. Permanency hearing                           |
| 3. Protective custody hearing | 9. Motion/petition to terminate parental rights |
| 4. First appearance hearing   | 10. Termination of parental rights trial        |
| 5. Adjudication hearing       | 11. Termination of jurisdiction                 |
| 6. Disposition hearing        |   |

## PERMANENCY OF CHILD WELFARE CASES

Data regarding permanency of Child Welfare Cases was obtained from Fostering Court Improvement ([fosteringcourtimprovement.org/ne](http://fosteringcourtimprovement.org/ne))

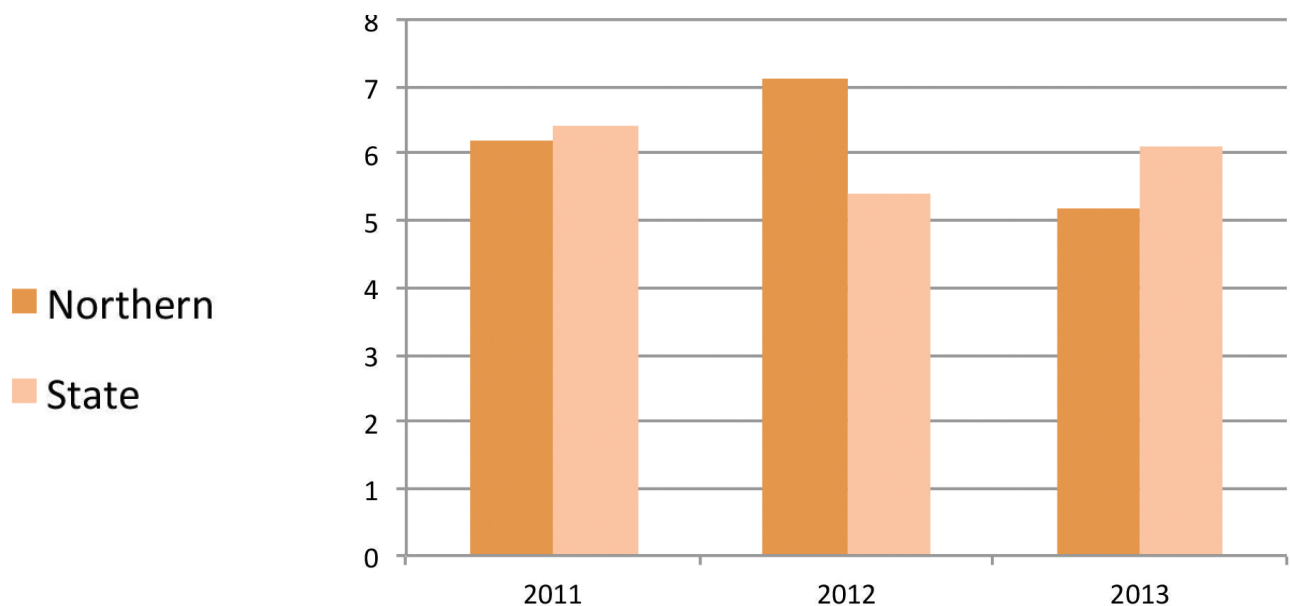
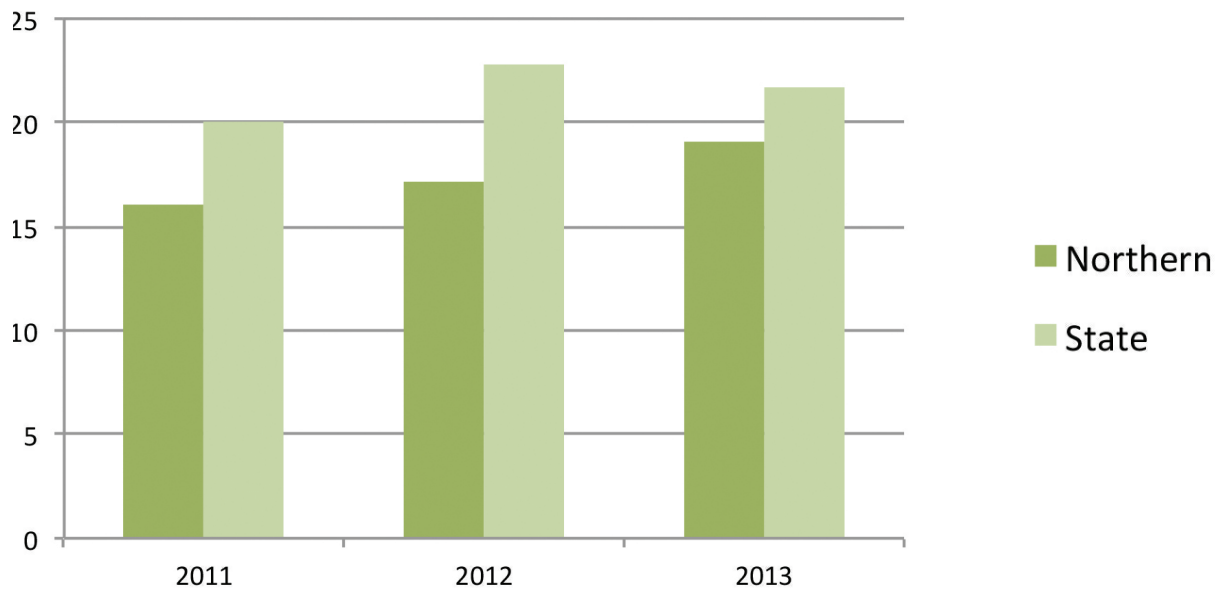


### Median Months from Removal to Reunification

Of the **1540** reunifications in Nebraska, your service area had **270** (17.5%).

## Median Months to Termination of Parental Rights

Of the **479** termination of parental rights in Nebraska, your service area had **40** (8.4%).

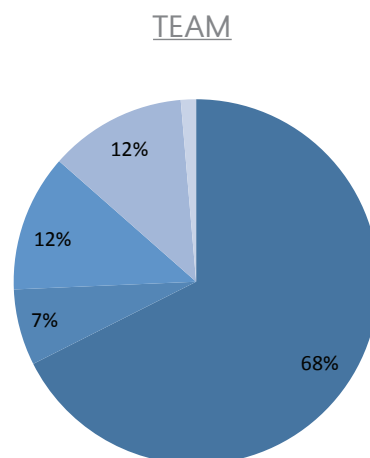
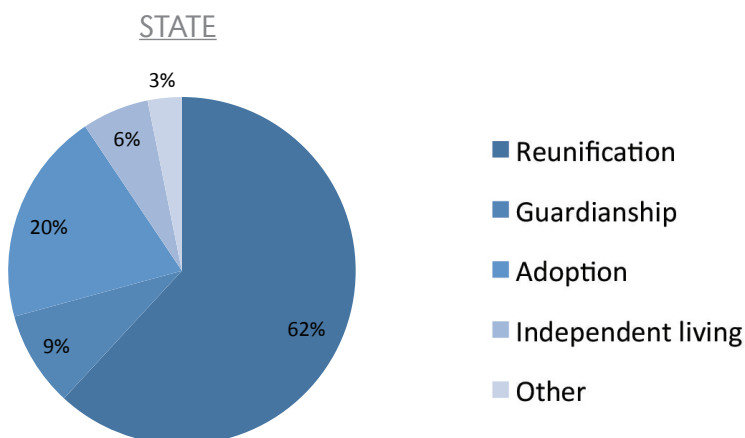


## Median Months from TPR to Adoption

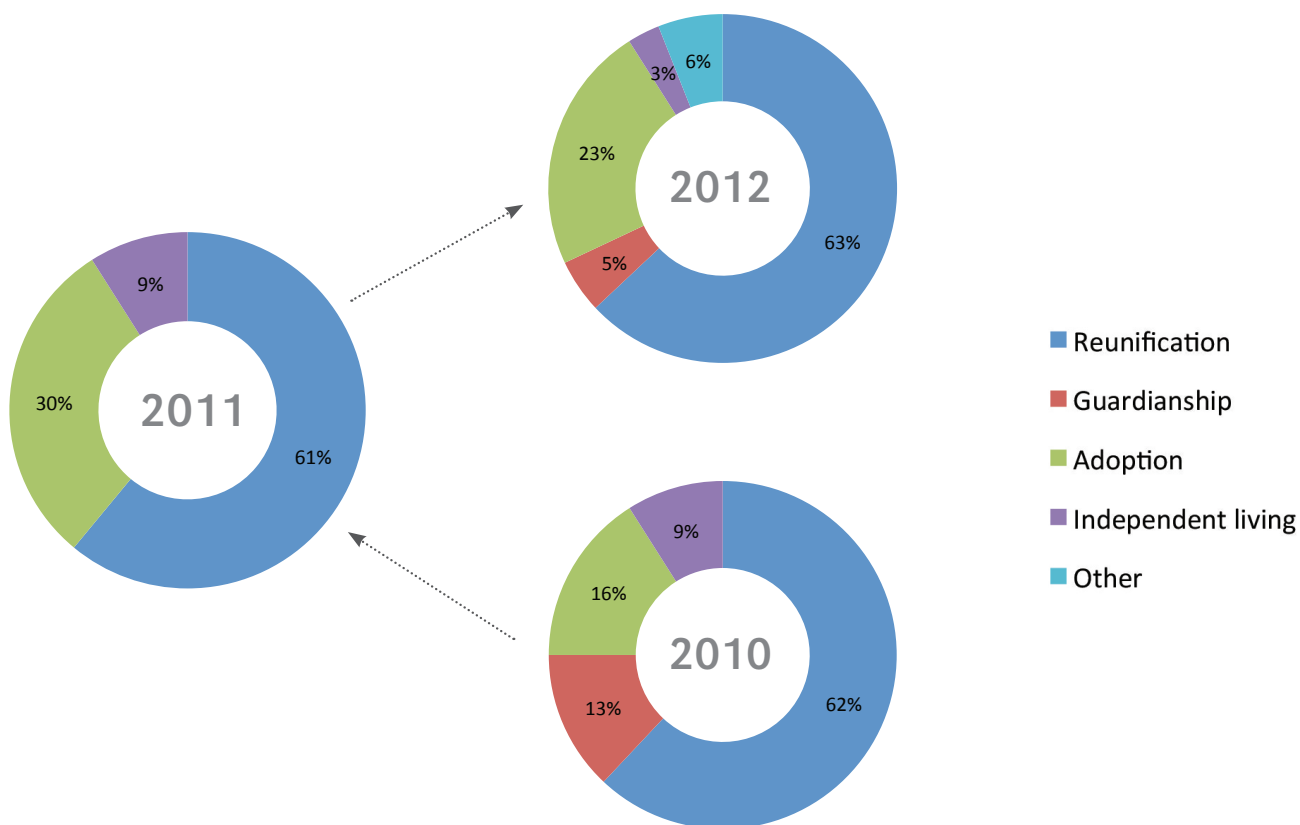
Of the **483** adoptions in Nebraska, your service area had **42** (8.7%). **33%** of children in Nebraska were adopted within 24 months of termination of parental rights, and **85%** were adopted within 48 months.

In your service area, **40%** were adopted within 24 months and **88%** were adopted within 48 months.

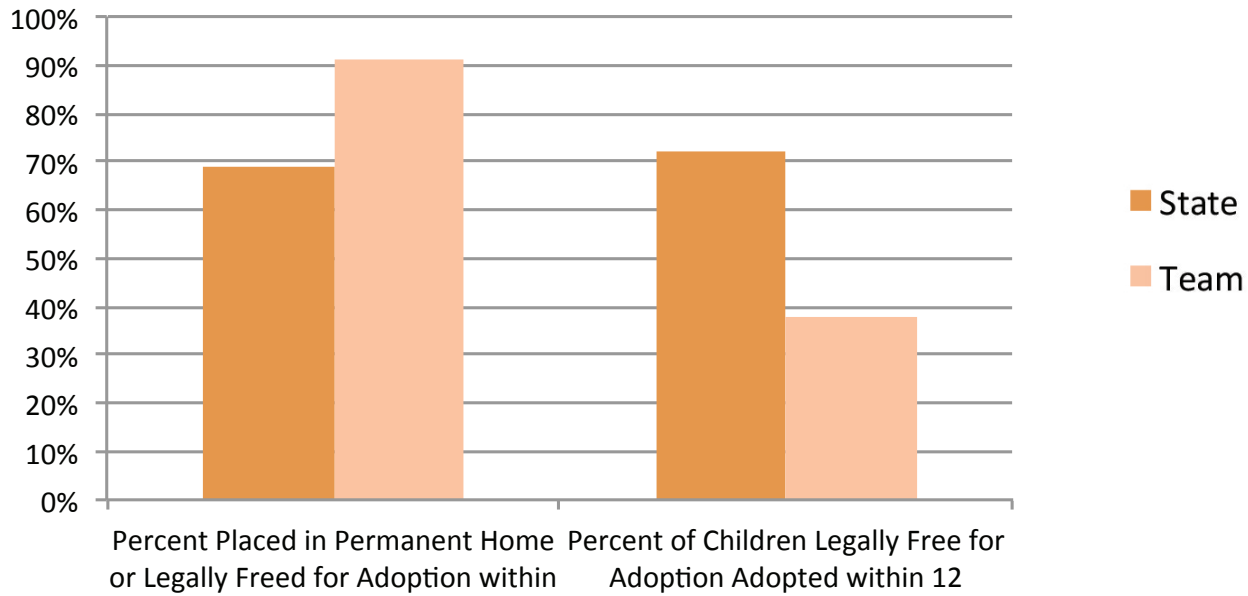
## Type of Discharge



## Type of Discharge: Teams



Data on type of discharge is obtained from Fostering Court Improvement ([fosteringcourtimprovement.org/ne](http://fosteringcourtimprovement.org/ne)). Prior to 2012, Health and Human Services provided discharge data.



### Permanency Through the Child's Eyes

This data shows how quickly children are finding permanency through the children's, and not the court's, eyes. The percent placed in a permanent home represents the percent of children who were free for adoption or living with family within 15 months of removal. The percent of children adopted within 12 months includes children in care with both TPRs between April 2012 and March 2013.

### Timeliness of Appeals

Through the Eyes of the Child staff manually collected data on appeals filed between January 1, 2012 and April 1, 2013, which included 135 appellate cases. All timelines are reported from the date the appeal is docketed. This data indicates that children are waiting an additional 9 months for their case to be finalized when there is an appeal.

<b>MEDIAN DAYS TO APPELLANT BRIEF FILED</b>	<b>87</b>
NUMBER OF CASES WITH BRIEF DUE DATA EXTENDED	<b>61 (45.2%)</b>
<b>CASES WITH ORAL ARGUMENTS</b>	<b>34 (25.2%)</b>
MEDIAN DAYS TO MANDATE ISSUED	<b>254.5</b>

# ENTRY INTO THE JUVENILE JUSTICE SYSTEM

The Court Improvement Project is now working with juvenile justice cases. The data reports are expanding to include data about juvenile justice in the state and for your team. This year, we are including data about the number of arrests and petitions filed, juvenile diversion programs, and probation. Our data sources for this section include Voices for Children, **JUSTICE**, the Nebraska Crime Commission, and the office of Probation. In the future, we hope to include more data such as juvenile justice case progression.



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## Juvenile Justice Critical Codes for Data Entry

The Court Improvement Project and **JUSTICE** have identified several critical codes that are especially important in tracking juvenile justice cases. Starting this year, the Through the Eyes Initiative, the **JUSTICE** staff will work with court clerks on data entry of these and other important codes. Please pay particular attention to the following codes when entering hearings and orders.

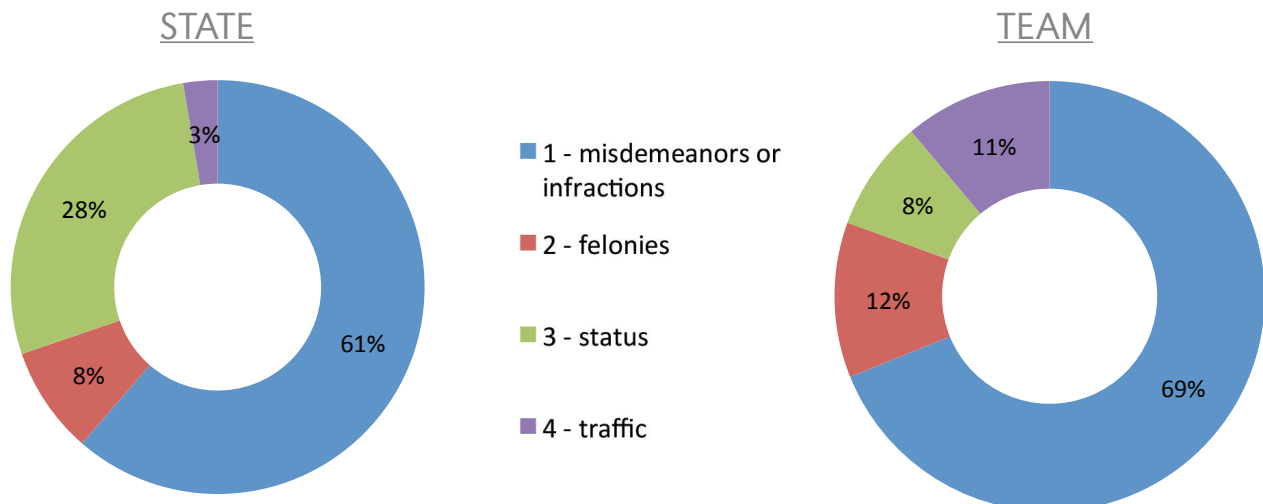
- |  |   |
|--|---|
| 1. Detention Hearing                                 | 6. Motion to Revoke Probation                         |
| 2. First Appearance Hearing                          | 7. Satisfactory/Unsatisfactory Release from Probation |
| 3. Motion to Transfer to County Court/District Court | 8. Commitment to YRTC Hearing                         |
| 4. Adjudication Hearing                              | 9. Reentry Hearing                                    |
| 5. Disposition Hearing                               | 10. Seal Record                                       |

## Number of Arrests



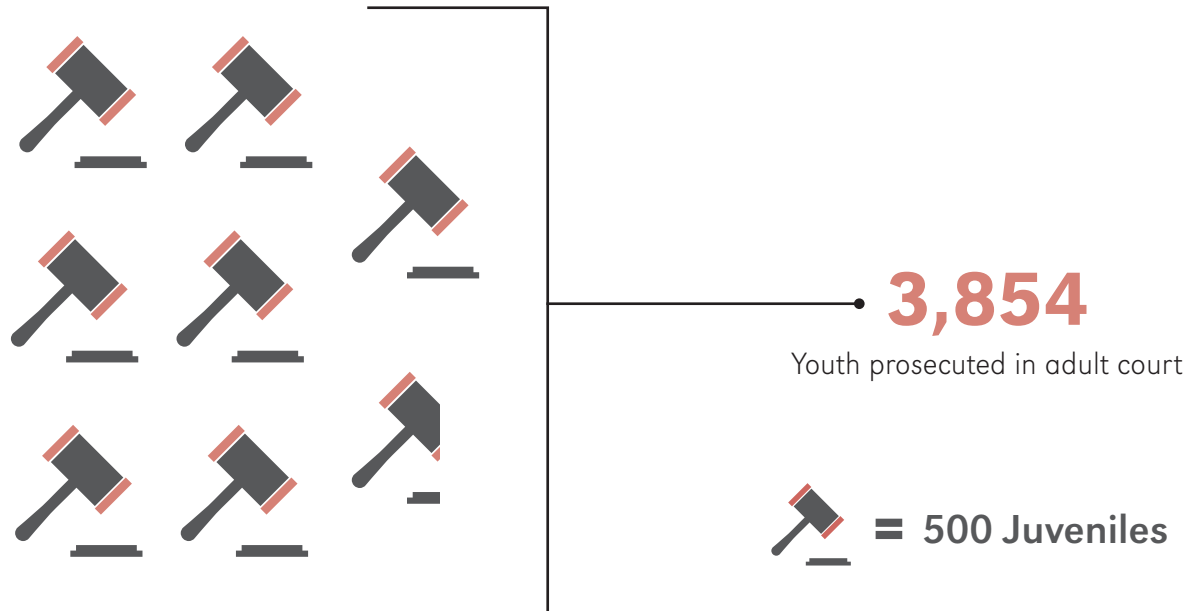
## Number of Juvenile Justice Petitions

This data show the number of juvenile justice petitions filed in 2013 by subtype that were entered into **JUSTICE** for Nebraska and your team. There were **6,761** juvenile justice petitions filed in Nebraska and **180** filed in your team.



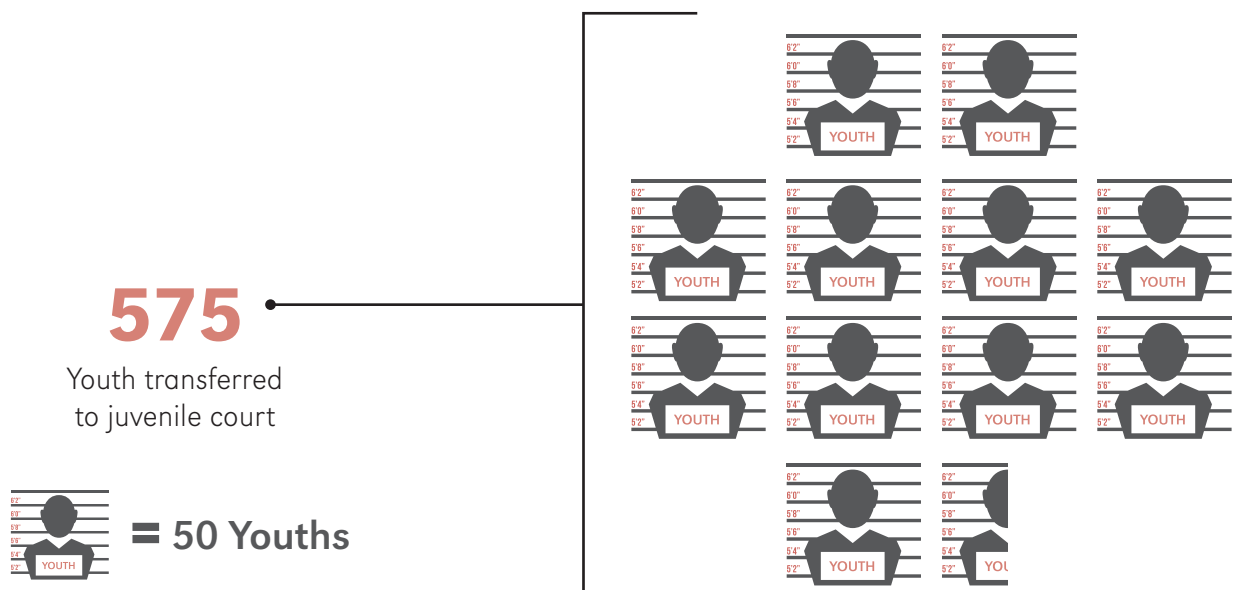
## Number of Youth Prosecuted in Adult Criminal Court in 2012

Voices for Children's annual Kids Count in Nebraska provided data on youth tried in adult court and transferred to juvenile court.



## Number of Youth Transferred to Juvenile Court in 2012

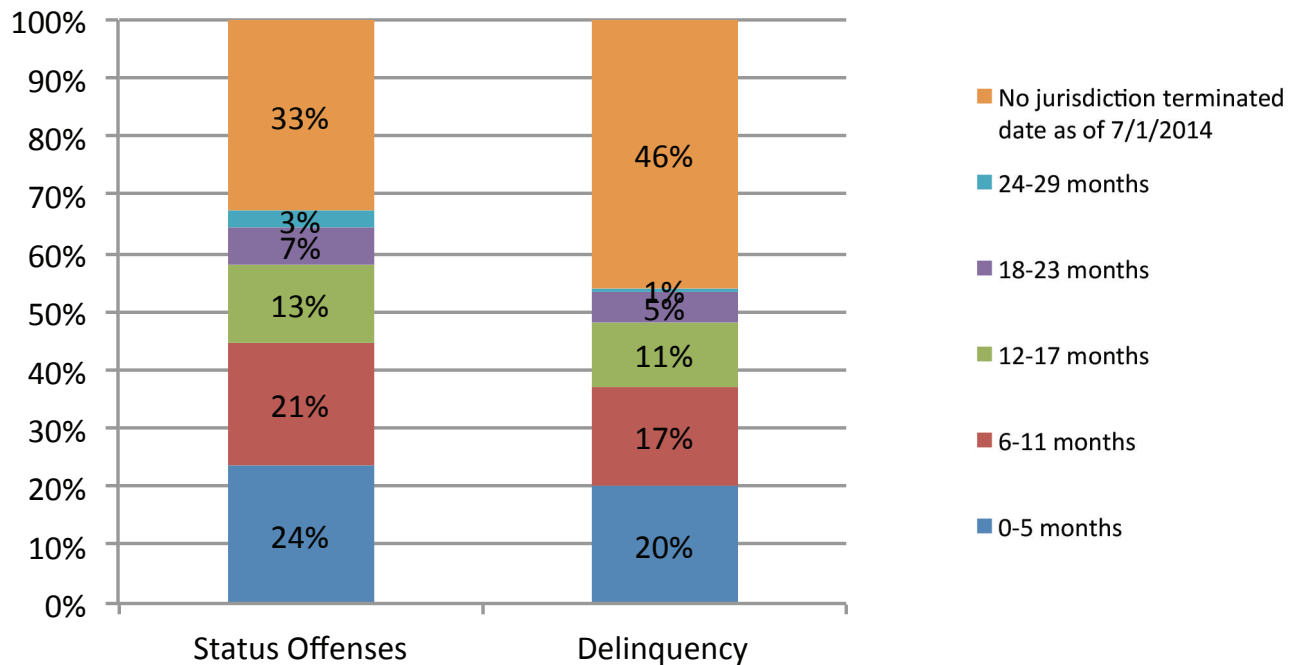
In 2012, **4,429** cases in Nebraska were filed against youth in adult criminal court. **575** (13%) were then transferred to juvenile court.





## Time to Court Case Closure

This graph depicts time to case closure for juvenile justice cases entered into **JUSTICE**. The data includes all juvenile justice cases filed in Nebraska in 2012 (**7,477** cases total). Cases that have no jurisdiction terminated date as of 7/1/2014 may either still be open or may have been closed but no jurisdiction termination date was entered.



<b>YOUTHS IN DIVERSION</b>	<b>STATE</b>	<b>TEAM</b>
NUMBER ENROLLED	3018	90
NUMBER DISCHARGED WITHOUT FURTHER LEGAL ACTION	1581	48
NUMBER FAILED TO COMPLY	291	8

## Youth in Diversion

*The Nebraska Crime Commission provided data on juvenile diversion programs in Nebraska.*

Of the 93 counties in Nebraska, **57** counties have a diversion program.

**\*See page 19 for a map of diversion programs in Nebraska**

# COMMITMENTS AND PROBATION

## Youth Rehabilitation Treatment Center Commitments Per 1,000 Youth

Data on number of YRTC commitments in State Fiscal Year 2012-2013 was provided by the YRTC's Annual Reports published by DHHS.

	STATE	TEAM
KEARNEY	350	10
GENEVA	110	0

*The full reports are available at:*

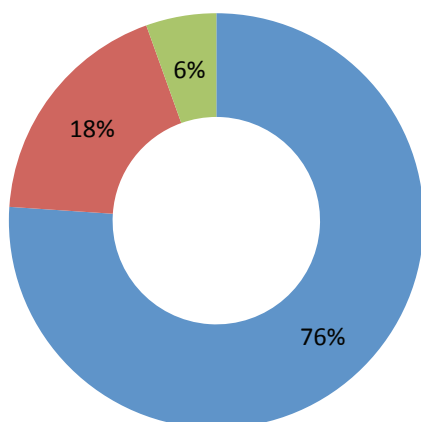
[http://dhhs.ne.gov/children\\_family\\_services/Pages/jus\\_yrtc\\_yrtcgindex.aspx](http://dhhs.ne.gov/children_family_services/Pages/jus_yrtc_yrtcgindex.aspx)  
(Geneva report)

[http://dhhs.ne.gov/children\\_family\\_services/Pages/jus\\_yrtc\\_yrtckindex.aspx](http://dhhs.ne.gov/children_family_services/Pages/jus_yrtc_yrtckindex.aspx)  
(Kearney report)

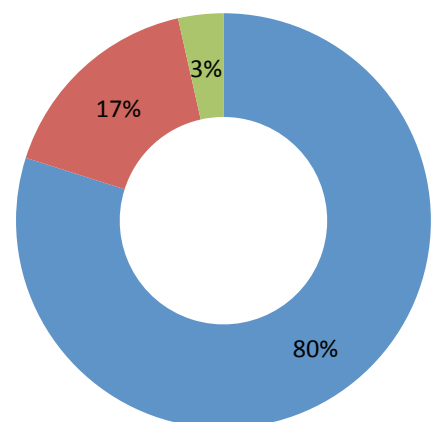
## Number of Youths Placed on Probation/ Completing Probation

Data on number of youth placed on and completing probation is provided by Probation. In 2013, **2,999** youth were placed on probation statewide. **193** youth were placed on probation in your district. The graph below shows the percentage of closed probation cases that were completed successfully, revoked or unsatisfactorily completed, or closed for another reason.

STATE PROBATION

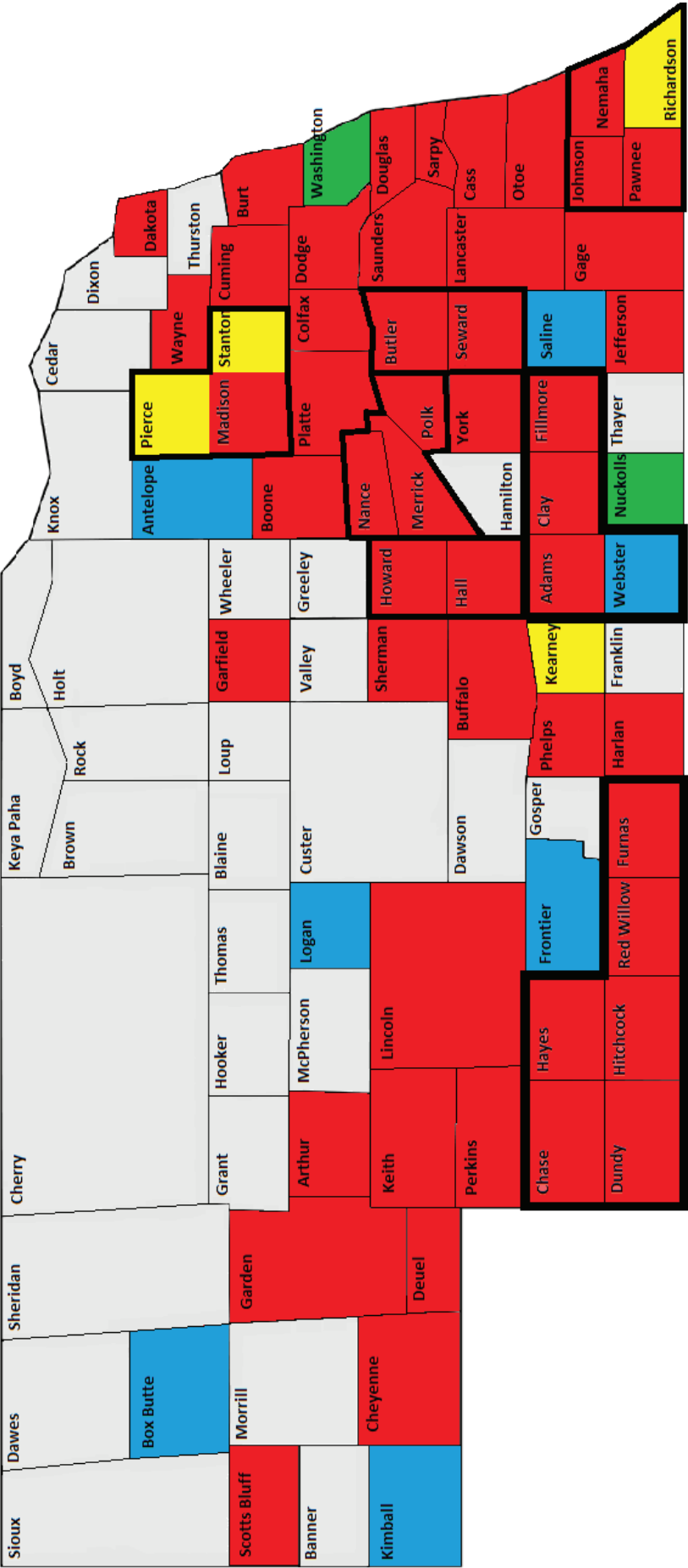


DISTRICT PROBATION



- Youth Successfully Completing
- Probation Revoked/Retaken/Unsatisfactory
- Other (Death, District Override, OJS/HHS, Trans-Adjudication)

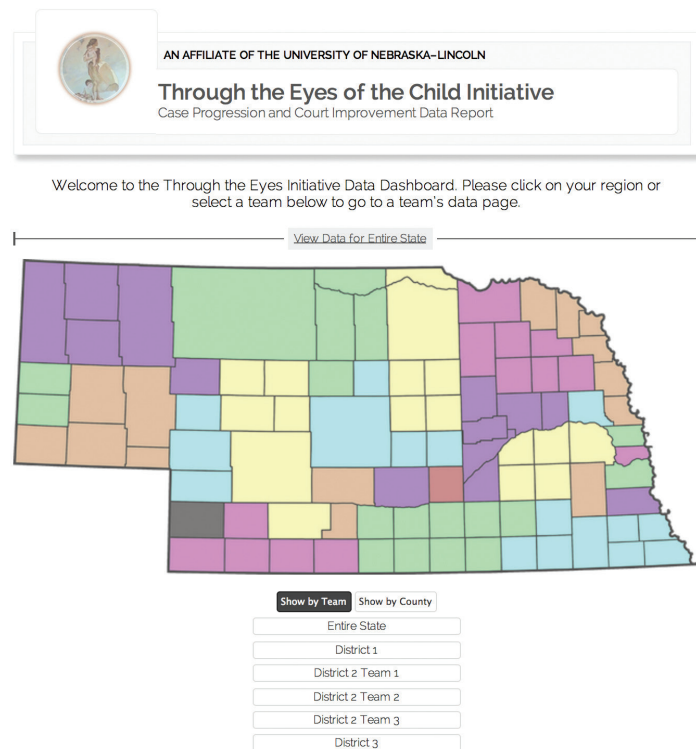
Juvenile Diversion Programs in Nebraska



- Active Diversion Programs before LB 561
- Discontinued Diversion Programs as of 11/2013
- Active Diversion Programs reported as of 11/2013
- Diversion Programs in progress as of 11/2013

# NOW AVAILABLE

Your team data online through the Data Dashboard  
at **[datadashboard.throughtheeyes.org](http://datadashboard.throughtheeyes.org)**



If you have any questions about our data or the data reporting,  
please contact Lori Hoetger CIP Project Evaluator at **[lhoetger2@unl.edu](mailto:lhoetger2@unl.edu)**

University of Nebraska-Lincoln  
**Center on Children, Families, and the Law**

